

COUNCIL MEETING
MONDAY 30 OCTOBER 2023

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

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

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor will:

- make the following statement:

“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

Nil.

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 9 October 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

Skylands Update

Community Research Outcomes

DATE

16 October

RECOMMENDATION:

That Council notes the workshops conducted.

4.4. TABLING OF PETITIONS

(Note: Petitions received by Councillors are to be forwarded to the Chief Executive Officer within seven days after receiving the petition).

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

4.5 REPORTS FROM OUTSIDE BODIES

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

REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**
Representative: Cr James Walker

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**
Representative: Cr Warren (Mayor's nominee)
Cr Hunter (Proxy)

- **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 9, 16 and 23 October 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 9, 16 and 23 October 2023 be noted.

5. PUBLIC QUESTION TIME

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

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

5.1 PUBLIC QUESTIONS ON NOTICE

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

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

Mr Bradley Walker of Howrah has given notice of the following questions:

1. PUBLIC OPEN SPACE LOT 105 IN SD-2003/69

In May 2018, I first contacted Council in regard to the developer's condition to fence Public Open Space Lot 105 in SD-2003/69. In early 2020, the developer fenced a small section of this lot which suited their agenda. But a large section of fence has yet to be built and although last bringing this to the council's attention in February 2023 (REQ2021-044971), I have not been informed to what progress council is at with enforcing this condition onto the developer. Could I please get an update?

2. WALKING TRACK WITHIN SD-2011/30

At Council meeting on 7 August 2023, I asked about a section of walking track within SD-2011/30 that council is progressing in partnership with the developer to construct at a better standard than required. The developer has yet to construct any of the required 1km + new tracks required by conditions of this permit. Could an update of when these tracks might be constructed and what part, if any, the council will have in their construction?

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.

Council's Public Question Time Policy can be found on Council's website at [Public Question Time - City of Clarence : City of Clarence \(ccc.tas.gov.au\)](https://www.ccc.tas.gov.au/public-question-time)

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-2022/029033 – 158 EAST DERWENT HIGHWAY, LINDISFARNE – CARPARK UPGRADE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Carpark Upgrade at 158 East Derwent Highway, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Parking and Sustainable Transport Code, Flood-prone Hazard Areas Code, Road and Railway Assets Code and Safeguarding of the Airports Code under the *Tasmanian Planning Scheme - Clarence (the Scheme)*. In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

This report 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 extended with the applicant's consent to 1 November 2023.

CONSULTATION

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

- Car parking lighting; and
- Boundary fence.

RECOMMENDATION:

A. That the Development Application for Carpark Upgrade at 158 East Derwent Highway, Lindisfarne (CI Ref PDPLANPMTD-2022/029033) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN S1 – SIGN CONSENT.
3. External lighting must not operate within the hours of 11.00pm to 6.00am, excluding any security lighting.
4. GEN AM7 – OUTDOOR LIGHTING - Outdoor lighting, including security lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
5. ENG A5 – SEALED CAR PARKING.

6. ENG M1 – DESIGN DA.

7. ENG M5 – EROSION CONTROL – An Erosion and Soil Control (E&SC) Plan must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of works.

Drainage, sediment and erosion controls, sufficient to prevent sediment leaving the site and in accordance with an approved Erosion and Sediment Control (E&SC) Plan, must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the satisfaction of Council's Head of Infrastructure and Natural Assets.

The E&SC Plan must be submitted as part of the engineering assessment prior to the issue of any approval under the Building Act 2016', or the commencement of work, whichever occurs first. The E&SC Plan must be prepared in accordance with the information in Erosion and Sediment Control – the fundamentals for development in Tasmania (DEP & TEER, 2023). All work required by this condition must be undertaken in accordance with the approved E&SC Plan.

8. GEN AM4 – CEMP - A Construction & Environmental Management Plan (CEMP) must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of works and such plan must include the following: Construction methodology, strategy for noise and dust control, area designated for visitor and staff/works parking and necessary access/egress arrangements for construction vehicle. Works associated with excavations and other activities associated with the development are only to be undertaken between the following hours:

Monday – Friday	7.00am to 6.00pm
Saturday	9.00am to 6.00pm
Sunday	10.00am to 6.00pm

9. The development must meet all required Conditions of Approval specified by TasWater notice dated 14 September 2023 (TWDA 2022/01539 - CCC).

ADVICE

- a. This Permit will lapse after two years from the date on which it is granted unless the development/use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.

- b. This is a town planning permit only. Please be aware that a building permit and/or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.
 - c. Non-compliance with this permit is an offence under Section 63 of the Land Use Planning and Approvals Act 1993 and may result in enforcement action under Division 4A of the Land Use Planning and Approvals Act 1993, which provides for substantial fines and daily penalties.
 - d. A Building Surveyor is required to be engaged to create and certify an Application for Building Approval.
 - e. 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

The site has been subject to a number of applications since 1998, which are relevant to the current application:

- 98/089 – alterations and additions approved 16 July 1998 (10% / 199m² increase in floor area, no change to East Derwent Highway streetscape, no change to on-site parking spaces, ingress only from East Derwent Highway);
- D-1999/290 – signage;
- D-2004/125 – signage;
- D-2005/92 – additions and alterations (smoking decks – internal changes – changes to East Derwent Highway elevations – no change to car parking) approved 6 June 2005;
- D-2005/334 – additions and alterations (smoking decks – changes to East Derwent Highway elevations – no change to car parking) approved 29 November 2005;

- D-2011/86 – reorganisation and extension of dining / Tote / gaming / bottle shop / signage / facades / car parking;
- D-2012/44 – Alterations to Carpark to improve gradient;
- D-2020/007660 – Boundary Adjustment; and
- D- 2021/020218 – Signage.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Local 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 14.1 – Local Business Zones;
- Clause C2.0 –Parking and Sustainable Codes;
- Clause C3.0 – Road and Railway Assets Code;
- Clause C12.0 – Flood-Prone areas Hazard Code; and
- Clause C16.0 – Safeguarding of the Airports Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The subject site is a 4032m² allotment located on the corner of the East Derwent Highway and Boatta Road in an established, predominantly residential area of Lindisfarne. The site is developed with the Beltana Hotel and associated bottle-shop to the rear, accessed from Boatta Road.

Car parking is provided to the rear of the building with access from the East Derwent Highway and egress to Boatta Road.

The site provides for a secondary access from Boatta Road, which provides access to some car parking spaces and circulation along the hotel frontage.

3.2. The Proposal

The proposal is for the upgrade to the existing car parking bringing it to greater compliance with the Scheme by improving the gradient. The proposal will result in a reduction in gradient from the existing 16% to 12%, which is a significant improvement to the existing parking areas and increases the usability of the carpark by providing safe and efficient parking.

The proposal relates only to changes to the carpark gradient and associated retaining structures. No changes are proposed to be made to the existing number of car parking spaces, access arrangements or use of 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.

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 proposal relates to the carpark upgrade with no changes to the building height.

The subject site is within the road attenuation area for the East Derwent Highway. However, the proposed development is outside the overlay, therefore the proposal will not trigger an assessment under the Road and Railway Assets Code.

The proposal meets the Scheme's relevant Acceptable Solutions of the Local Business Zone and Parking and Sustainable Codes with the exception of the following.

Parking and Sustainable Transport Code

- **Clause C2.6.2 A1.1** – the proposed parking areas, although an improvement to the existing car parking arrangement, do not provide the required gradient in accordance with Australian Standard AS 2890-Parking facilities, Parts 1-6.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause C2.6.2 as follows.

Clause	Performance Criteria	Assessment
Clause C2.6.2 P1	<i>“All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</i>	See assessment below.
	<i>(a) the characteristics of the site;</i>	The subject site is an irregular shaped corner lot with main access from East Derwent Highway and egress onto Boatta Road. The existing access arrangements have been designed in response to the site characteristics to allow safe and efficient parking and circulation areas within the site. The proposal is only to improve the gradient and the existing arrangements remain unchanged.
	<i>(b) the proposed slope, dimensions and layout;</i>	As mentioned above, the existing carpark has been operating for many years and the proposal is only to improve its gradient. The gradient of the car parking areas will be reduced from the existing 16% to 12%, and the dimensions of the parking spaces will be in accordance with the Australian standards. The proposal will include additional line marking and signage to improve usability, efficiency, and ensure safety of users. The application was supported by a Traffic Impact Statement noting the complexity and constraints to achieving a compliant gradient. Council Engineers have reviewed the Traffic Impact Statement and are satisfied that the proposed regrading, although not meeting the required gradient, is a significant improvement to the existing scenario and provides a much safer and usable carpark.

	(c) <i>useability in all weather conditions;</i>	The proposed surface treatment would be asphalt, which is durable and usable in all weather conditions, therefore complies with the performance criteria.
	(d) <i>vehicle and pedestrian traffic safety;</i>	The proposed car parking arrangements provide for a traffic and pedestrian shared zone with the necessary shared zone safety signage. The speed limit will be restricted to 10km/hr within the site to ensure that the safety of users is maintained.
	(e) <i>the nature and use of the development;</i>	The proposal relates to car parking design only, with no changes proposed to the nature and use of the site.
	(f) <i>the expected number and type of vehicles;</i>	As mentioned above, the proposal relates to the carpark gradient with no intensification of the approved use on-site and therefore no change to vehicular movement is anticipated.
	(g) <i>the likely use of the parking areas by persons with a disability;</i>	The site provides for separate accessible parking spaces next to the building, which are compliant with the requirements under the Scheme.
	(h) <i>the nature of traffic in the surrounding area;</i>	The proposed development does not alter the existing access arrangements, therefore there would be no change to the existing traffic flow within the area. The changes are proposed to occur in two stages in order to minimise the impact on parking while the development occurs.
	(i) <i>the proposed means of parking delineation; and</i>	The provided Traffic Impact statement confirms that the carpark is to be line marked in accordance with the Australian Standards.

	(j) <i>the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.”</i>	<p>As mentioned above, although the carpark will not comply for the gradient requirement under the Australian standard, it will be an improvement from the existing grades. The traffic engineering report has been provided in support of the proposal and Council’s Engineer concurs with the findings contained within the Traffic Impact statement.</p> <p>It is considered that the proposed development complies with the corresponding performance criteria.</p>
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Parking and Sustainable Transport Code

- **Clause C2.6.5 A1.1 relating to pedestrian access** – the proposed development does not provide for a 1m wide footpath within the site as required under the Scheme.

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

Clause	Performance Criteria	Assessment
Clause C2.6.5 P1	<i>“Safe and convenient pedestrian access must be provided within parking areas, having regard to:</i>	See assessment below.
	<i>(a) the characteristics of the site;</i>	The relevant component of the site is an existing carpark and has been operating in its current form for many years. The proposed carpark works only include a part of the carpark. It is challenging to achieve fully compliant pedestrian access through the carpark. However, the proposed arrangements are considered appropriate, due to the size and existing use.

		The majority of the traffic flow and pedestrian interaction is within proximity to the building and existing access, which is not included in the proposed works.
	<i>(b) the nature of the use;</i>	As mentioned above, the existing use remains unchanged.
	<i>(c) the number of parking spaces;</i>	The proposed changes relate to the gradient of the car parking areas, with no changes to the number of parking spaces.
	<i>(d) the frequency of vehicle movements;</i>	The traffic movement and frequency will not change as a result of the proposed development.
	<i>(e) the needs of persons with a disability;</i>	The existing carpark close to the building are allocated for people with a disability and the proposed upgraded section does not have any accessible carpark.
	<i>(f) the location and number of footpath crossings;</i>	The existing access, which is not being altered, has no provision for crossings and has been operating without significant issues for many years. The speeds used are expected to be lower due to the topography and constrained width. Shared zone signage is to be constructed on-site to ensure that the safety of road users is maintained.
	<i>(g) vehicle and pedestrian traffic safety;</i>	The speeds used are expected to be lower due to the topography and constrained width. The pedestrian or vehicle risk does not increase as a result of the proposed development.
	<i>(h) the location of any access ways or parking aisles; and</i>	The proposal will not change the location of any access ways or parking aisles. The building access and traffic aisles are clearly marked by arrows on the existing access and the resurfaced areas will be marked accordingly.

	(i) <i>any protective devices proposed for pedestrian safety.</i> ”	<p>As mentioned above, the building access and traffic circulation areas are clearly marked. Furthermore, the proposal provides a shared pedestrian and vehicle space sign, and restricted vehicular speed to 10km/hr to ensure safety of users within the shared spaces.</p> <p>On this basis, the proposed development is considered to comply with the Performance Criterion P1.</p>
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5. REPRESENTATION ISSUES

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

5.1. Car Parking Lighting

Concern was raised by the representor relating to loss of residential amenity through light intrusion.

- **Comment**

Light intrusion is a relevant concern and has been raised with the applicant. The Scheme provides controls relating to external lighting for all uses within 50m of residential areas under Clause 14.3.1 A2, for which the proposal is within the 50m range. Recommended conditions include the management of lighting associated with the proposal, which will ensure that residential amenity is not unreasonably compromised.

5.2. Boundary Fencing

Concern was raised in relation to potential safety risk to the adjoining property owners, due to the removal of the boundary fence as part of the proposed works. The representor recommended security fencing during construction to ensure their safety is not compromised.

- **Comment**

The proposal indicates that the boundary fencing is to be retained in its existing form, with the only change being the inclusion of a retaining wall below ground level required as part of the regrading works.

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*, or the Director's Determinations for a Certificate of Likely Compliance, and Form 6 Notice of Protection Work. The Form 6 Notice of Protection Work addresses the protection of adjoining properties, or existing structures, from damages incurred because of construction works.

Advice will be included in the permit (if granted) alerting the applicant to these requirements.

6. EXTERNAL REFERRALS

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

The proposal was also referred to the Department of State Growth at advertising stage and no comments were received.

7. STATE POLICIES AND ACT OBJECTIVES

7.1. The proposal is consistent with the State Policies, including 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 Council's adopted Strategic Plan and other relevant Council Policies.

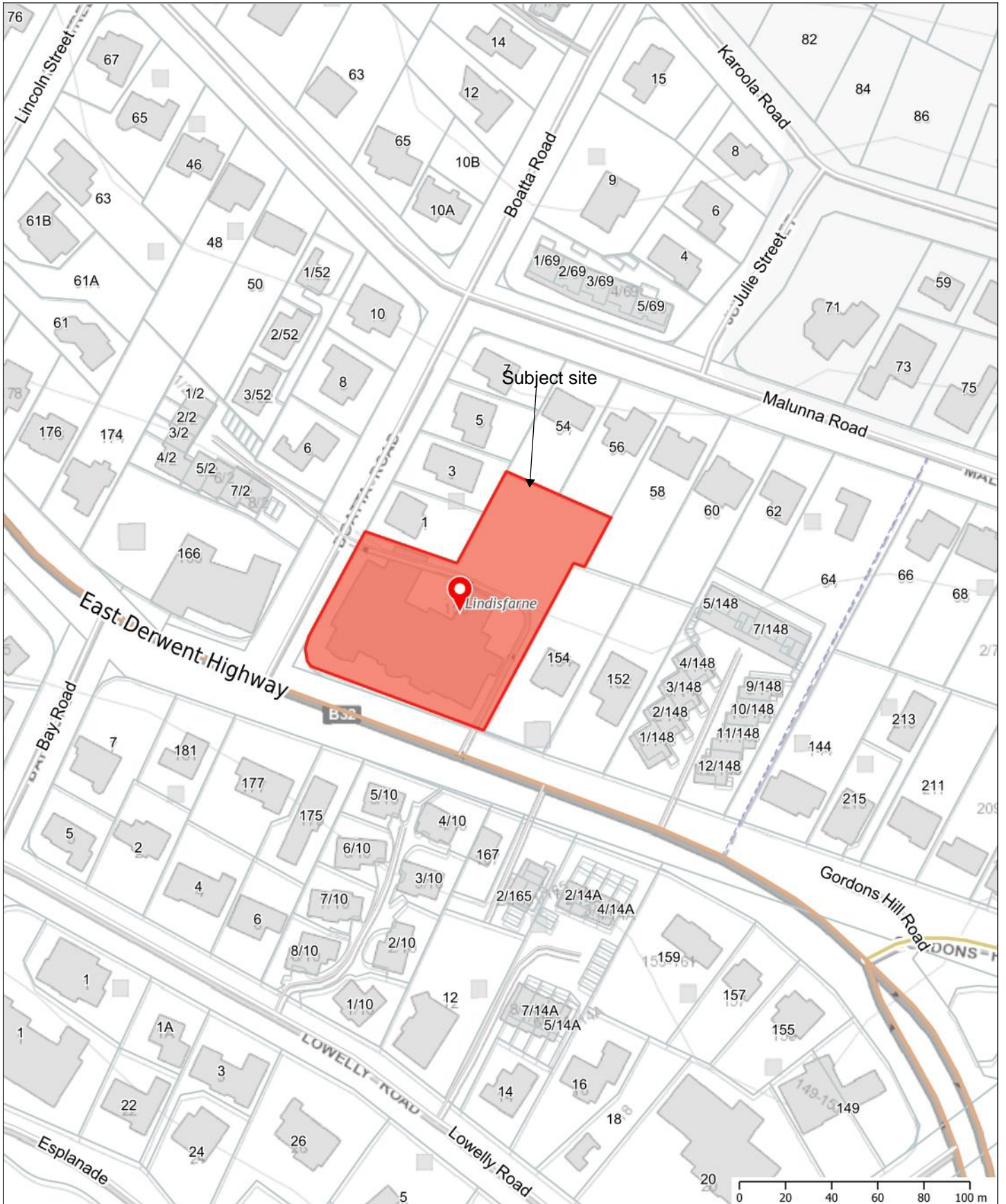
9. CONCLUSION

The proposal for a carpark upgrade at 158 East Derwent Highway, Lindisfarne is considered to satisfy all the relevant acceptable solutions and performance criteria of the Scheme and is accordingly recommended for conditional approval.

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

Robyn Olsen
ACTING HEAD OF CITY PLANNING

Attachment 1

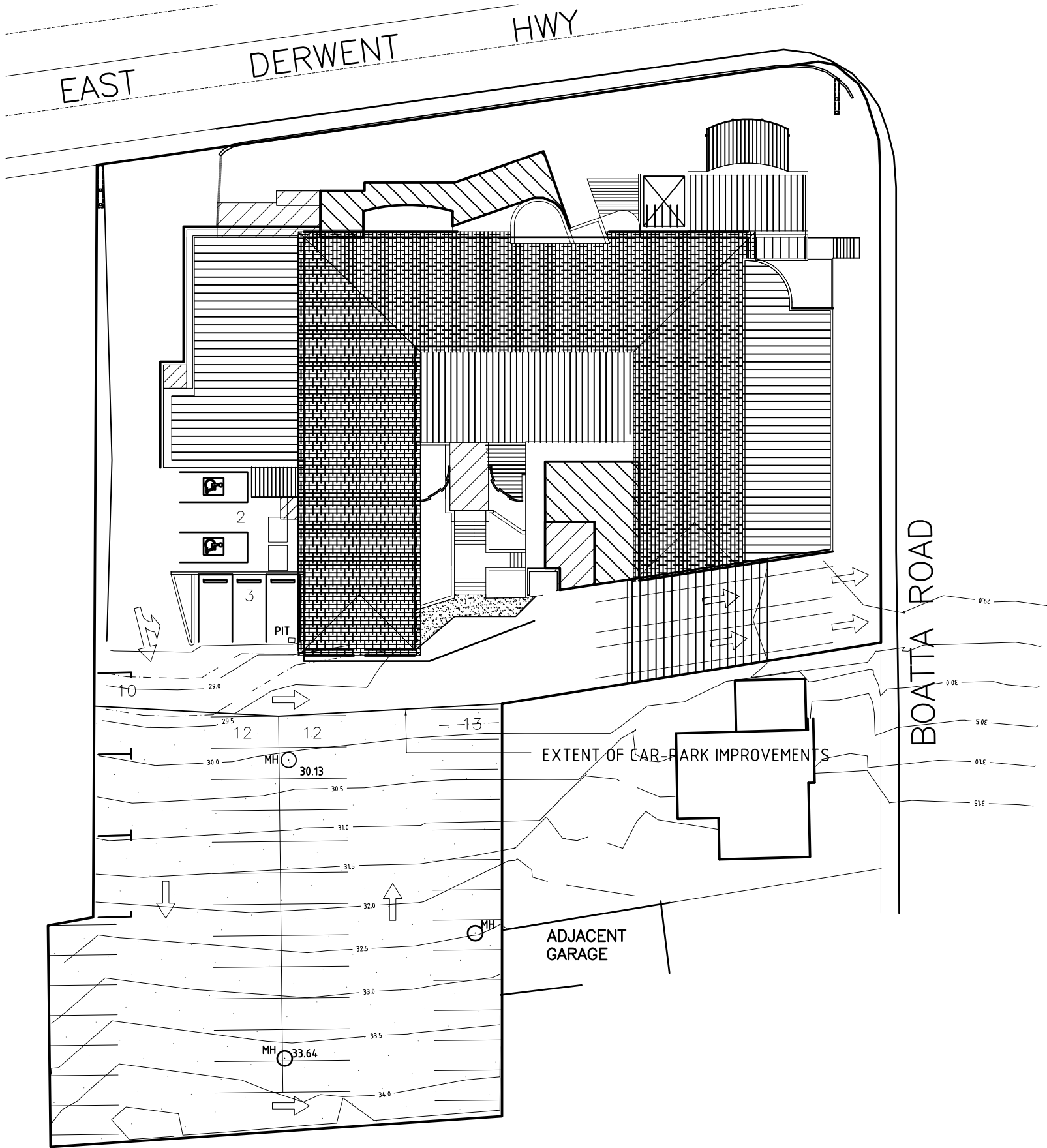


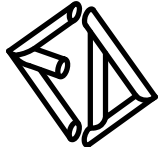
This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

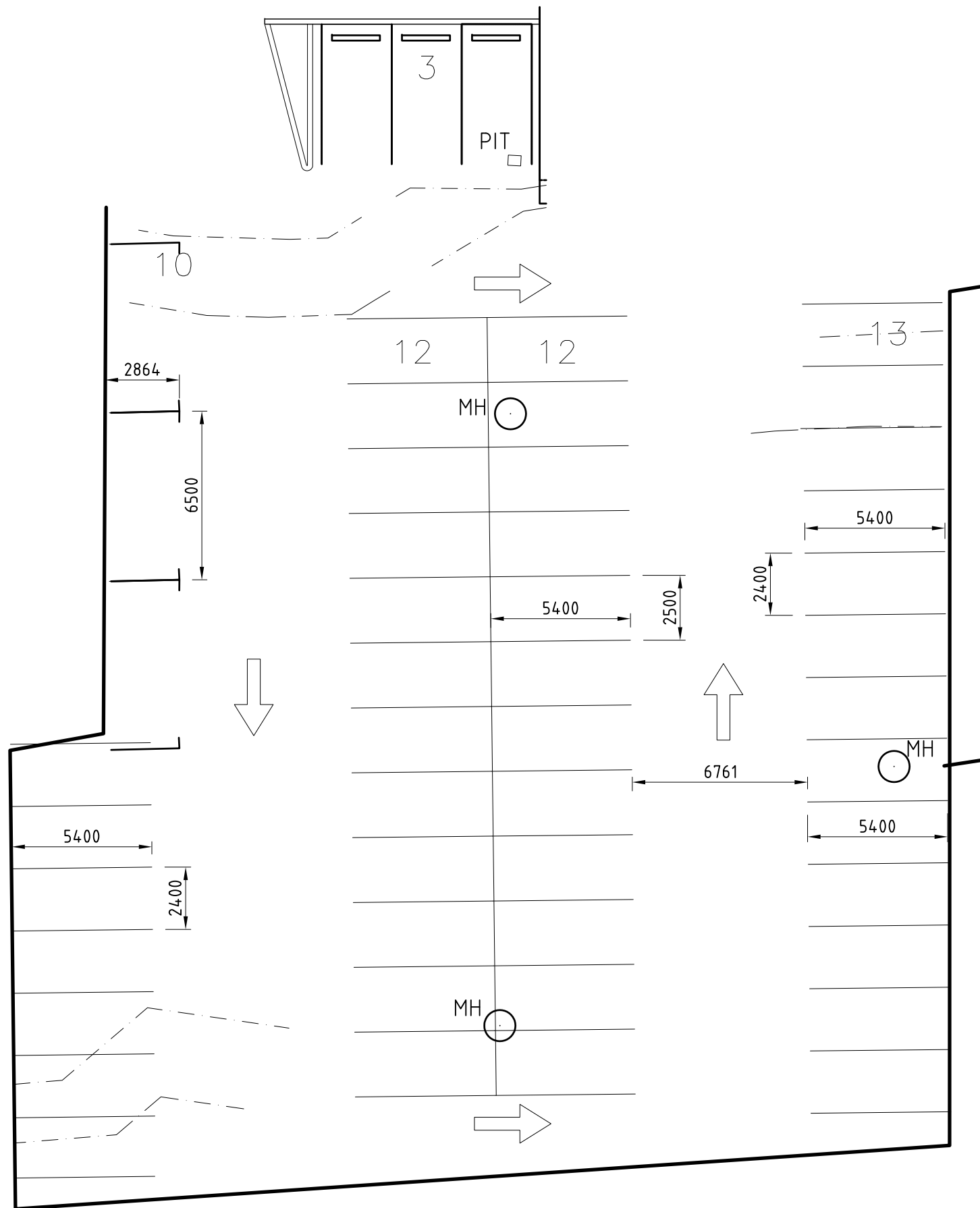
18/10/2023

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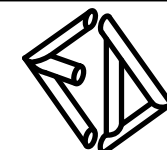




 CONSULTING ENGINEERS Emmanuel Dellas Pty Ltd phone: 6228 2225 fax: 6228 2235 mobile: 0418 232 811 email: edell@bigpond.com.au 20 Stratton Ave L/Valley 7008	Project Title: PROPOSED CAR PARK ALTERATIONS AT 158 EAST DERWENT HWY LINDISFARNE FOR COOLEYS PTY LTD EXISTING SITE PLAN		Scale: 1:400	A3
	Designed by: Agenda Attachments - 158 East Derwent Hwy, Lindisfarne		Job No. 3397	
	Date: 20/03/2023		Drawing No.	Rev.
			A1	04



EXISTING CAR-PARK & SITE LEVELS

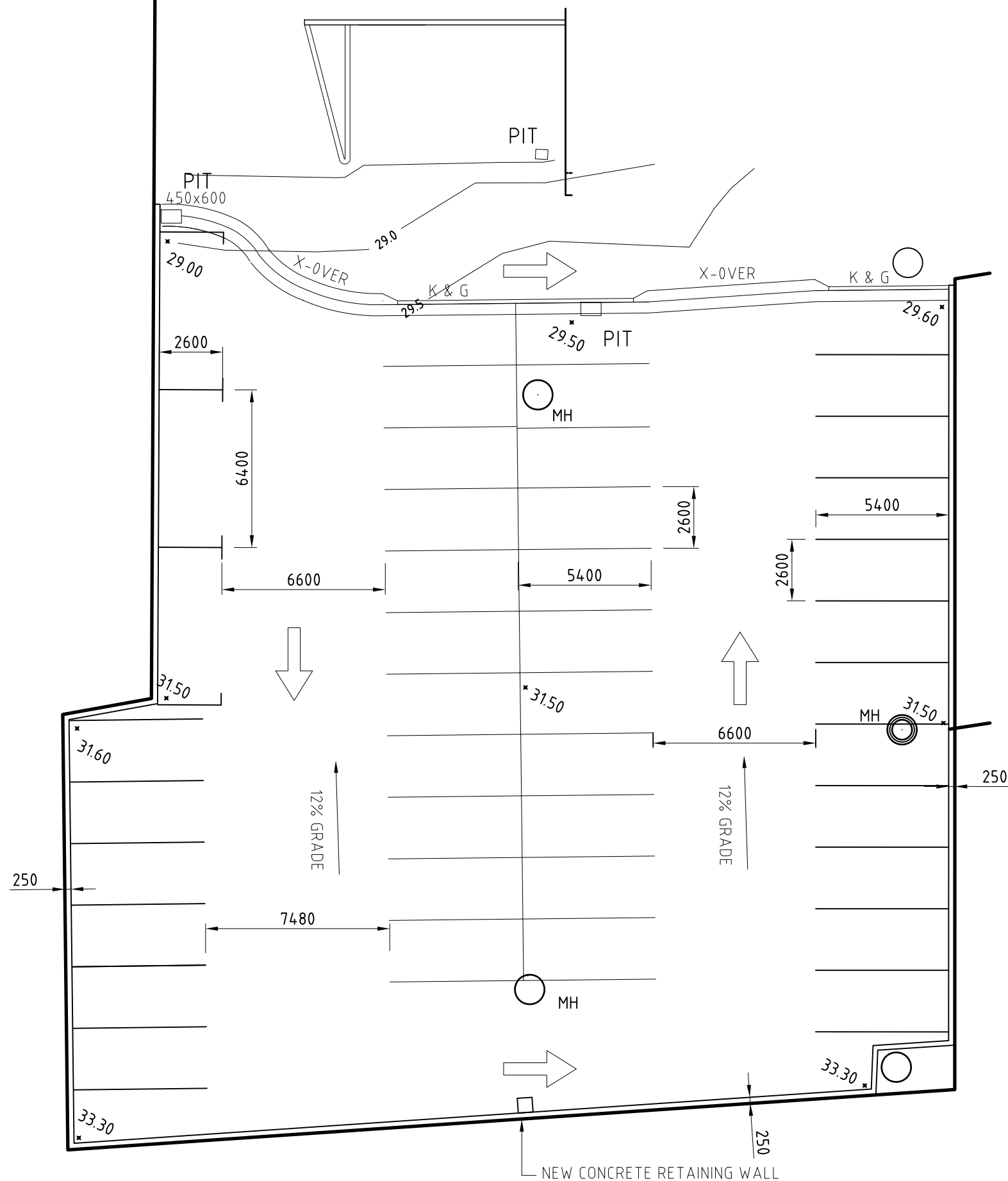


CONSULTING ENGINEERS
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GPO Box 1805 Hobart 7001

Project Title:
**PROPOSED CAR PARK ALTERATIONS
AT 158 EAST DERWENT HWY
LINDISFARNE
FOR COOLEYS PTY LTD
EXISTING CAR-PARK PLAN**

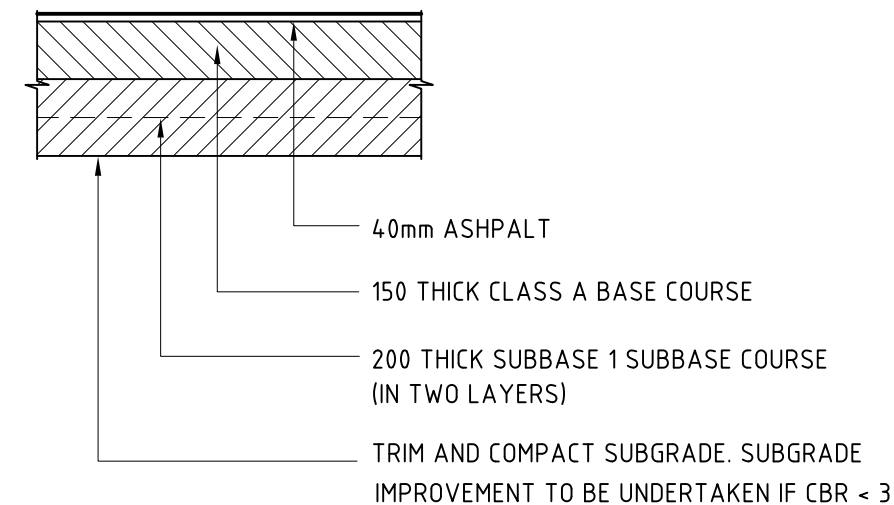
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Agenda Attachments - 158 East Derwent Hwy, Lindisfarne Page 3 of 4

Scale:	A3
1:20	
Job No.	3397
Drawing No.	Rev.
A2	04



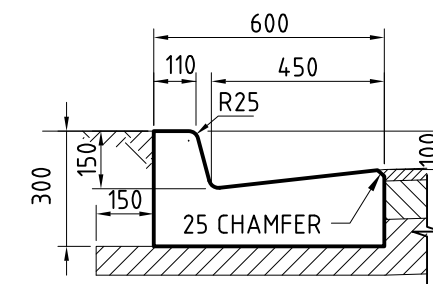
CARPARK PAVEMENT PLAN

33.40 * FINISHED SURFACE LEVELS TO A.H.D.



CAR PARK PAVEMENT PROFILE

SCALE: 1:20

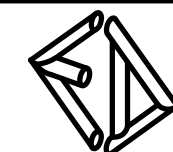


MIN. 100 THICK CLASS A BASE COURSE UNDER KERB

BARRIER KERB & CHANNEL

SCALE: 1:10

REV 2 : RETAINING WALL DIMENSIONS ADDED
REV 1 : CARPARK DIMENSIONS ADDED

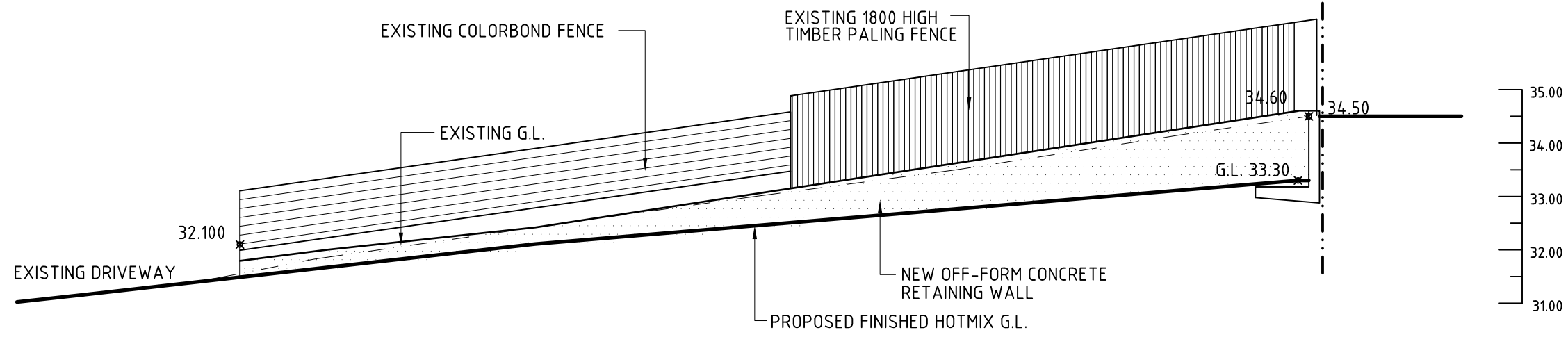


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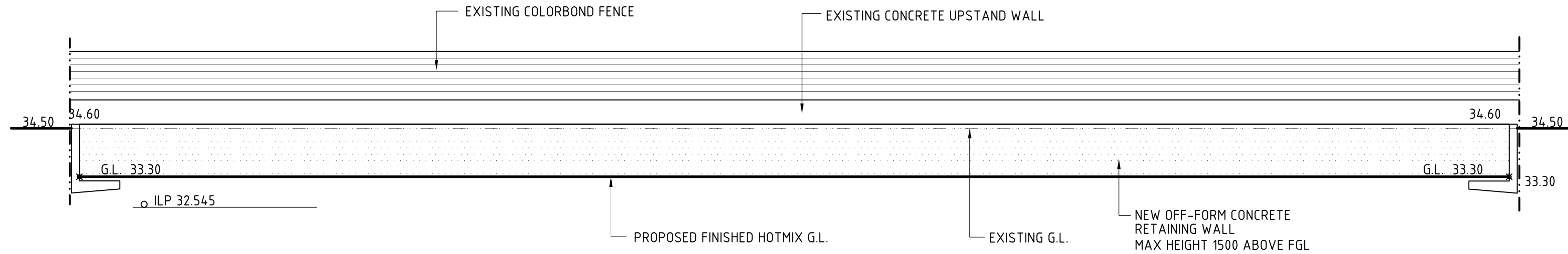
Project Title:
**PROPOSED CAR PARK ALTERATIONS
AT 158 EAST DERWENT HWY
LINDISFARNE
FOR COOLEYS PTY LTD
NEW CARPARK PAVEMENT PLAN**

Designed by: [Signature] Date: 10/10/2023
Agenda Attachments - 158 East Derwent Hwy, Lindisfarne

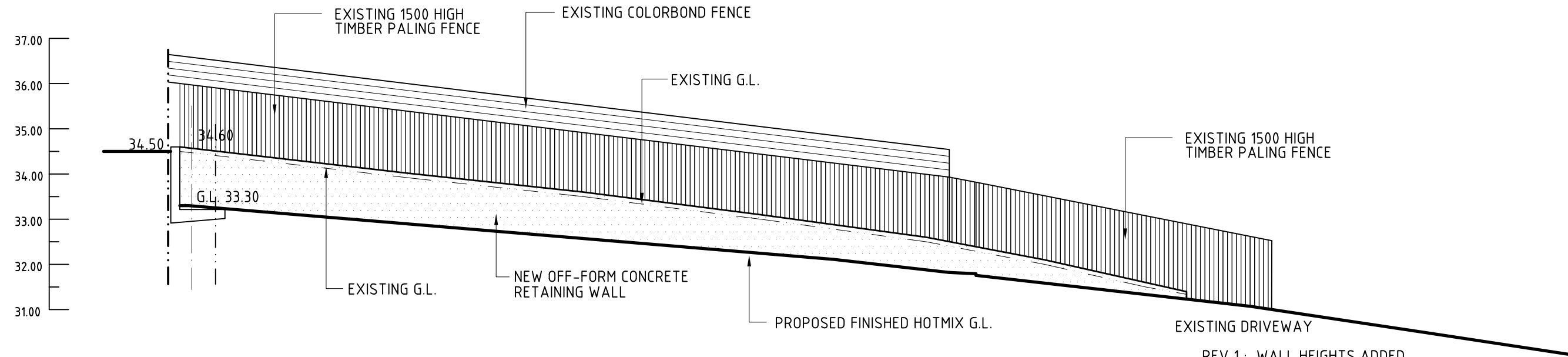
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Job No.	3397	
Drawing No.	61	Rev. 24



ELEVATION A

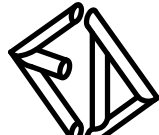


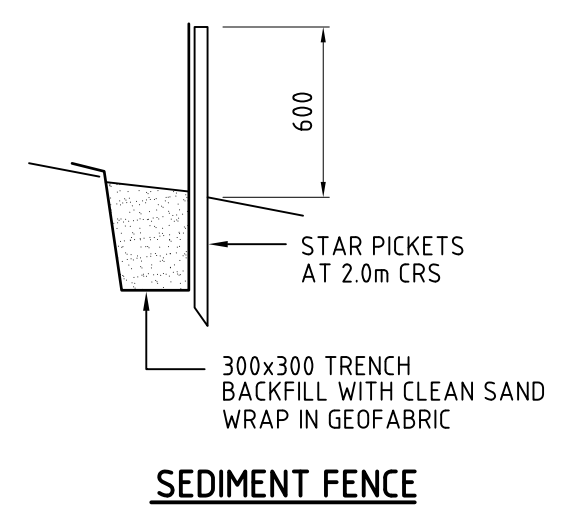
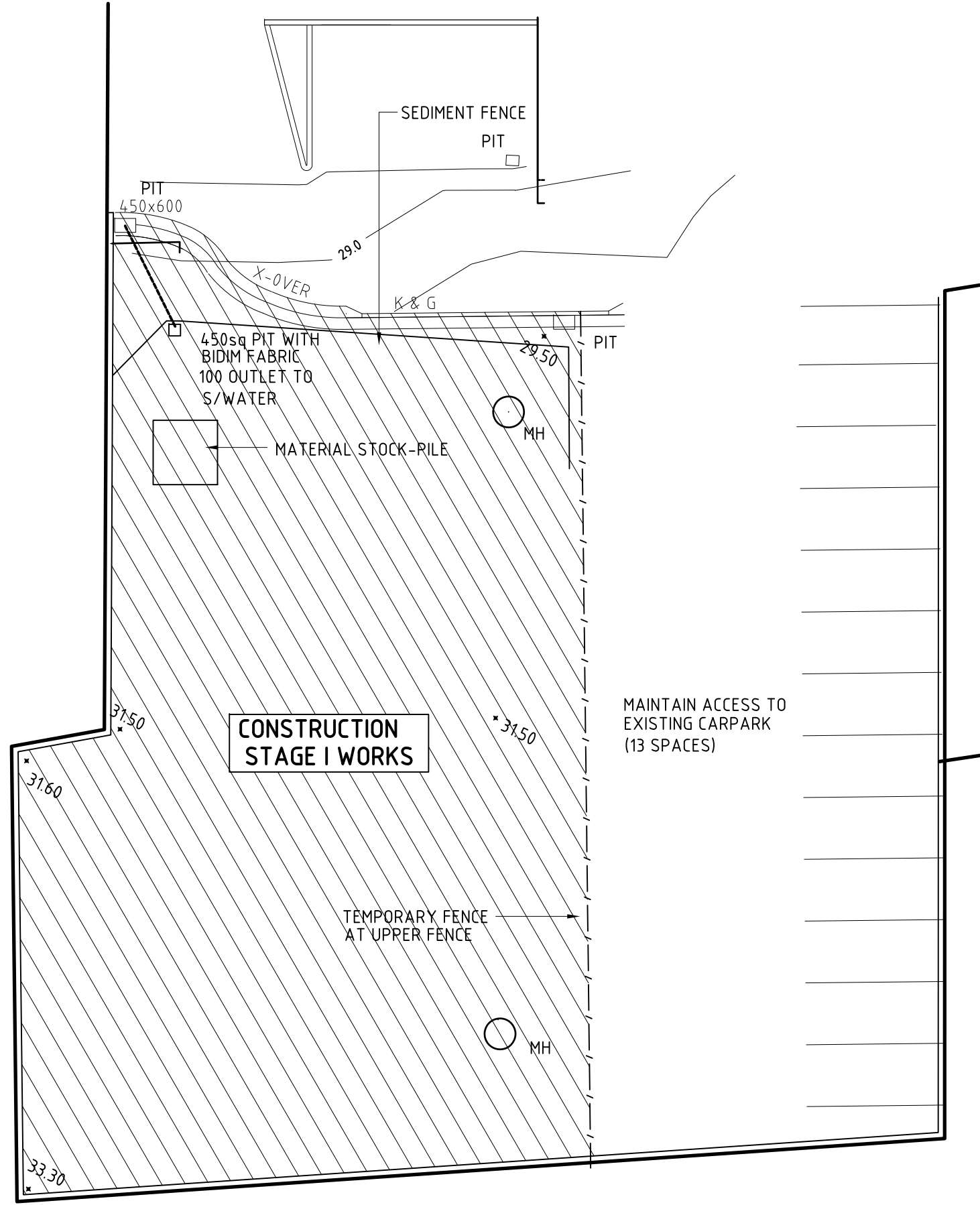
ELEVATION B



ELEVATION C

REV 1: WALL HEIGHTS ADDED

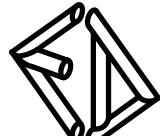
 CONSULTING ENGINEERS Emmanuel Dellas Pty Ltd phone: 6228 2225 mobile: 0418 232 811 email: edellas@bigpond.com 20 Stratton Ave L/VALLEY	Project Title: PROPOSED CAR PARK ALTERATIONS AT 158 EAST DERWENT HWY LINDISFARNE FOR COOLEYS PTY LTD RETAINING WALL ELEVATIONS		Scale: 1:100	A3
	Designed by: Agenda Attachments - 158 East Derwent Hwy, Lindisfarne		Job No. 3397	
	Date: 2023		Drawing No.	
	Page 5 of 14		Rev.	

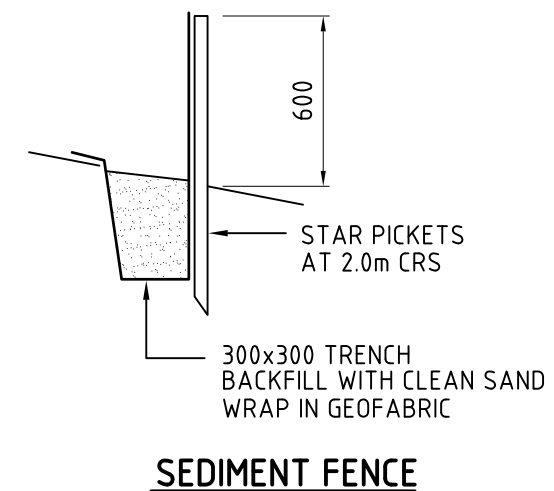
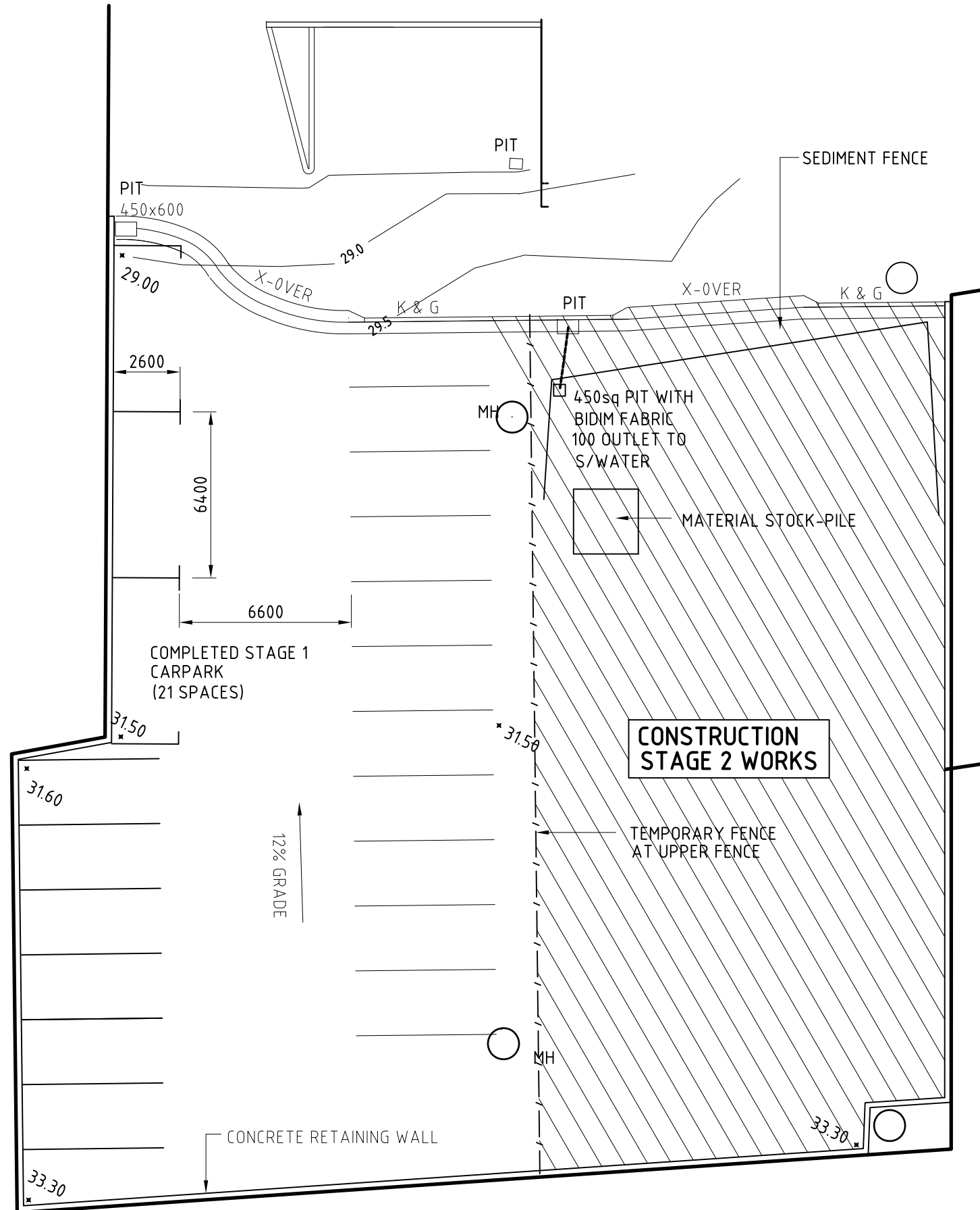


**SITE SILT & STORMWATER
CONSTRUCTION MANAGEMENT PLAN (STAGE 1)**

- NOTE
1. ALL GUTTERS TO BE CONNECTED TO S/WATER IMMEDIATELY ROOF IS INSTALLED
 2. INSTALL SEDIMENT CONTROL FENCE AS DETAILED
 3. RUN-OFF AND SEDIMENT CONTROL TO BE CHECKED AND MAINTAINED REGULARLY

REV 1: CONSTRUCTION STAGING CLARIFIED

 <p>CONSULTING ENGINEERS Emmanuel Dellas Pty Ltd phone: 6228 2225 mobile: 0418 232 811 email: edellas@bigpond.com 20 Stratton Ave L/VALLEY</p>	Project Title:		Scale:	
	PROPOSED CAR PARK ALTERATIONS 158 EAST DERWENT HWY, LINDISFARNE FOR COOLEYS PTY LTD		1:200, NTS	A3
	SITE SILT & STORMWATER CONSTRUCTION MANAGEMENT PLAN (1)		Job No.	
	Designed by: Agenda Attachments - 158 East Derwent Highway, Lindisfarne		3397	
Date: 20/03/2023		Drawing No.	Rev.	
		63		Page 6 of 14

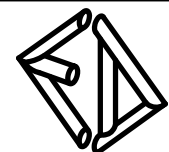


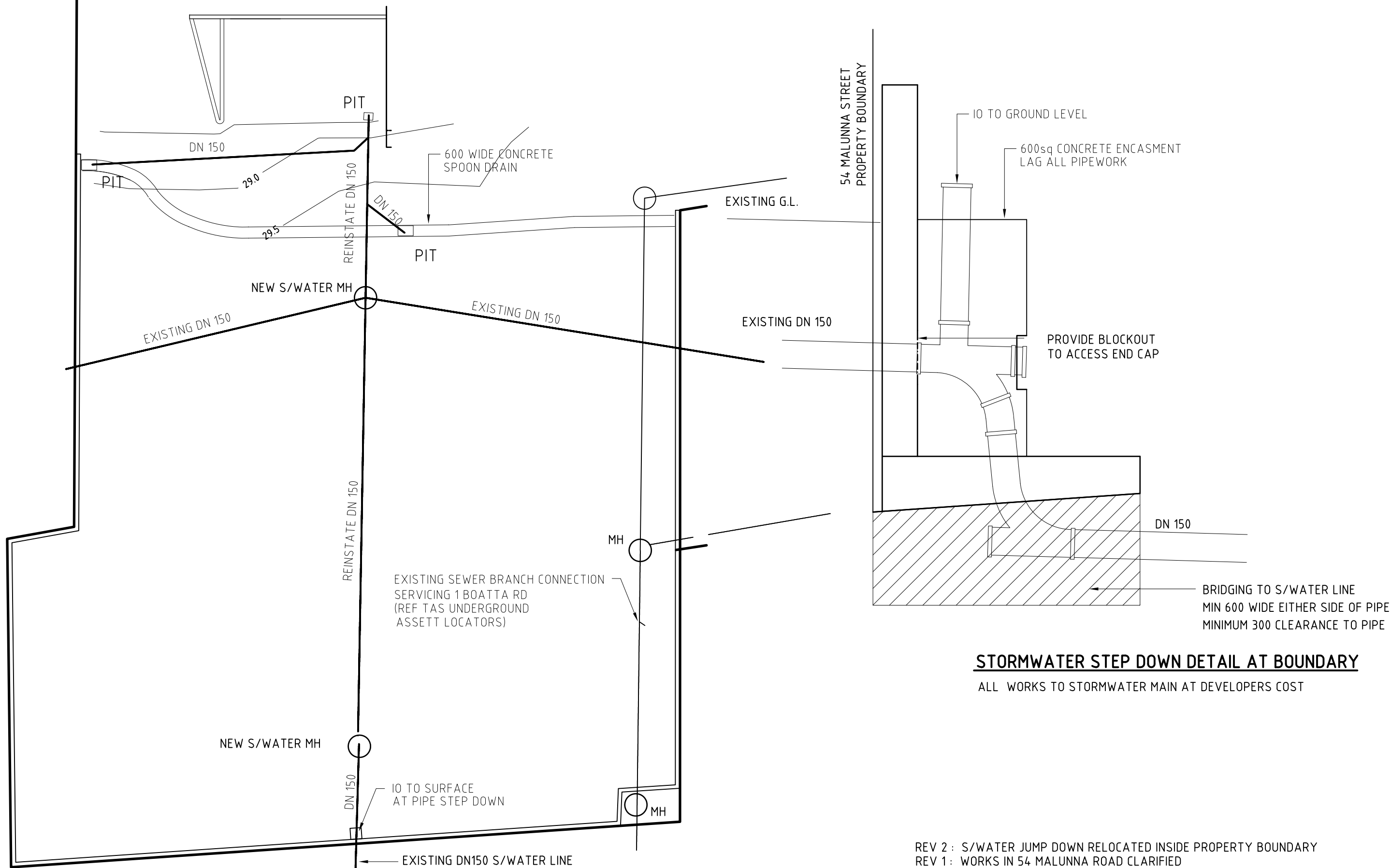
**SITE SILT & STORMWATER
CONSTRUCTION MANAGEMENT PLAN (STAGE 2)**

NOTE

1. ALL PITS TO BE CONNECTED TO S/WATER IMMEDIATELY ROOF IS INSTALLED
2. INSTALL SEDIMENT CONTROL FENCE AS DETAILED
3. RUN-OFF AND SEDIMENT CONTROL TO BE CHECKED AND MAINTAINED REGULARLY

REV 1: CONSTRUCTION STAGING CLARIFIED

 <p>CONSULTING ENGINEERS Emmanuel Dellas Pty Ltd phone: 6228 2225 mobile: 0418 232 811 email: edell@bigpond.com 20 Stratton Ave L/VALLEY</p>	Project Title: PROPOSED CAR PARK ALTERATIONS 158 EAST DERWENT HWY, LINDISFARNE FOR COOLEYS PTY LTD SITE SILT & STORMWATER CONSTRUCTION MANAGEMENT PLAN 2		Scale: 1:200, NTS	A3
	Designed by: Agenda Attachments - 158 East Derwent Highway, Lindisfarne		Job No. 3397	
	Date: 20/03/2023		Drawing No.	Rev.
			64	14



REV 2 : S/WATER JUMP DOWN RELOCATED INSIDE PROPERTY BOUNDARY
REV 1 : WORKS IN 54 MALUNNA ROAD CLARIFIED

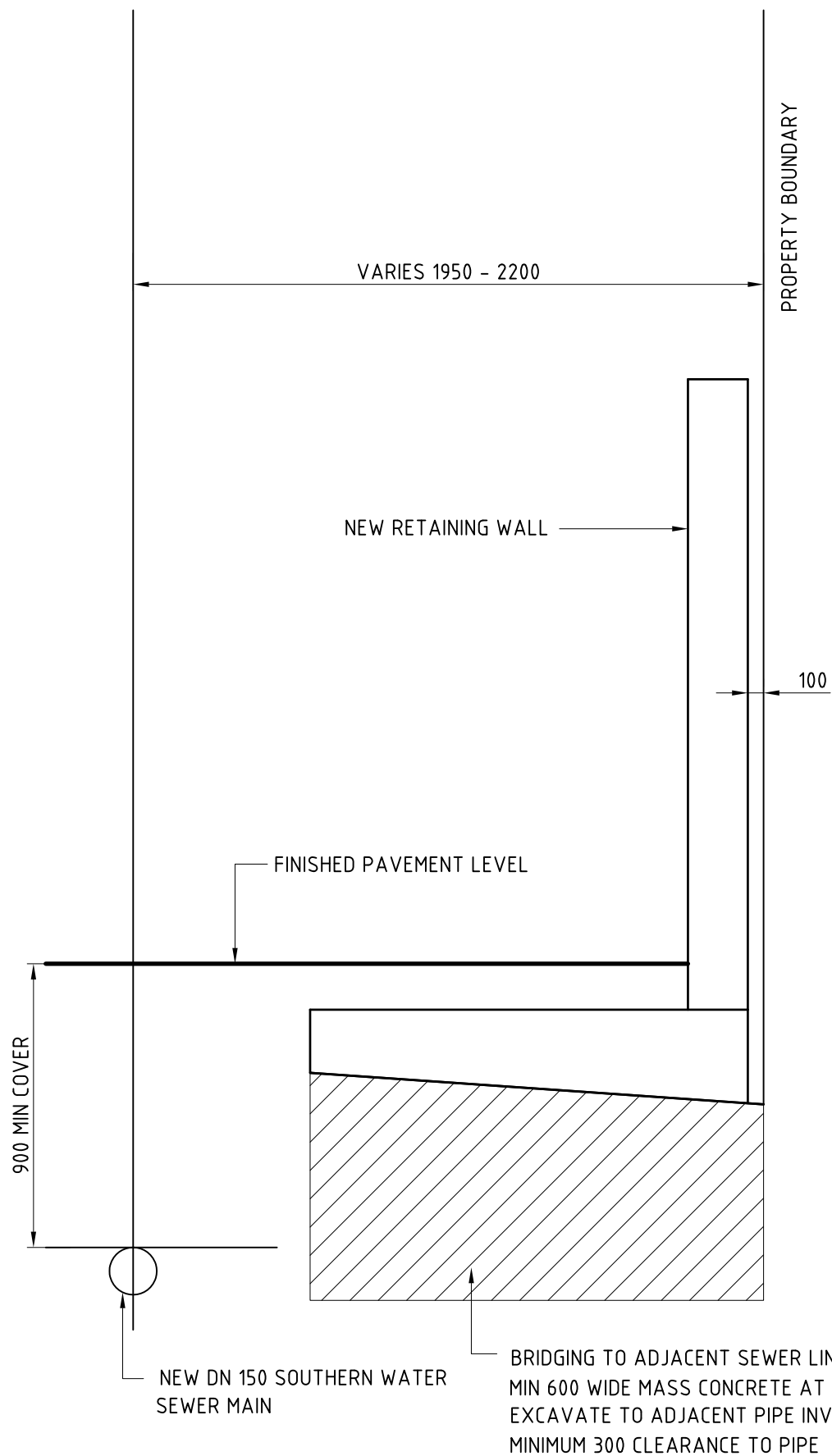


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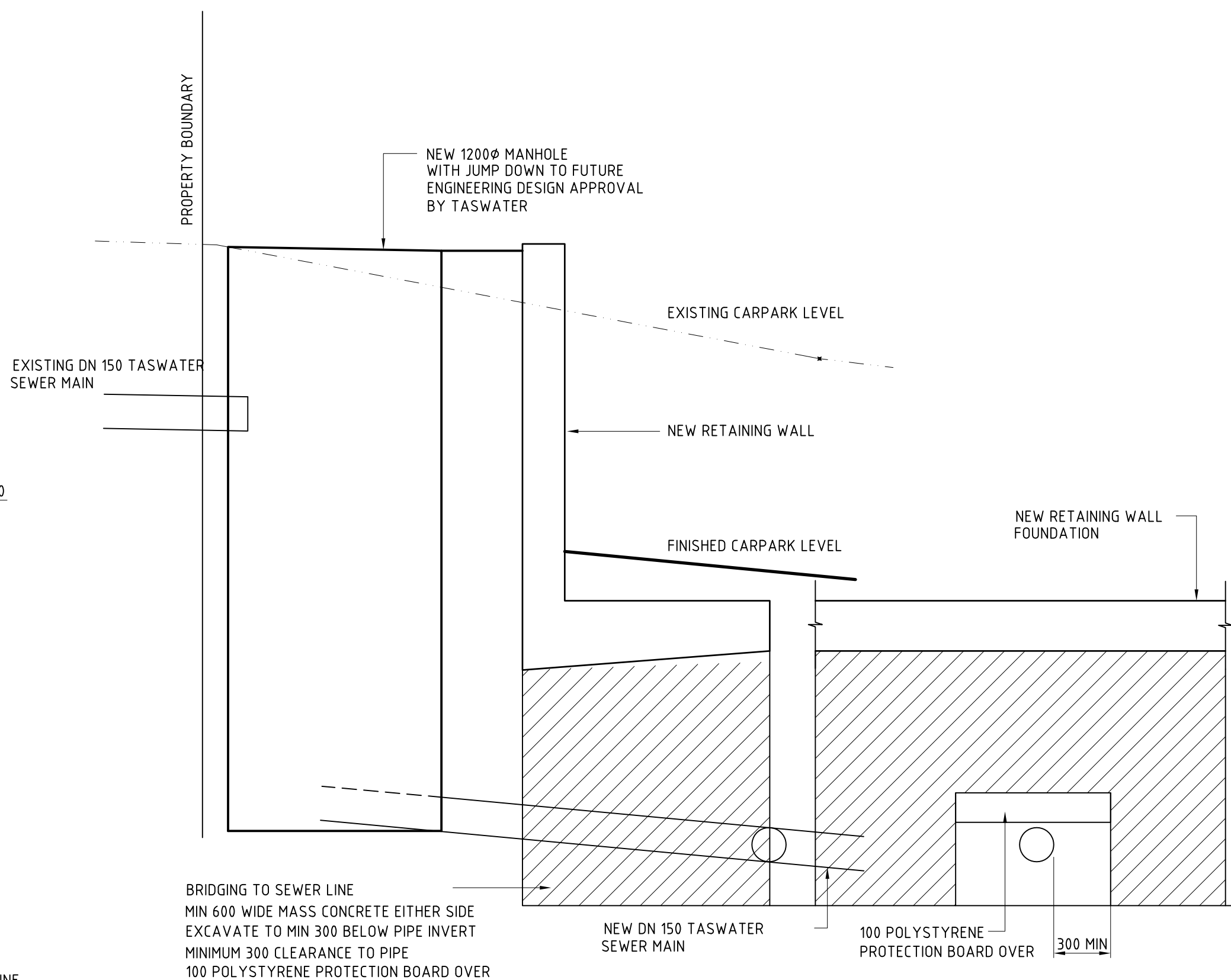
Project Title:
**PROPOSED CAR PARK ALTERATIONS
AT 158 EAST DERWENT HWY
LINDISFARNE
FOR COOLEYS PTY LTD
S/WATER DRAINAGE PLAN**

Designed by: Agenda Attachments - 158 East Derwent Hwy, Lindisfarne
Date: 20/03/2023

Scale:	A3
Job No.	3397
Drawing No.	Rev.
H1	24

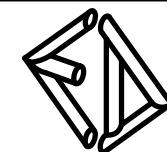


SEWER LINE PROTECTION ALONG NORTHERN PROPERTY BOUNDARY



SEWER LINE PROTECTION AT PROPERTY BOUNDARY

REV 1: BOUNDARY SEPERATION ADDED

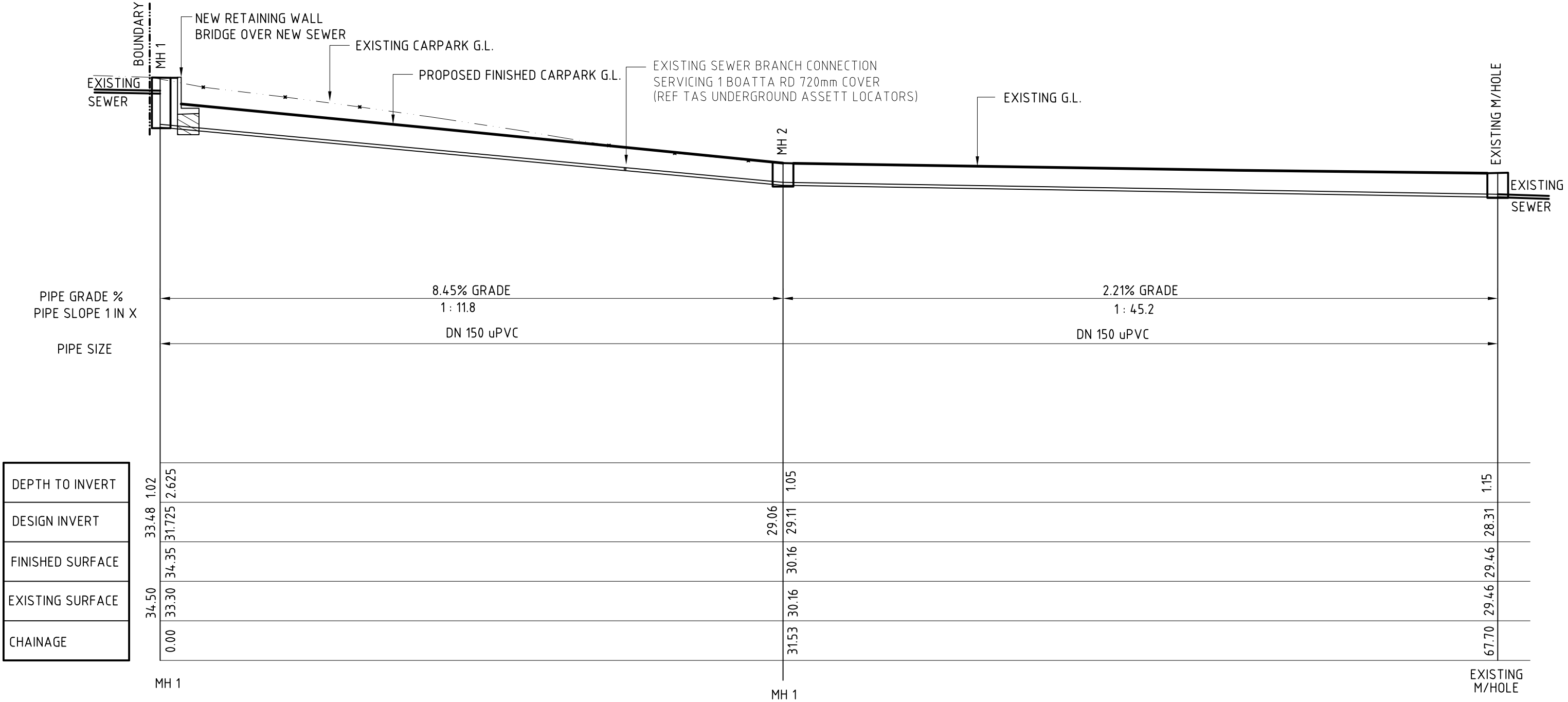


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Project Title:
**PROPOSED CAR PARK ALTERATIONS
158 EAST DERWENT HWY, LINDISFARNE
FOR COOLEYS PTY LTD
FOUNDATION BRIDGING OVER NEW
TASWATER SEWER**

Designed by: Agenda Attachments - 158 East Derwent Hwy, Lindisfarne
Date: 20/03/2023

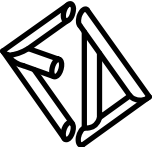
Scale:	A3
1:200, NTS	
Job No.	3397
Drawing No.	Rev.
H2	Page 9 of 14



SEWER LINE LONGITUDINAL SECTION

- SEWER NOTES
- 1. ALLSEWER MANHOLES TO HAVE " HEAVY DUTY" TYPE "GATIC" LIDS & SURROUNDS
 - 2. FCR BACKFILL OVER SEWER MAINS UNDER ACCESS ROAD
COMPACT IN 150mm MAX LAYERS
 - 3. uPVC PIPES CLASS DWV SN4
 - 4. DESIGN COVER TO SEWER 900mm (MIN)

REV 1: EXISTING SEWER BRANCH LOCATION ADDED



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Project Title:

**PROPOSED CAR PARK ALTERATIONS
AT 158 EAST DERWENT HWY
LINDISFARNE
FOR COOLEYS PTY LTD
SEWER LONG SECTION**

Designed by:

Agenda Attachments - 158 East Derwent Hwy, Lindisfarne

Date:

April 2023

Scale:

1:200

Job No.

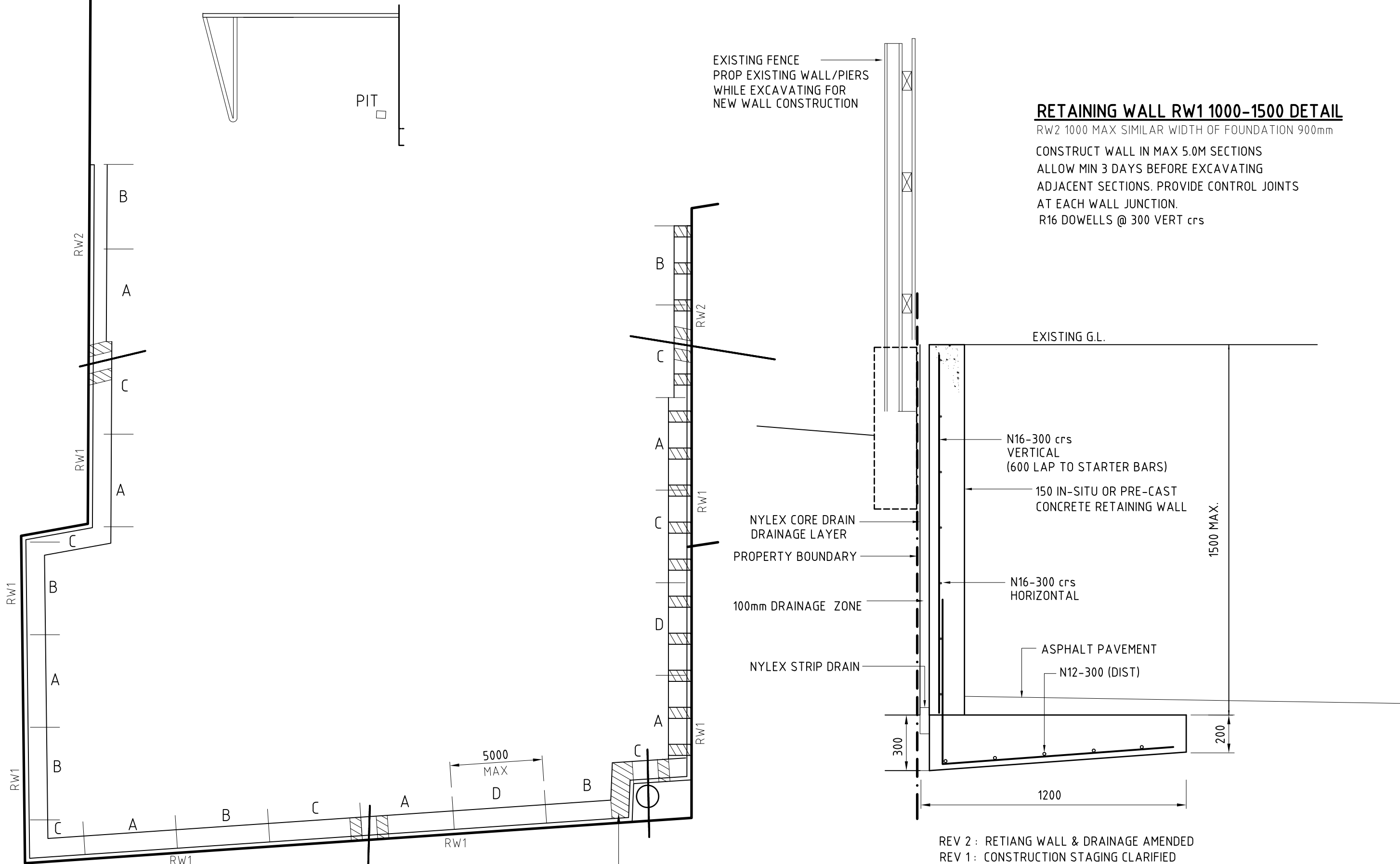
3397

Drawing No.

H3

Rev.

Page 10 of 14



CONSTRUCTION STAGING OF BOUNDARY RETAINING WALLS

REFER DWG C1 FOR RETAINING WALL DETAILS

EXTENT OF PIPE BRIDGING

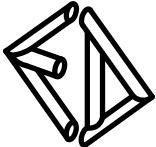
ALL CONSTRUCTION CONTAINED WITHIN PROPERTY BOUNDARY

RETAINING WALL RW1 1000-1500 DETAIL

RW2 1000 MAX SIMILAR WIDTH OF FOUNDATION 900mm

CONSTRUCT WALL IN MAX 5.0M SECTIONS
ALLOW MIN 3 DAYS BEFORE EXCAVATING
ADJACENT SECTIONS. PROVIDE CONTROL JOINTS
AT EACH WALL JUNCTION.
R16 DOWELS @ 300 VERT crs

REV 2 : RETIANG WALL & DRAINAGE AMENDED
REV 1 : CONSTRUCTION STAGING CLARIFIED



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Project Title:
**PROPOSED CAR PARK ALTERATIONS
AT 158 EAST DERWENT HWY
LINDISFARNE
FOR COOLEYS PTY LTD
RETAINING WALL DETAILS**

Designed by: [Signature]
Agenda Attached

Date: 11/09/2023
Agenda Attached

Scale: 1:200	A3
Job No. 3397	
Drawing No. S1	Rev. 24

Attachment 3



Photo 1: Site viewed from East Derwent Highway.



Photo 2: Site viewed from Boatta Road.



Photo 4: Boatta Road Exit



Photo 4: Carpark viewed from northern boundary facing south.



Photo 5: Carpark viewed from within the site.



Photo 6: Carpark viewed from within the site facing the north-western boundary.

7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2023/036897 – 9 BASTICK STREET, ROSNY - TWO MULTIPLE DWELLINGS (ONE NEW AND ONE EXISTING)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Two Multiple Dwellings (One New and One Existing) at 9 Bastick Street, Rosny.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport Code, Flood-prone Hazard Areas 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

This report 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 consent of the applicant and now expires on 1 November 2023.

CONSULTATION

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

- Privacy;
- Overshadowing;
- Removal of established trees;
- Car parking and driveway; and
- Excavation works.

RECOMMENDATION:

A. That the Development Application for Two Multiple Dwellings (One New and One Existing) at 9 Bastick Street, Rosny (CI Ref PDPLANPMTD-2023/036897) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The development must meet all required Conditions of Approval specified by TasWater notice dated 5 July 2023 (TWDA 2023/00837-CCC).
3. ENG M1 –DESIGNS DA.
4. ENG S1 – INFRASTRUCTURE REPAIR.

- 5 An Erosion & Sediment Control (E&SC) Plan must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the issue of any approval under the Building Act 2016, or the commencement of work, whichever occurs first. The E&SC Plan must be prepared in accordance with the information in Erosion and Sediment Control – the fundamentals for development in Tasmania (DEP & TEER, 2023) available at best practice erosion and sediment control booklet 2022 (derwentestuary.org.au).

All work required by this condition must be undertaken in accordance with the approved E&SC Plan.

ADVICE

- a. 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. 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 the proposed DA is approved.

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.

- b. A Building Surveyor is required to be engaged, to create and certify an Application for Building Approval.

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

ASSOCIATED REPORT

1. BACKGROUND

The site is developed with a single dwelling approved by building permit B-1957/5109.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 8.0 – General Residential Zones;
- Section C2.0 – Parking and Sustainable Transport Code;
- Section C12.0 – Flood-prone Hazard Areas Code; and
- Section C16.0 – Safeguarding of Airports Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site has an area of 921m², with the primary frontage on the east side of the block facing Bastick Street. The site has a gentle slope, from 30m AHD at the frontage to approximately 40m AHD at the rear of the site. The site is developed with a double storey 1950's weatherboard dwelling, with a garage at the lower level.

The area surrounding the site is primarily zoned General Residential, notably a sizable area adjacent to the site is zoned Open Space and Recreation, comprised predominantly of public land. Further, the subject site is within a walkable distance to Rosny Park Central Business area, multiple recreation areas and Rosny College.

3.2. The Proposal

The proposal is for multiple dwellings (one new and one existing), with the additional dwelling to be situated at the rear of the site.

The proposed four-bedroom dwelling is two-storey with a double garage at the lower level.

A second access is proposed to service the additional dwelling, with additional landscaping proposed along the new driveway.

A total of five car parking spaces has been provided for the proposed development, in accordance with the requirements 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 proposal satisfies exemption clause C16.4.1(a) of the Safeguarding of Airports Code, in that the maximum height of the development would not exceed the prescribed obstacle limitation surface level of 147m AHD.

The proposal is for Multiple dwellings, which has a “Permitted” status in the General Residential Zone.

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone and Parking and Sustainable Transport Code, Flood-prone Hazard Areas Code, with the exception of the following.

General Residential Zone

- **Clause 8.4.2 A3** – in relation to setbacks and building envelopes for all dwellings. This standard relates to the building envelope and side boundary setbacks. Specifically, the proposed dwelling exceeds the building envelope and is within 1.5m of the side boundary facing north.

The application relies on Performance Criteria (P3) of Clause 8.4.3 as follows.

Clause	Performance Criteria	Assessment
8.4.2 P3	<i>“The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i>	See assessment below.
	<i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i>	<p>The subject site and surrounds are located on a predominantly south-east facing slope with views to Kangaroo Bay.</p> <p>The shadow diagrams provided for 21 June, show that the existing dwelling at 9 Bastick Street overshadows the adjoining property to the south, 11 Bastick Street, throughout the day. While the proposed dwelling located at the rear of 9 Bastick Street, overshadows the dwelling at 11 Bastick Street from 2pm.</p>

		<p>As shown on the provided shadow diagrams, the proposed dwelling overshadows the rear room of 11 Bastick Street, which is a bedroom. Reduction in sunlight to a bedroom does not hold determining weight.</p> <p>From 3pm, the proposed dwelling overshadows a substantial portion of the dwelling at 11 Bastick Street. However, due to the orientation of the site and the early sunset on the Winter solstice, the reduction in sunlight to the dwelling at 11 Bastick Street is minimal in relation to solar loss throughout the day on the Winter solstice.</p> <p>Further, the shadow diagrams provided do not show existing conditions of the surrounding development. In particular, the existing multi-storey units adjoining the rear of both 9 and 11 Bastick Street. The height and mass of this unit block would already significantly reduce sunlight in the afternoon to 11 Bastick Street.</p> <p>Therefore, the proposed development does not cause unreasonable reduction of sunlight to a habitable room of an adjoining dwelling.</p>
	<p><i>(ii) overshadowing the private open space of a dwelling on an adjoining property;</i></p>	<p>The shadow diagrams provided show that the proposed dwelling overshadows different parts of the private outdoor space of the adjoining property to the south, 11 Bastick Street, throughout the day on 21 June.</p>

		<p>The reduction in sunlight to the private open space of 11 Bastick Street is not unreasonable, because the shadow diagrams provided (sheet no. DA.12 and DA.13) show the existing and proposed development at 9 Bastick Street does not overshadow 50% of the private open space at 11 Bastick Street for more than three hours on the Winter solstice.</p> <p>(Please refer to Table 1 below showing the percentage of solar loss to the private open space of 11 Bastick Street, which is south of the proposed development).</p>
	<i>(iii) overshadowing of an adjoining vacant property; or</i>	There are no vacant residential lots adjoining the subject site.
	<i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i>	<p>The immediate area is largely characterised by two-storey weatherboard dwellings, with the lower level being a small garage and workshop. However, the adjoining property to the west, 2 Haven Court, contains a large multi-storey unit complex.</p> <p>The proposed multiple dwelling is double storey and located at the rear of 9 Bastick Street and would not be particularly dominant from the streetscape, or when viewed from the adjoining property.</p> <p>The proposed dwelling includes a substantial retaining wall at the rear and northern side of the dwelling, reducing the overall height of the dwelling.</p> <p>Due to the slope of the site, the proposed development would be higher than the existing dwelling on the site and the neighbouring dwellings along Bastick Street.</p>

		<p>However, the proposed dwelling has a maximum height of not more than 8.2m from natural ground level.</p> <p>The apparent scale and proportions of the proposed development is consistent with other residential development in the area.</p>
	<p><i>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i></p>	<p>The proposed dwelling (including retaining walls) is setback between 0.474m – 3.026m from both rear and side boundaries. The dwelling, excluding the retaining walls, is setback no less than 1.5m from all side and rear boundaries.</p> <p>The setback to the southern boundary is no less than 2.398m.</p> <p>Bastick Street consists of similar sized lots and dwellings in a row, approximately 6m from the frontage. Limited surrounding properties have developed the rear of the relatively large backyards. The separation between dwellings is assessed as being consistent with that prevailing in the area.</p>
	<p><i>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i></p> <p><i>(i) an adjoining property; or</i></p> <p><i>(ii) another dwelling on the same site.”</i></p>	<p>There are no existing solar energy installations on adjoining properties.</p> <p>This is not applicable, as the proposal does not include solar energy installations to the proposed dwellings, nor does it mention the intention for such installations in the near future.</p> <p>In summary, the application is assessed as satisfying the performance criteria and complies with the standard.</p>

Table 1

Clause 8.4.2 P3(a)(ii) Building envelope for all dwellings – Performance criteria assessment.

Loss of sunlight occurs on 21 June to the private open space of 11 Bastick Street, which is to the south of the proposed development. The following table is based on the approximate 445m² backyard (total private open space) from the rear of the dwelling at 11 Bastick Street.

Assessment is based on shadow drawings DA.12 and DA.13 and incorporates the total overshadowing caused by all proposed and existing development at 9 Bastick Street, including the fence.

Time of day on 21 June	9.00am	10.00am	11.00am	12.00pm	1.00pm	2.00pm	3.00pm	Total Hours to >50% of Private Open Space
% Reduction of sunlight to Private Open Space at 11 Bastick Street	32%	32%	33%	35%	44%	54%	48%	+ 3 hrs achieves no less than 50% reduction of sunlight on 21 June

- **Clause 8.4.6 A3** – in relation to privacy for all dwellings. This standard relates to privacy as a result of a shared driveway. Specifically, the proposed driveway, at the closest point, is 70cm from the existing dwelling.

The application relies on Performance Criteria (P3) of Clause 8.4.6 as follows.

Clause	Performance Criteria	Assessment
8.4.6 P3	<i>“A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.”</i>	<p>The proposed driveway is located within 1m of the existing dwelling’s northern façade, which has three windows.</p> <p>The applicant has provided a landscaping plan, that includes screening elements along the northern façade of the existing dwelling to reduce unreasonable impact of vehicle noise or vehicle light intrusion to habitable rooms of the existing dwelling.</p> <p>The application is assessed as satisfying the performance criteria and complies with the standard.</p>

Parking and Sustainable Transport Code

- **Clause C2.6.3** – in relation to number of accesses for vehicles, where one access is permitted per frontage, the proposed development incorporates a second access and driveway.

The application relies on Performance Criteria (P1) of Clause C2.6.3 as follows.

Clause	Performance Criteria	Assessment
C2.6.3 P1	<p><i>“The number of accesses for each frontage must be minimised, having regard to:</i></p> <p><i>(a) any loss of on-street parking;</i></p>	<p>See assessment below.</p> <p>The proposed second access contributes to a minor loss of street parking. The proposed development provides sufficient off-street parking, reducing the demand for on-street parking. Further, a substantial public parking area is in close proximity to the subject site.</p>

	(b) <i>pedestrian safety and amenity;</i>	The subject site is located along a straight road, the location of the proposed access allows for sufficient sightlines along Bastick Street and does not adversely impact pedestrian safety or amenity.
	(c) <i>traffic safety;</i>	The location of the proposed access allows for sufficient sightlines for oncoming traffic and traffic safety.
	(d) <i>residential amenity on adjoining land; and</i>	The proposed access is to provide access to the multiple dwelling at the rear of the site. Alternative arrangements to extend the existing access on the opposite side of the site was not achievable.
	(e) <i>the impact on the streetscape.”</i>	<p>The proposed second access and driveway would not visually disrupt the streetscape, as no vegetation is to be removed.</p> <p>The application is assessed as satisfying the performance criteria and complies with the standard.</p>

Flood-prone Hazard Areas Code

- **Clause C12.6.1** – the application proposes minor works, including the driveway located within the flood-prone hazard area overlay.

The application relies on Performance Criteria (P1.1 and P1.2) of Clause C12.6.1 as follows.

Clause	Performance Criteria	Assessment
C12.6.1 P1.1	<i>“Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</i>	<p>See assessment below.</p> <p>A minor part of the proposed works (section of driveway) adjacent to the frontage is within the flood overlay.</p>

		<p>As there is no acceptable solution, the applicant was requested to respond to the performance criteria under C12.6.1 P1.1. The provided information was assessed by Council's engineers who formed a view that the works do not unreasonably impact the overland flow. The proposed driveway works do not involve cut or fill that would alter the flood pattern, hence the impact will be minimal. Council engineers have provided the following response to C12.6.1 P1.1</p>
	<p>(a) <i>the type, form, scale and intended duration of the development;</i></p>	<p>The impacted area is within the driveway and access, which at a relatively steep gradient is unlikely to be impacted by flood.</p>
	<p>(b) <i>whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</i></p>	<p>There will be no increase of risk from the proposed works.</p>
	<p>(c) <i>any advice from a State authority, regulated entity or a council; and</i></p>	<p>Council's engineers have considered the matter and consider that the risk is minimal.</p>
	<p>(d) <i>the advice contained in a flood hazard report."</i></p>	<p>A flood hazard report has not been requested and was not required to enable the assessment of the application by Council engineers.</p>

P1.2	<p><i>“A flood hazard report also demonstrates that the building and works:</i></p> <p><i>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</i></p> <p><i>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.”</i></p>	<p>The requirement for a flood report is at the discretion of Council engineers and was not requested in this instance.</p> <p>Council engineers have undertaken the assessment in-lieu of a flood report and are satisfied that because the driveway is proposed to be built at existing ground level, there will be no interference with the flood flow on the site, on adjacent land or on public infrastructure.</p> <p>The risk is not increased by the development to interfere with the 1% AEP.</p> <p>The application is assessed as satisfying the performance criteria and complies with the standard.</p>
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5. REPRESENTATION ISSUES

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

5.1. Privacy

Concern was raised in relation to privacy, in that the proposed dwelling would overlook the adjoining property’s outdoor areas and dwellings.

- **Comment**

The proposal meets the acceptable solution in relation to the privacy requirements stipulated in Clause 8.4.6 A1 and A2. It is noted that the discretion sought in relation to privacy relates to the shared driveway, as addressed in Clause 8.4.6 P3. However, this clause relates to privacy of the dwellings on the subject site, not dwellings or private outdoor space neighbouring the site.

The proposal is compliant with those measures prescribed by the acceptable solution in relation to privacy of views towards neighbouring private open space and habitable rooms of dwellings. This issue has no determining weight.

5.2. Overshadowing

Concern was raised that the neighbouring property, 11 Bastick Street, would be significantly overshadowed on 21 June at 3.00pm.

- **Comment**

Due to the orientation of the subject site, 11 Bastick Street is directly south of the site, creating some overshadowing resulting from the existing site constraints and surrounding conditions. While it is acknowledged that the proposed development would have impact upon solar access on the Winter solstice, as demonstrated by the submitted shadow diagrams, this impact is not considered an unreasonable impact in terms of the tests of the Scheme, and therefore does not justify refusal of the proposal.

5.3. Loss of Trees

Concern was raised in relation to the removal of multiple established trees and hedging, including mature gums which are a habitat for birds, and provides screening for surrounding neighbours.

- **Comment**

Multiple trees are to be removed to facilitate the proposed development, including four eucalyptus trees. The applicant has received approval to remove all four trees, as granted in Council's Preliminary Assessment for the Felling or Lopping of Trees (REQ2023-083708), dated 27 September 2023. Subsequently, the removal of trees from the property has no determining weight.

5.4. Car Parking and Driveway

Concern was raised in relation to the proposed driveway, where traffic movement may cause potential disruption to neighbouring dwellings.

- **Comment**

The site is located within an urban area. Disruptions such as vehicular noise and light intrusion associated with vehicular movements is anticipated in this zone, given the density of development possible under the Scheme. 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*, should there be a perceived nuisance.

In relation to light intrusion, vehicular movements at night to service the three parks at the rear of the site would be relatively infrequent.

Further, there is no applicable standard in the scheme to address driveway locations in relation to an adjoining dwelling in this context. Therefore, this matter has no determining weight.

5.5. Excavation Works

Concern was raised in relation to the extensive excavation works, potentially damaging the surrounding dwellings.

- **Comment**

Excavation works in relation to the retaining wall is not considered a planning matter and therefore has no determining weight. The Building Act 2016, and regulations, set out requirements to deal with these matters and will be addressed at that time.

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.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

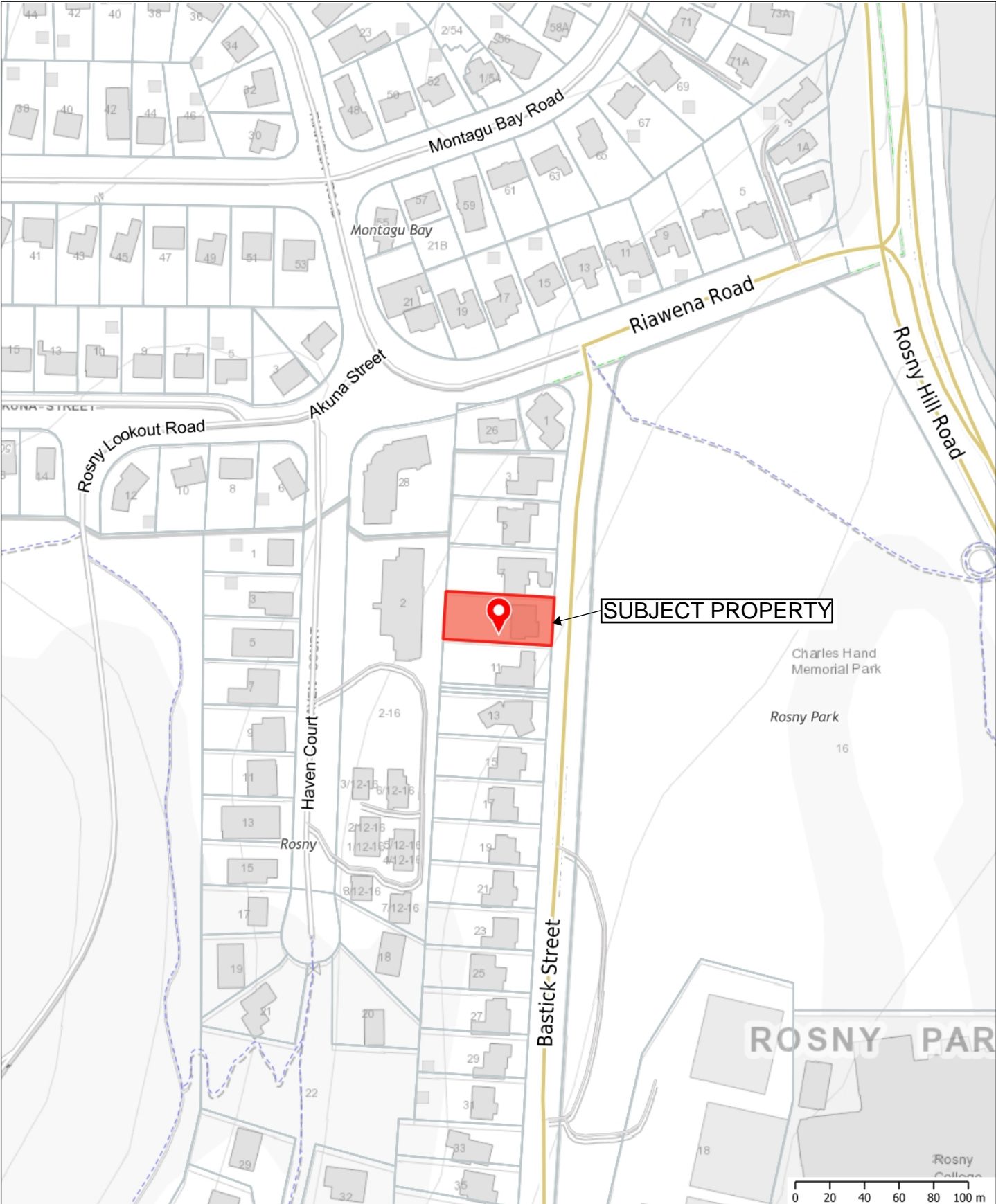
8. CONCLUSION



The proposal is for the development of two multiple dwellings (one existing and one new) at 9 Bastick Street, Rosny. The proposal complies with the applicable standards of the Scheme and is recommended for approval subject to conditions.

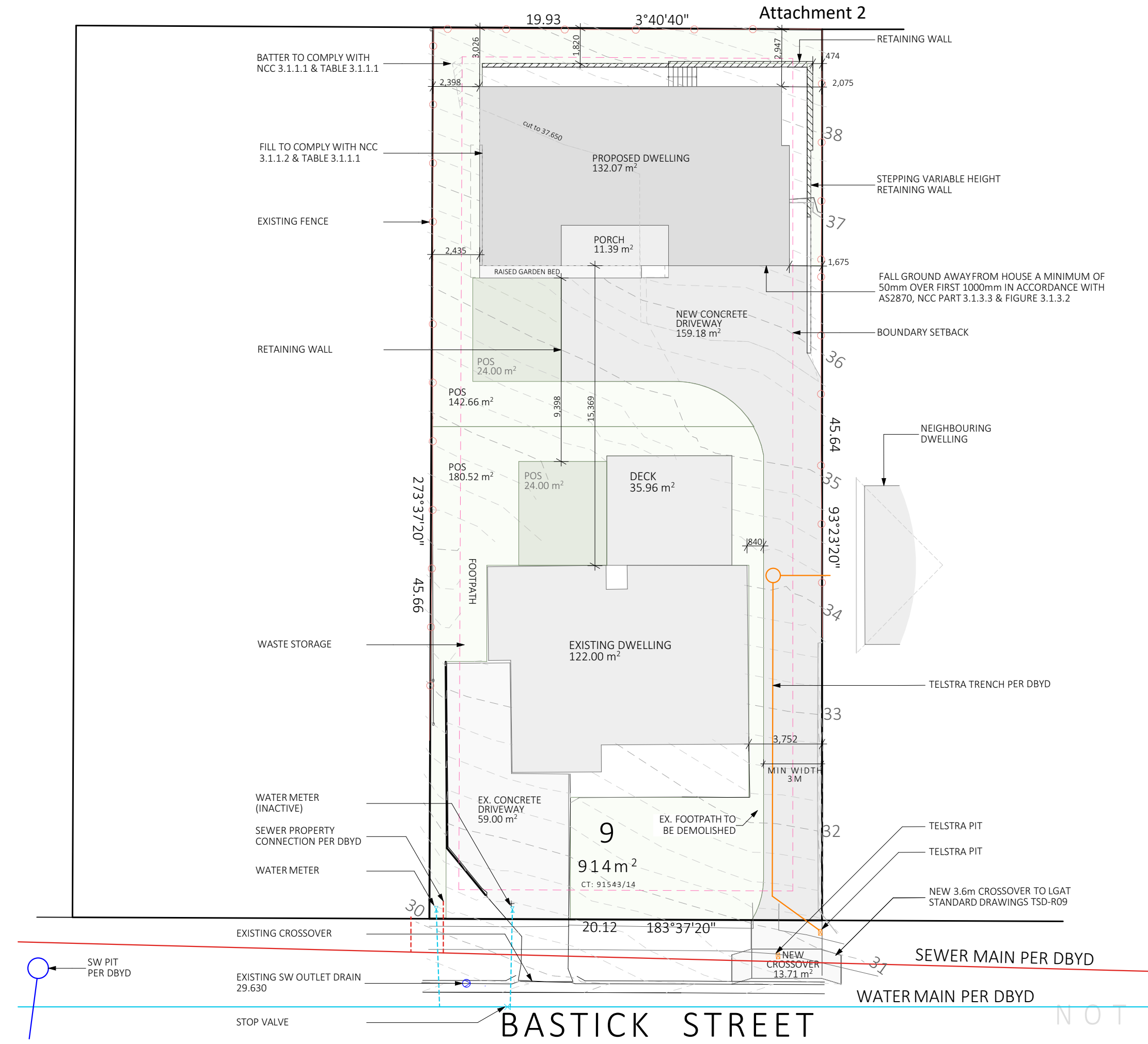
Attachments: 1. Location Plan (1)
2. Proposal Plan (11)
3. Site Photo (1)

Robyn Olsen
ACTING HEAD OF CITY PLANNING

Attachment 1



 <p>Clarence... a brighter place</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.	17/10/2023	
		1:3000	



SITE NOTES

CONTOUR INTERVALS @ 0.25m.
SITE LEVELS ARE APPROX ONLY.
PLANS TO BE READ IN CONJUNCTION WITH THE CONTOUR
AND DETAIL SURVEY 13286 UNDERTAKEN BY LEARY, COX
AND CRIPPS ON 31/07/2023.

ALL SITE LEVELS TO BE CONFIRMED BY CONTRACTOR PRIOR
TO CONSTRUCTION. EXTENT OF SITE CUT & RETAINING TO
BE DETERMINED ON SITE. RL'S PROVIDED FOR FFL'S OF
PROPOSED DWELLING & ASSOCIATED STRUCTURES ARE
INDICATIVE ONLY & SHOULD BE DETERMINED ONSITE PRIOR
TO CONSTRUCTION.

MIN SET DOWN FROM FFL 150MM. GROUND TO FALL AWAY
FROM BUILDING IN ALL DIRECTIONS.

ALL ELEMENTS OF CONSTRUCTION INCLUDING FOOTINGS,
DRAINAGE PROVISIONS, GUTTERS & DOWNPIPES ARE TO
REMAIN ENTIRELY WITHIN THE PROPERTY BOUNDARIES.

DOWNPIPES TO BE CONNECTED INTO COUNCIL
STORMWATER/WATER TANK AS SOON AS ROOF IS
INSTALLED.

PROTECTION WORK (SECTION 121 OF THE BUILDING ACT)
OWNER AND BUILDER TO READ AND ENSURE THAT DUE
PROCESS IS UNDERTAKEN.
ADJOINING OWNER TO BE NOTIFIED USING FORM 6 AS
PROVIDED BY THE BUILDING SURVEYOR.

SITE PREPARATION
SITE PREPARATION TO COMPLY WITH 3.1.1 OF THE NCC AND
AS3798.

EARTHWORKS
ALL SITE EARTHWORKS TO BE IN ACCORDANCE WITH 3.1.1
OF THE NCC AND AS3798.
EXCAVATE THE SITE TO REQUIRED LEVELS. EXTENT OF SITE
CUT, FILL & RETAINING TO BE DETERMINED ON SITE , NOT
TO EXCEED MORE THAN 1m AS PER PLANNING SCHEME
REQUIREMENTS.
SLOPE GROUND AWAY FROM THE HOUSE/SLAB AT A SLOPE
OF NOT LESS THAN 50mm OVER 1000mm.
DRAINAGE TO COMPLY WITH NCC PART 3.1.2.

DRIVEWAY & PARKING
DRIVE TO BE SUITABLY DRAINED AWAY FROM DWELLING TO
SW PITS. SW PITS ARE INDICATIVE. LOCATION MAY VARY
DEPENDING ON SITE CONDITIONS.
CAR PARKING TO AS 2890.1:2004, USER CLASS 1A.

KEY

- STORMWATER
- SEWER MAIN
- WATER MAIN
- TELSTRA

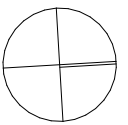
BUILDING AREAS:

SITE AREA	914 m ²
PROPOSED BUILDING AREA	132.07 m ²
PROPOSED PORCH/ENTRY	11.39m ²
EXISTING DWELLING	122.00m ²
PROPOSED DRIVEWAY	158.63 m ²
EXISTING DRIVEWAY	59.00 m ²
TOTAL FOOTPRINT	265.46 m ²
SITE COVERAGE	29.04%

REV	ISSUE	DATE
01	DA	3/09/2023

Drawings to be read in conjunction with specification by the author and all drawings and documents by engineers and subconsultants referred to in these plans. Contractors are to verify all dimensions on site before commencing any work or producing shop drawings. **DO NOT SCALE FROM DRAWINGS.** These drawings are protected by the laws of copyright and may not be copied or reproduced without the written permission of the author. **ALL DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE AUTHOR.**

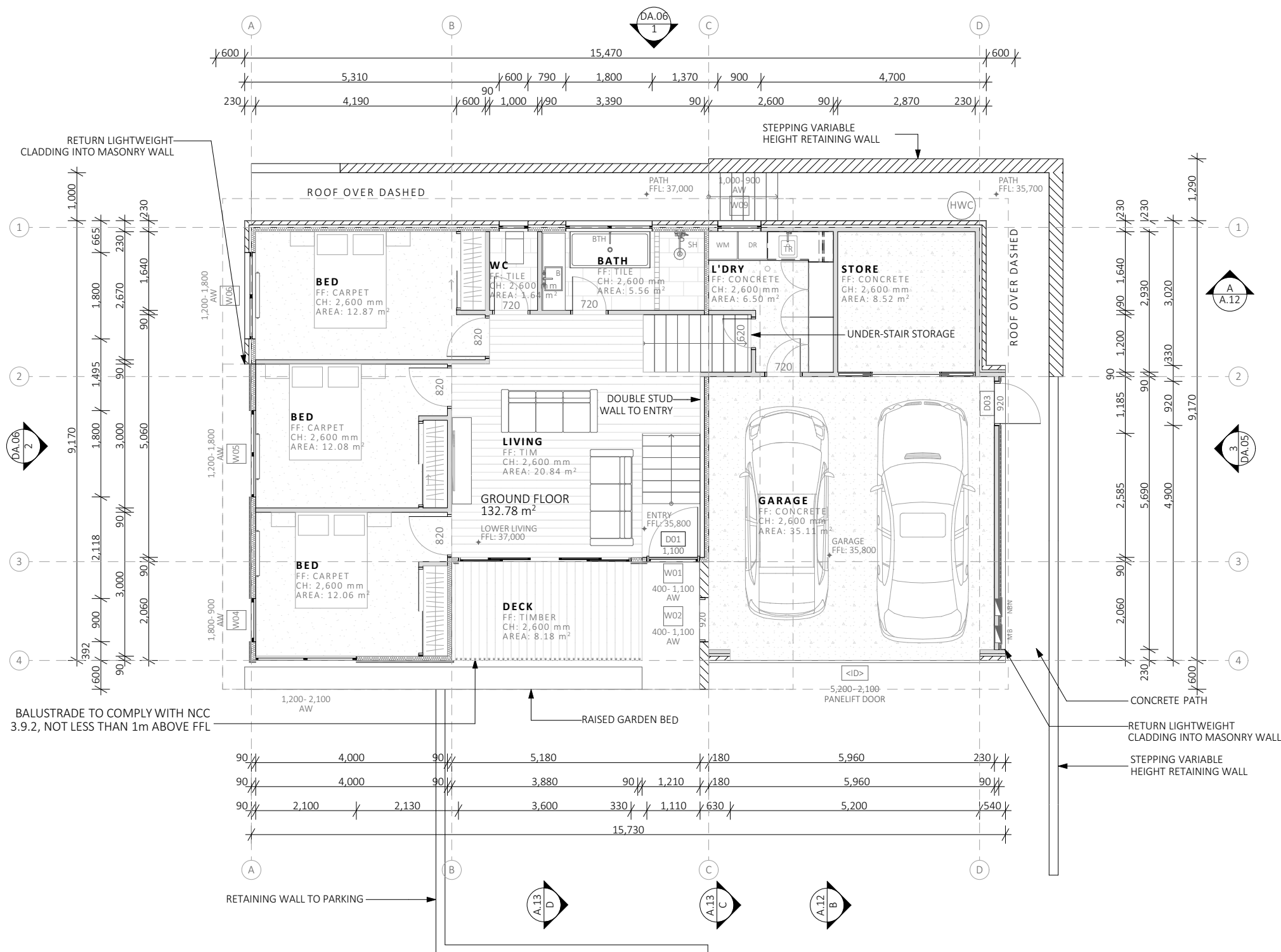
DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTICK ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**



KEY:

AW	AWNING WINDOW
FW	FIXED WINDOW
SD	SLIDING DOOR
CH	CEILING HEIGHT
FF	FLOOR FINISH
FFL	FINISHED FLOOR LEVEL
HWC	HOT WATER CYLINDER
PH	PANEL HEATER
MB	METER BOX
NBN	NBN HUB
DP	DOWNPIPE

WM	WASHING MACHINE
DR	DRYER
FR	FRIDGE/FREEZER
OV	OVEN
MO	MICROWAVE OVEN
CT	COOKTOP
RH	RANGEHOOD
DW	DISHWASHER
B	BASIN
BTH	BATH
S	SINK
SH	SHOWER
TR	TROUGH
WC	TOILET



NOTES

ALL WORKS TO COMPLY WITH THE NCC, RELEVANT AUSTRALIAN STANDARDS, COUNCIL BY-LAWS & CURRENT WORKPLACE STANDARDS CODES OF PRACTICE.

OPENINGS IN EXTERNAL WALL AND METAL WALL CLADDING SHALL:
A) BE FLASHED AND DRAINED TO PREVENT THE INGRESS OF WATER, AND
B) BE FLASHED TO AS 1562.1 – 2018.
C) BE PROVIDED, INSTALLED, JOINED AND FIXED TO NCC CLAUSE 7.5.6, AND
D) USE FLASHING MATERIALS TO AS/NZS 2904 – 1995.

ALL FRAMING TO COMPLY WITH AS. 1684.
BRACING TO AS. 1684.2 TABLE 8.18.
WET AREAS TO COMPLY WITH NCC 10.2.1 AND AS 3740

SANITARY COMPARTMENTS: NCC PART 10.4.2
THE DOOR TO A SANITARY COMPARTMENT MUST:
A) OPEN OUTWARDS; OR
B) SLIDE; OR
C) BE READILY REMOVABLE FROM THE OUTSIDE OF THE COMPARTMENT.

SAFE MOVEMENT & EGRESS NCC 11.3.7 (VOL.2):
ENSURE ALL BEDROOM WINDOW OPENINGS WITH A FALL TO GROUND OF 2M OR GREATER ARE TO BE PROTECTED AS PER NCC 11.3.7 (VOL.2). PROTECTION SHALL:
A) BE A DEVICE CAPABLE OF RESTRICTING THE WINDOW OPENING OR A SECURITY SCREEN; AND
B) NOT ALLOW A 125mm SPHERE TO PASS THROUGH THE WINDOW OPENING OR SCREEN; AND
C) RESIST AN OUTWARD HORIZONTAL ACTION OF 250N AGAINST THE WINDOW RESTRAINED BY A DEVICE OR THE SCREEN; AND
D) HAVE A CHILD RESISTANT RELEASE MECHANISM IF THE DEVICE OR SCREEN IS ABLE TO BE REMOVED, UNLOCKED OR OVERRIDDEN.

GLAZING IN BATHROOM TO NCC 8.4.6.
GLASS SHOWER SCREEN TO BE MIN 6mm GRADE A TOUGHENED & LAMINATED SAFETY GLASS.

JOINTS:
ALL JOINTS IN THE EXTERNAL SURFACE MATERIAL OF WALLS TO BE COVERED, SEALED, OVERLAPPED, BACKED OR BUTT-JOINED TO PREVENT GAPS GREATER THAN 3MM.

VENTS AND WEEPHOLES:
VENTS AND WEEPHOLES IN EXTERNAL WALLS TO BE SCREENED WITH CORROSION RESISTANT STEEL OR ALUMINIUM MESH WITH A MAXIMUM APERTURE OF 2MM, EXCEPT WHERE THE VENTS AND WEEPHOLES HAVE AN APERTURE LESS THAN 3MM.

INSULATION & CONDENSATION:
ALL INSULATION, BUILDING WRAP, ROOF SARKING & ROOF BLANKETS TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS, AND IN ACCORDANCE WITH CBOS "CONDENSATION IN BUILDINGS TASMANIAN DESIGNERS' GUIDE- V2".
- TAPE ALL BUILDING MEMBRANE JOINS
- CONTINUOUS MASTIC OR FOAM SEAL AROUND WINDOW FRAMES AND DOORS TO MINIMISE DRAUGHTS
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- ALL PENETRATIONS THROUGH EXTERNAL FABRIC TO BE TAPED AND OR SILICONE SEALED

MINIMUM 25MM VENTILATION GAP BETWEEN CEILING INSULATION AND ROOF SARKING OR ROOF BLANKET.
MINIMUM 25MM VENTILATION GAP BETWEEN SARKING AND ROOF MATERIAL.

KITCHEN EXHAUST TO BE DUCTED DIRECTLY TO THE OUTSIDE OF THE BUILDING

STAIRS TO BE CONSTRUCTED IN ACCORDANCE WITH N.C.C PART 11.2: NOM. 180MM RISERS; 250MM TREADS.
INTERNAL STAIR TREADS AND LANDINGS (DRY SURFACE CONDITIONS) SHALL HAVE EITHER A SLIP-RESISTANT SURFACE OF P3 OR P10 OR A SLIP-RESISTANT NOSING OR LANDING EDGE STRIP OF P3, SEE NCC TABLE 11.2.4.

EXTERNAL STAIR TREADS AND LANDINGS (WET SURFACE CONDITIONS) SHALL HAVE EITHER A SLIP-RESISTANT SURFACE OF P4 OR R11 OR A SLIP-RESISTANT NOSING OR LANDING EDGE STRIP OF P4, SEE NCC TABLE 11.2.4.
TO COMPLY WITH NCC 11.2.2 STAIR CONSTRUCTION & AS 4586. BALUSTRADE TO NCC REQUIREMENTS.

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FLOOR AREAS:

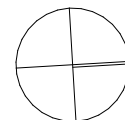
GROUND FLOOR	132.78m²
FIRST FLOOR	126.23m²
TOTAL FLOOR AREA	259.01m²
DECKS	28.09m²

DRAWING TITLE
FLOOR PLAN - LOWER

DRAWING ID	SCALE	DATE
DA.02	1:100 @ A3	4/09/2023

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**

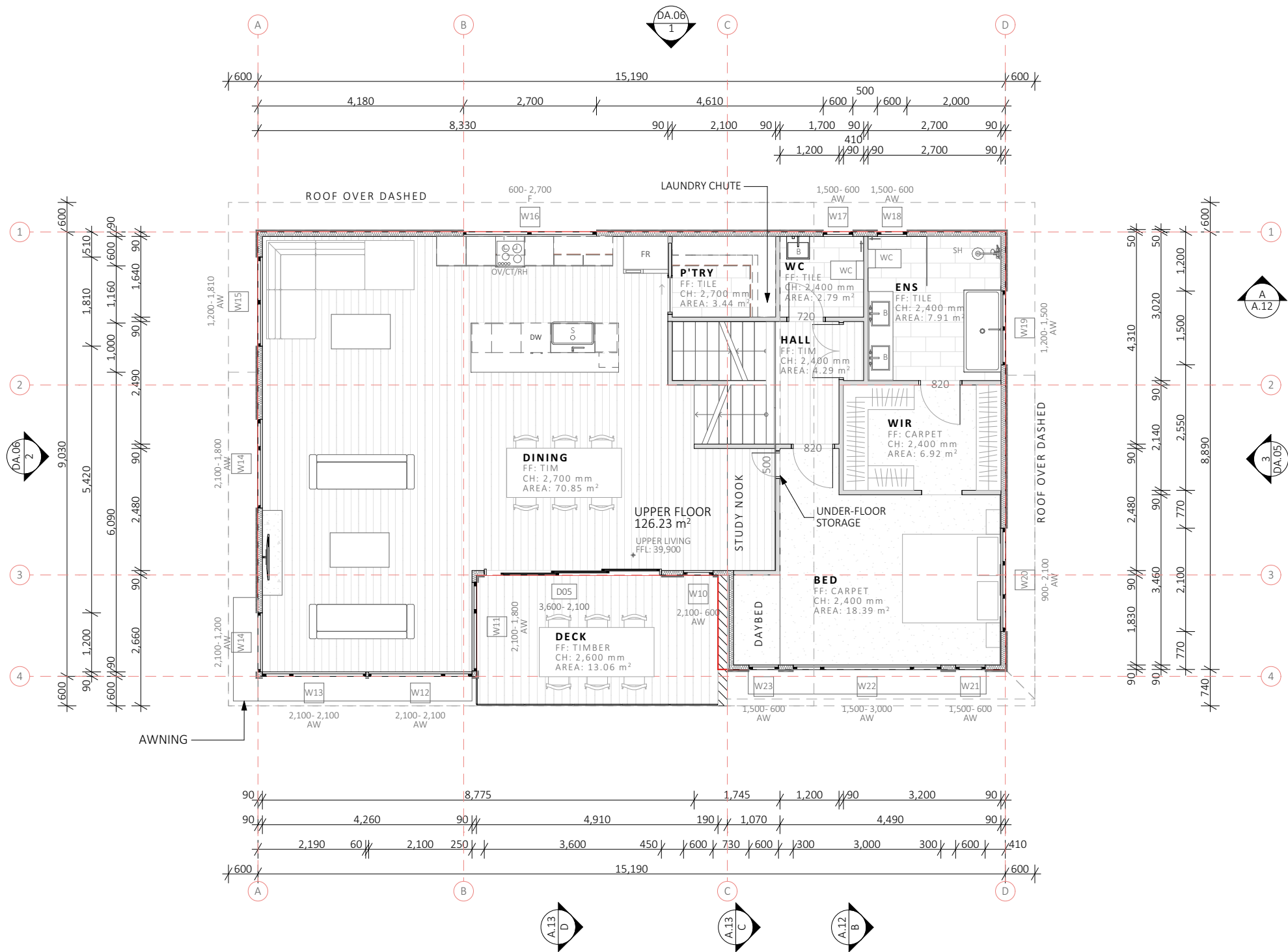


NOT FOR CONSTRUCTION

KEY:

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FFL	FINISHED FLOOR LEVEL
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MB	METER BOX
NBN	NBN HUB
DP	DOWNPIPE

WM	WASHING MACHINE
DR	DRYER
FR	FRIDGE/FREEZER
OV	OVEN
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TOTAL FLOOR AREA	259.01m ²
DECKS	28.09m ²

DRAWING TITLE
FLOOR PLAN - UPPER

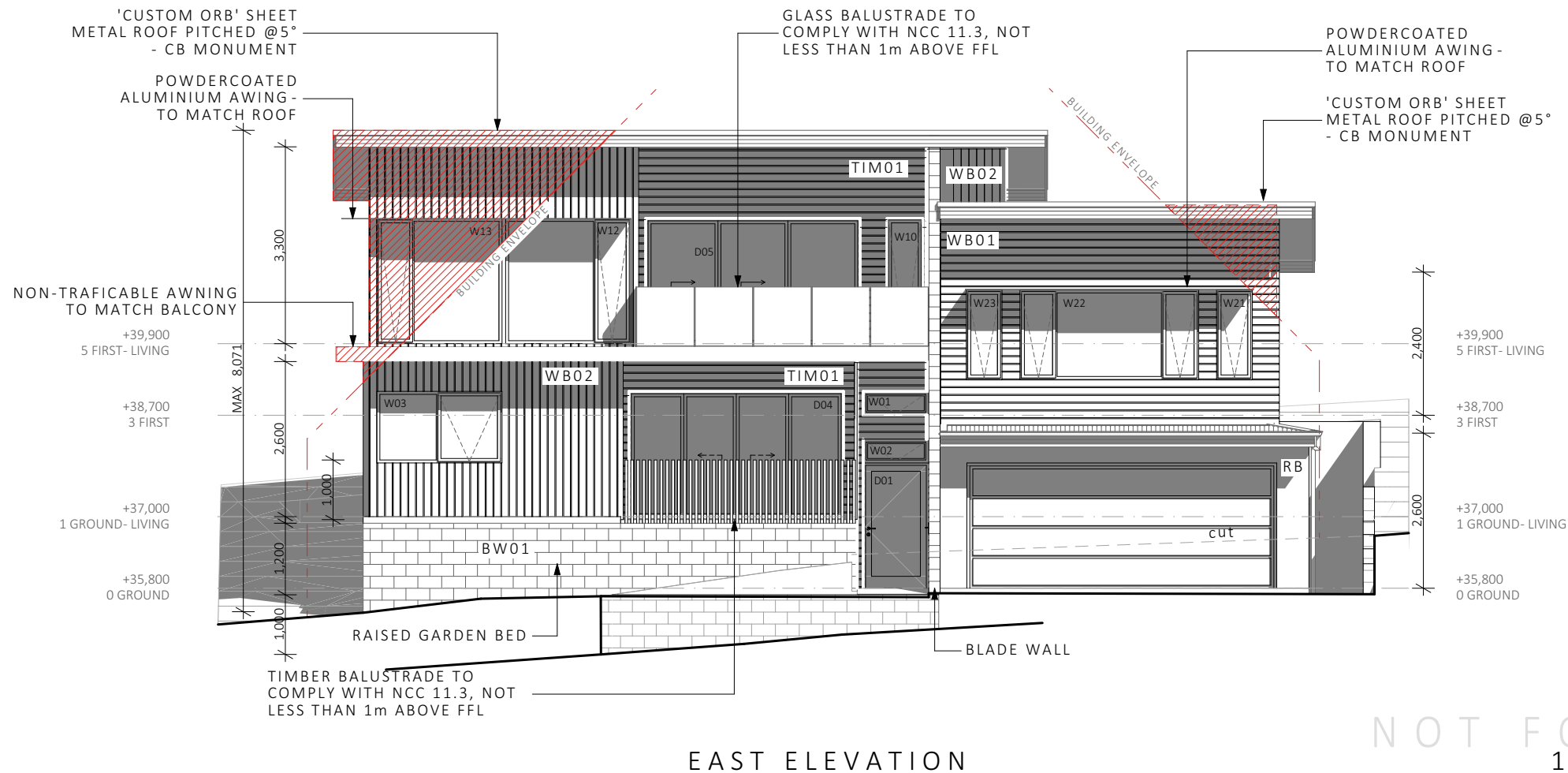
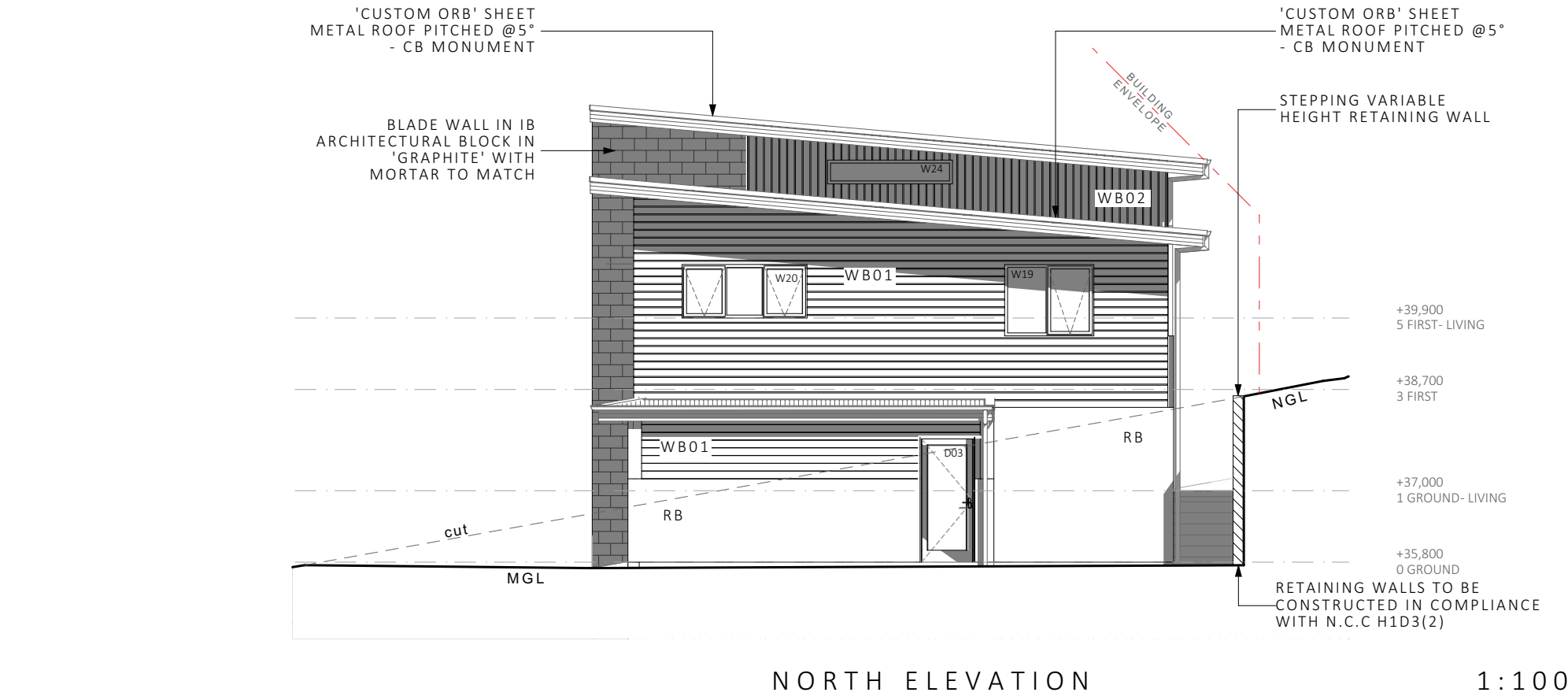
DRAWING ID	SCALE	DATE
DA.03	1:100 @ A3	4/09/2023

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION:	NEW DWELLING
PROJECT ADDRESS:	9 BASTIC ST, ROSNY, 7018
CLIENT:	JASON WAGNER
CONTACT:	sarah@thresholddesigns.com.au



NOT FOR CONSTRUCTION



- EXTERNAL FINISHES:**
- WB01: JH LINEA 180, INSTALL HORIZONTALLY, PAINT FINISH IN DULUX 'NATURAL WHITE'
- WB02: JH AXON 133, INSTALL VERTICALLY, PAINT FINISH IN DULUX 'NATURAL WHITE'
- RB: RENDERED BLOCK, PAINT FINISH IN DULUX ACRATEX SKIM COAT OR EQUAL IN 'NATURAL WHITE'
- TIM01: 128X19MM BLACKBUTT TIMBER SHIPLAP. INSTALL HORIZONTALLY. 2 COATS PRE-OILED.
- BW01: 190MM BLOCKWORK BLADE WALL, IB ARCHITECTURAL BLOCK IN 'GRAPHITE' WITH MORTAR TO MATCH
- BW02: 190MM BLOCKWORK RETAINING WALL
- SCREEN: 80X30 SILVERTOP ASH BATTEN SCREEN, 50MM GAP, OVER GALVANISED STEEL FRAME
- GB: 1000H GLASS BALUSTRADE, STEEL HANDRAIL + BALUSTERS
- MC: CUSTOM ORB ROOF, COLORBOND IN "MONUMENT" SCREW FIX, MATCHING FLASHINGS, GUTTERS, RAIN HEADS AND DOWNPIPES
- WIN: WINDOW FRAMES POWDERCOATED IN MATT BLACK
- EXTERNAL CEILINGS + SOFFIT: 4.5MM FC SHEET, FLUSH FIXED, PAINT FINISH IN 'STARK WHITE'

NOTE

CLEARANCES BETWEEN CLADDING AND GROUND SHALL COMPLY WITH 3.5.4.7 OF THE CURRENT N.C.C AND SHALL BE A MINIMUM CLEARANCE OF: - 100MM IN LOW RAINFALL INTENSITY AREAS OR SANDY, WELL-DRAINED AREAS;

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**

PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**

CLIENT: **JASON WAGNER**

CONTACT: **sarah@thresholddesigns.com.au**

DRAWING TITLE	DRAWING ID	SCALE	DATE
ELEVATIONS	DA.05	1:100 @ A3	4/09/2023

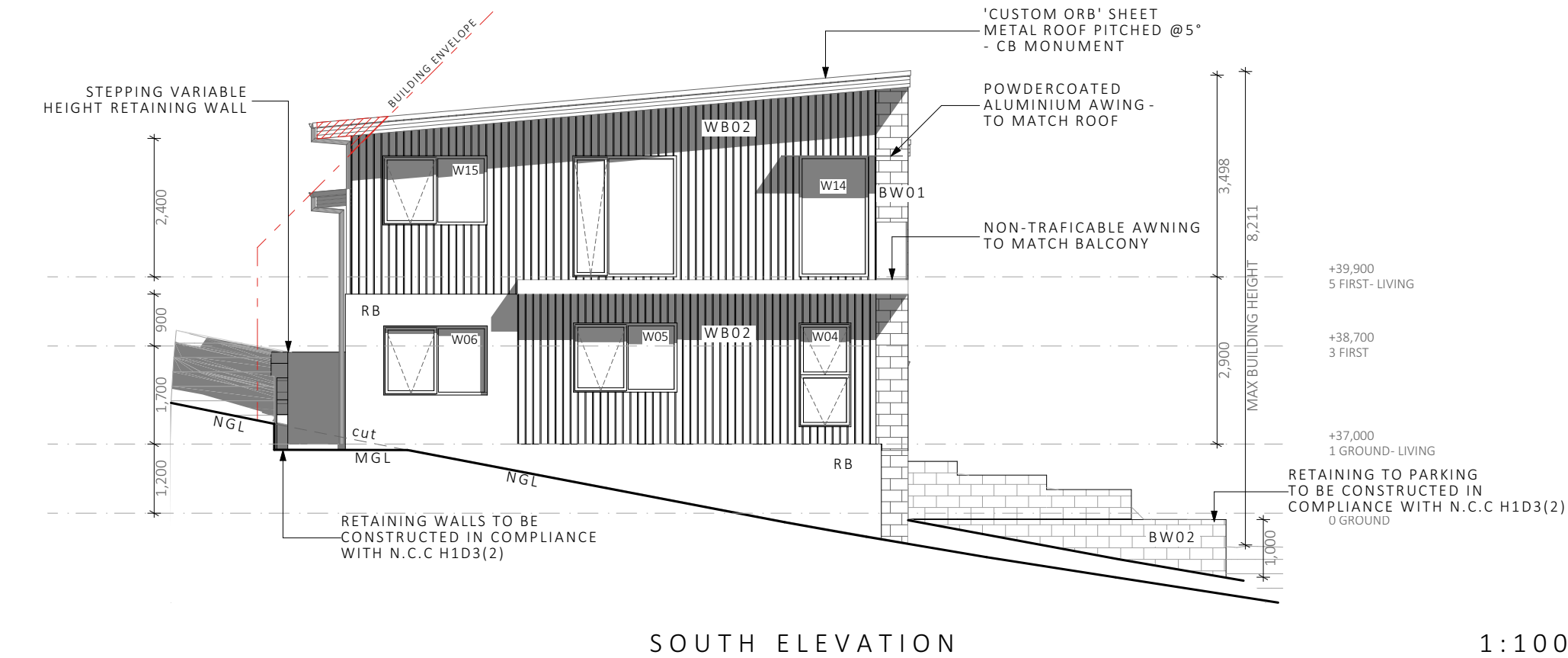
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DRAWING TITLE
ELEVATIONS

DRAWING ID	SCALE	DATE
DA.06	1:100 @ A3	4/09/2023



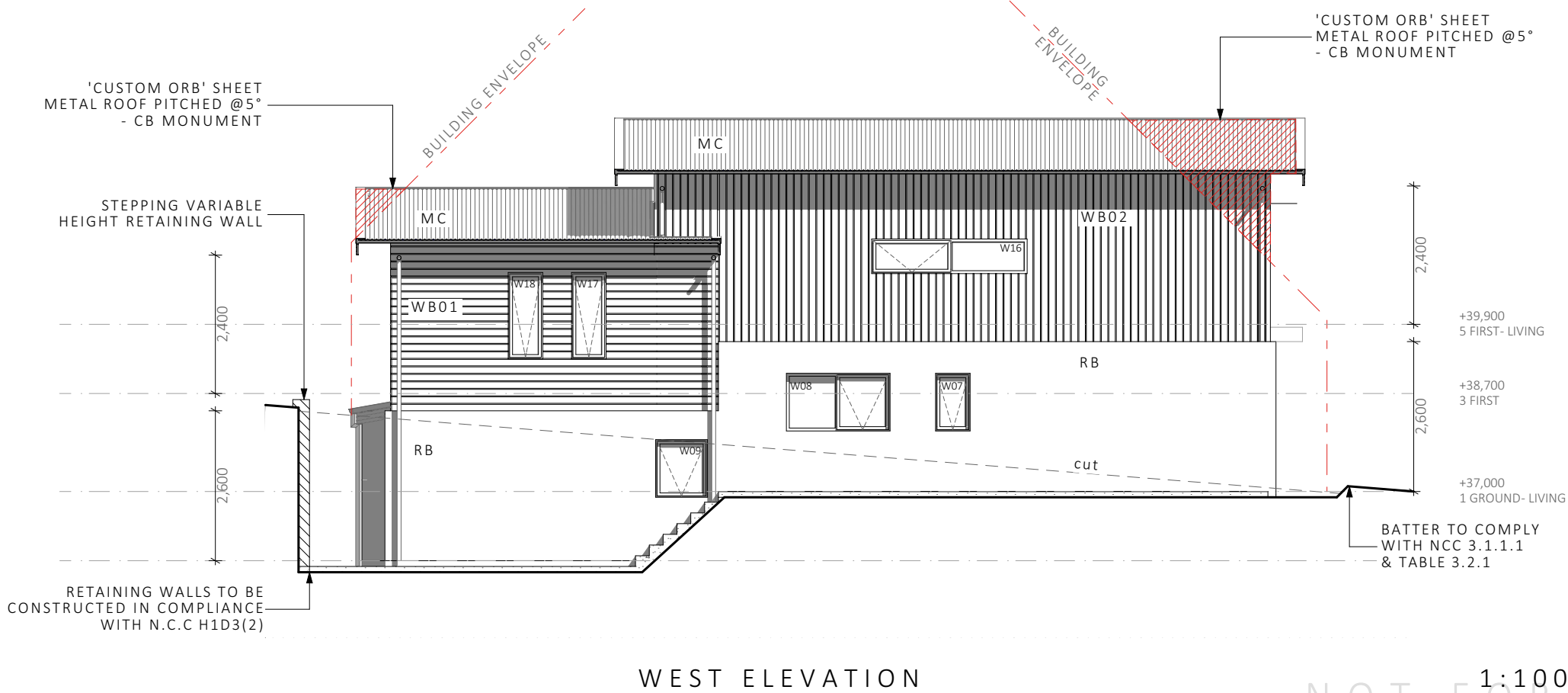
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- WB01: JH LINEA 180, INSTALL HORIZONTALLY, PAINT FINISH IN DULUX 'NATURAL WHITE'
- WB02: JH AXON 133, INSTALL VERTICALLY, PAINT FINISH IN DULUX 'NATURAL WHITE'
- RB: RENDERED BLOCK, PAINT FINISH IN DULUX ACRATEX SKIM COAT OR EQUAL IN 'NATURAL WHITE'
- TIM01: 128X19MM BLACKBUTT TIMBER SHIPLAP. INSTALL HORIZONTALLY. 2 COATS PRE-OILED.
- BW01: 190MM BLOCKWORK BLADE WALL, IB ARCHITECTURAL BLOCK IN 'GRAPHITE' WITH MORTAR TO MATCH
- BW02: 190MM BLOCKWORK RETAINING WALL
- SCREEN: 80X30 SILVERTOP ASH BATTEN SCREEN, 50MM GAP, OVER GALVANISED STEEL FRAME
- GB: 1000H GLASS BALUSTRADE, STEEL HANDRAIL + BALUSTERS
- MC: CUSTOM ORB ROOF, COLORBOND IN "MONUMENT" SCREW FIX, MATCHING FLASHINGS, GUTTERS, RAIN HEADS AND DOWNPIPES
- WIN: WINDOW FRAMES POWDERCOATED IN MATT BLACK

EXTERNAL CEILINGS + SOFFIT: 4.5MM FC SHEET, FLUSH FIXED, PAINT FINISH IN 'STARK WHITE'

NOTE

CLEARANCES BETWEEN CLADDING AND GROUND SHALL COMPLY WITH 3.5.4.7 OF THE CURRENT N.C.C AND SHALL BE A MINIMUM CLEARANCE OF: - 100MM IN LOW RAINFALL INTENSITY AREAS OR SANDY, WELL-DRAINED AREAS;



NOT FOR CONSTRUCTION

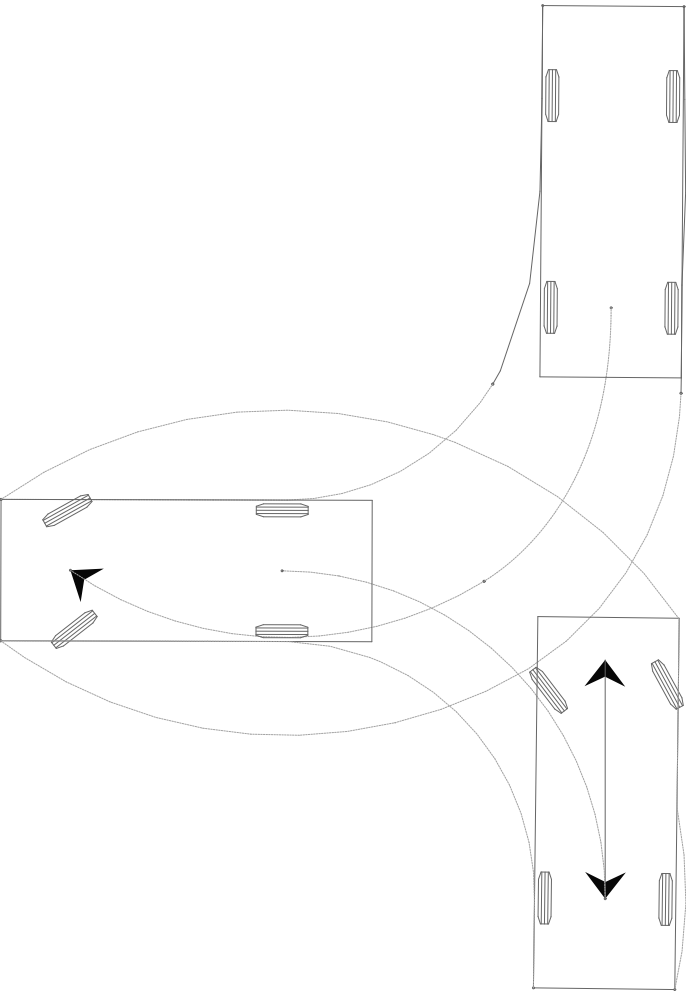
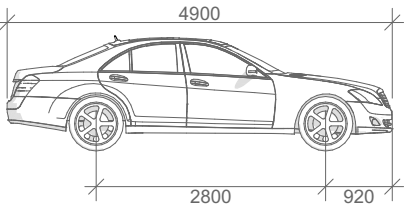
NOTE

ALL DRIVEWAY PITS AND GRATE DRAINS TO BE CLASS B.

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

VEHICLE MOVEMENT NOTES

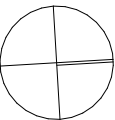
- MOVEMENT TEMPLATES DEMONSTRATE THE ABILITY OF VEHICLES TO ENTER INTERSECTION IN A FORWARDS DIRECTION AND LEAVE IN A FORWARDS DIRECTION.
- THE BASE DIMENSIONS OF THE VEHICLE REPRESENT THE B85 (85TH PERCENTILE) VEHICLE
- THE SWEEPED PATH OF THE VEHICLE REPRESENT THE OUTER EXTENTS OF THE VEHICLE.



NOT FOR CONSTRUCTION

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**



DRAWING TITLE
PARKING PLAN

DRAWING ID	SCALE	DATE
DA.08	1:200 @ A3	4/09/2023

NOTE

ALL DRIVEWAY PITS AND GRATE DRAINS TO BE CLASS B.

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

NOTES

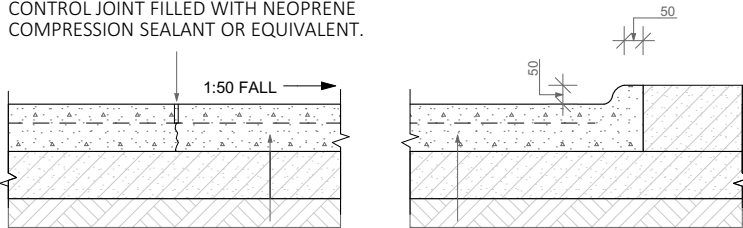
- REMOVE ALL TOPSOIL AND ORGANIC MATTER FROM BENEATH CONCRETE DRIVEWAY AREAS AND PROVIDE 100M DEEP COMPACTED FCR BASE COURSE LAYER.
- CONCRETE STRENGTH SHALL BE 32 MPA MIN.
- PROVIDE CONTROL JOINTS AT 6.0 M CENTRES-REFER DETAIL.
- COMPACT CONCRETE USING MECHANICAL VIBRATORS.
- CURE ALL EXPOSED CONCRETE SURFACES BY KEEPING MOIST FOR 7 DAYS. I.E COVER WITH PLASTIC SHEETS.
- CONNECT NEW SERVICE CONNECTIONS INTO EXISTING. LIAISE WITH COUNCIL'S PLUMBING SURVEYOR FOR LOCATION OF EXISTING CONNECTIONS.
- ALL NEW AND/OR ALTERED SERVICE CONNECTIONS SHALL BE UNDERTAKEN BY COUNCIL AT THE DEVELOPER'S EXPENSE.
- PROVIDE 65 DIA AGRICULTURAL DRAINS AT BASE OF CUT AND CONNECT TO STORMWATER AT LOWEST POINT
- DRIVEWAY TO BE MIN 100MM THICK 32MPA CONCRETE WITH SL82 @ 40MM COVER OVER 100MM COMPACTED FCR. PROVIDE DEEP TOOLED JOINTS @ MAX. 6M CRS.
- DRIVEWAY TO BE SLOPED TO INTEGRATED KERB AND GUTTER SYSTEM ON LOW SIDE OF DRIVEWAY
- RAINWATER PIPES TO BE PVC OR COLORBOND FINISH METAL.
- DRIVEWAY SAWCUTS TO BE INSTALLED AT APPROX. 4M CENTERS WITH EXPANSION JOINTS AT 8-12M CENTERS.



KEY
FLOOD-PRONE MAPPED AREAS

TYPICAL PAVEMENT DETAIL

40 DEEP WETFORMED OR SAWCUT CONTROL JOINT FILLED WITH NEOPRENE COMPRESSION SEALANT OR EQUIVALENT.

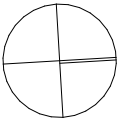


100 THICK X 32 MPa CONCRETE PAVEMENT.
SL 82 MESH (T) ON DEEP COMPACTED FCR BASECOURSE.

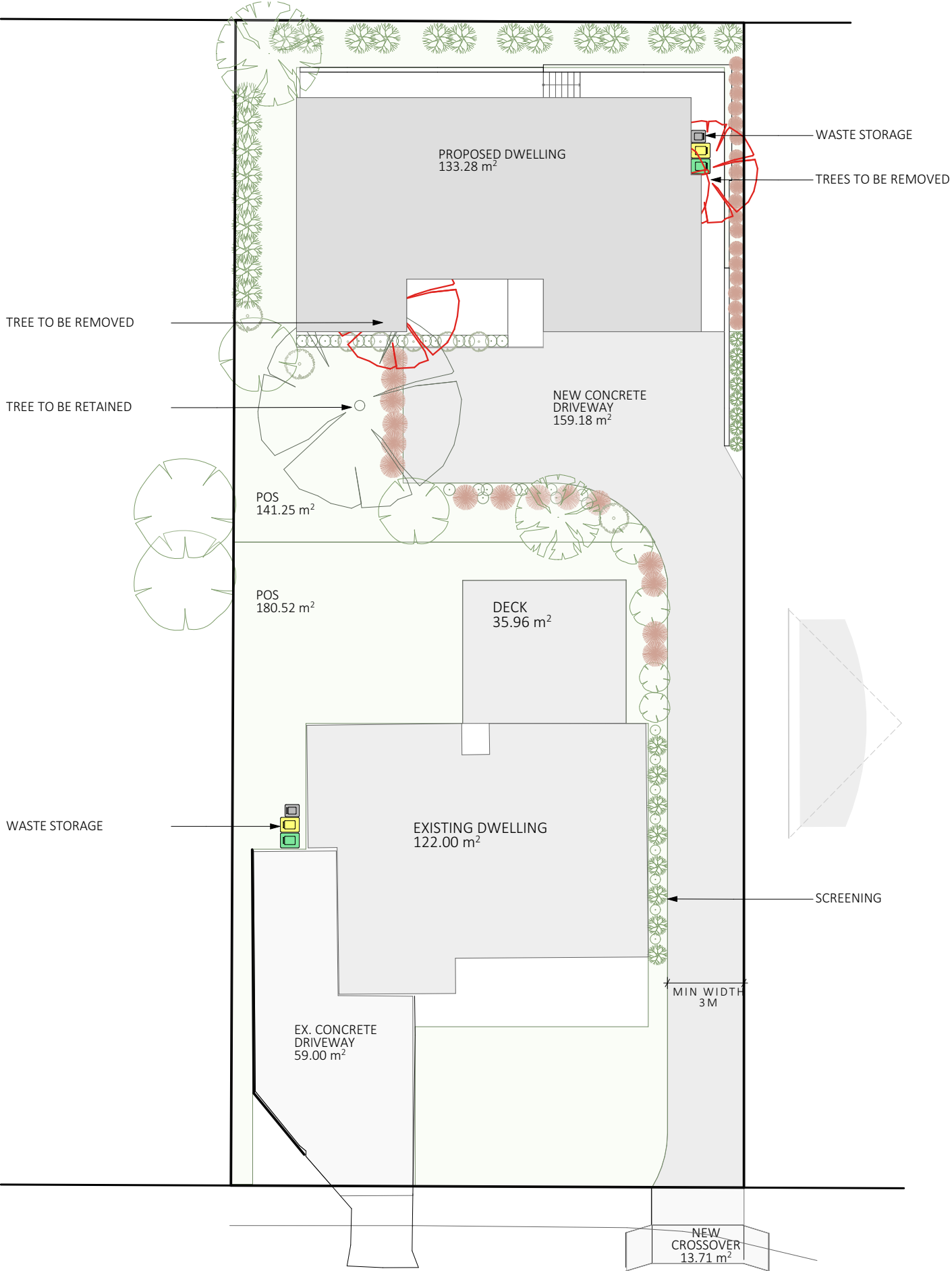
NOT FOR CONSTRUCTION

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**



DRAWING TITLE			
CIVIL PLAN			
DRAWING ID	SCALE	DATE	
DA.09	1:200 @ A3	4/09/2023	

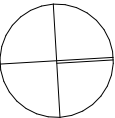


KEY	
	GENERAL WASTE BIN
	RECYCLING BIN
	GREEN WASTE BIN
	SHRUB: CAREX COMANS 'BRONZE FORM' OR SIMILAR
	SHRUB: LOMANDRA 'MISTY GREEN' OR SIMILAR
	SCREENING HEDGE: PITTOSPORUM OR SIMILAR
	SMALL TREE: MAGNOLIA GRANIFLORA OR SIMILAR
	TREE: BETULA PENDULA OR SIMILAR
	FEATURE TREE: ACER RUBRUM 'FAIRVIEW FLAME' OR SIMILAR
	EXISTING TREE TO BE REMOVED

NOT FOR CONSTRUCTION

REV	ISSUE	DATE
01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**



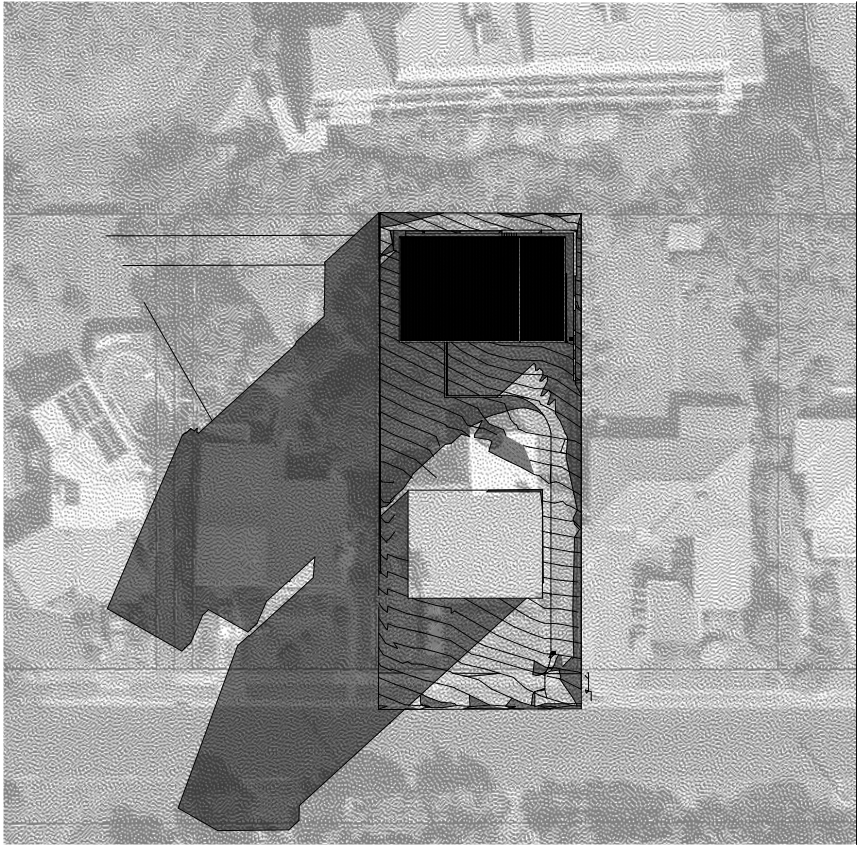
DRAWING TITLE			
LANDSCAPING PLAN			
DRAWING ID	SCALE	DATE	
DA.11	1:200 @ A3	4/09/2023	



JUNE - 9AM



JUNE - 12PM



JUNE - 3PM



DEC - 9AM



DEC - 12PM



NOT FOR CONSTRUCTION DEC - 3PM

Drawings to be read in conjunction with specification by the author and all drawings and documents by engineers and subconsultants referred to in these plans. Contractors are to verify all dimensions on site before commencing any work or producing shop drawings. DO NOT SCALE FROM DRAWINGS. These drawings are protected by the laws of copyright and may not be copied or reproduced without the written permission of the author. ALL DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE AUTHOR.			REV	ISSUE	DATE
	01	DA			3/09/2023

DESCRIPTION: **NEW DWELLING**

PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**

CLIENT: **JASON WAGNER**

CONTACT: **sarah@thresholddesigns.com.au**

DRAWING TITLE
SHADOW DIAGRAMS 01

DRAWING ID
DA.12

SCALE
1:750 @ A3

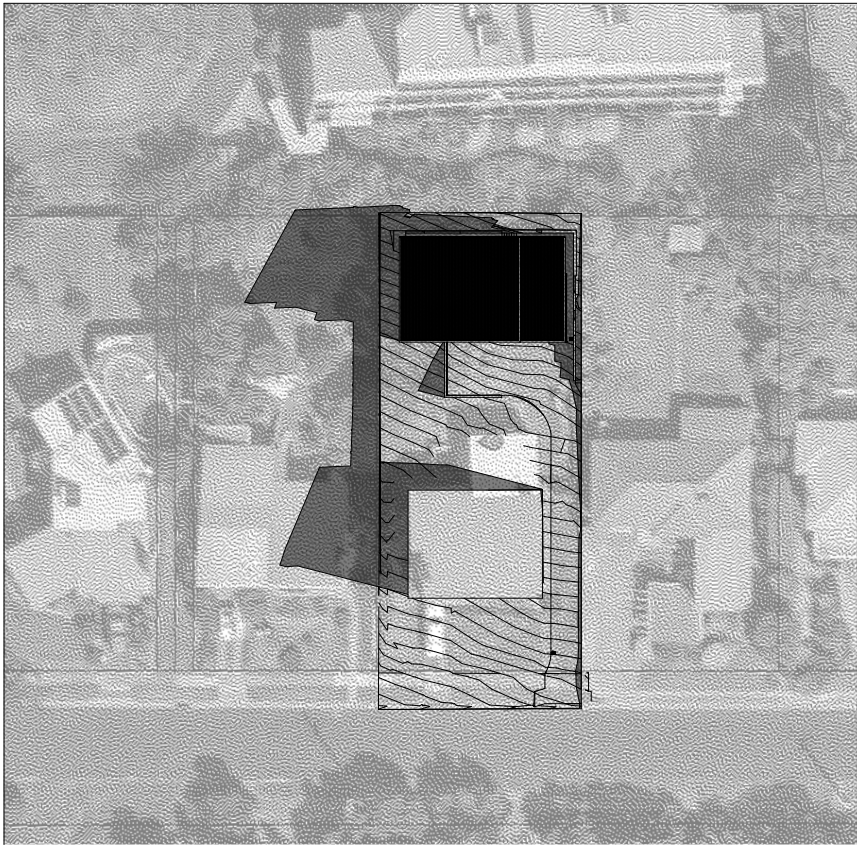
DATE
4/09/2023



JUNE - 9AM



JUNE - 10AM



JUNE - 11AM



JUNE - 12PM



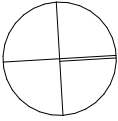
JUNE - 1PM



NOT FOR CONSTRUCTION JUNE - 2PM

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	01	DA			3/09/2023

DESCRIPTION: **NEW DWELLING**
PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**
CLIENT: **JASON WAGNER**
CONTACT: **sarah@thresholddesigns.com.au**



DRAWING TITLE SHADOW DIAGRAMS 02		
DRAWING ID DA.13	SCALE 1:750 @ A3	DATE 4/09/2023



NOT FOR CONSTRUCTION

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	01	DA	3/09/2023

DESCRIPTION: **NEW DWELLING**

PROJECT ADDRESS: **9 BASTIC ST, ROSNY, 7018**

CLIENT: **JASON WAGNER**

CONTACT: **sarah@thresholddesigns.com.au**

DRAWING TITLE			
3-D VIEWS			
DRAWING ID	SCALE	@	DATE
DA.14		A3	4/09/2023

Attachment 3



Image 1: View between 11 and 9 Bastick Street, Rosny
(google street view, Image capture August 2023)



Image 2: View between 9 and 7 Bastick Street, Rosny
(google street view, Image capture August 2023)



Image 4: Site Photo
(11 and 9 Bastick Street, Rosny)



Image 5: Site Photo
(9 Bastick Street, Rosny)



Image 6: Site Photo
(9 Bastick Street, Rosny)



Image 3: View looking south west, Bastick Street, Rosny
(google street view, Image capture August 2023)

7.3 DEVELOPMENT APPLICATION PDPLANPMTD-2023/037448 – 1 LA PEROUSE STREET, WARRANE - MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Multiple Dwellings (one existing and one new) at 1 La Prouse Street, Warrane.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport 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

This report 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 extended with the consent of the applicant until 31 October 2023.

CONSULTATION

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

- Loss of views;
- Loss of sunlight to adjoining properties;
- Loss of privacy;
- Building character; and
- Property values.

RECOMMENDATION:

A. That the Development Application for Multiple Dwellings (one existing and one new) at 1 La Prouse Street, Warrane (CI Ref PDPLANPMTD-2023/037448) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG M1 – DESIGNS DA.
3. ENG S1 – INFRASTRUCTURE REPAIR.
4. ENG A5 – SEALED CAR PARKING.

5. ENG A2 – CROSSOVER CHANGE.
6. ENG S4A – STORMWATER CONNECTION FOR EXISTING LOTS.
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 24/07/2023 (TWDA 2023/00939-CCC).

ADVICE

- a. This Permit will lapse after two years from the date on which it is granted unless the development/use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993, Council may grant an extension of time for a further two years. A further two years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within six months of the day on which the permit has lapsed.
 - b. This is a town planning permit only. Please be aware that a building permit and/or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.
 - c. Non-compliance with this permit is an offence under Section 63 of the Land Use Planning and Approvals Act, 1993 and may result in enforcement action under Division 4A of the Land Use Planning and Approvals Act 1993, which provides for substantial fines and daily penalties.
 - d. 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 under Engineering assessment as to the proposals likely impact into the Stormwater System. A detailed Stormwater management report/detail will be required on how the proposal satisfies the stormwater procedure.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

**DEVELOPMENT APPLICATION PDPLANPMTD-2023/037448 – 1 LA PEROUSE STREET, WARRANE - MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW)
/contd...**

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

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

2.2. The proposal is discretionary because it does not meet the acceptable solutions and relies on performance criteria of applicable standards.

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 8.0 – General Residential Zone;
- Section C2.0 – Parking and Sustainable Transport Code; and
- Section C16.0 – Safeguarding of Airports Code.

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

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

The subject site is a 754m² irregular shaped lot that supports a single dwelling located towards the front of the site. The lot is oriented north-west to south-east, with an existing crossover providing access to La Perouse Street.

The topography of the site rises from La Perouse Street at the north-west from 49m contour to the 54m contour at the rear boundary, resulting in a 12.5% gradient.

The site is fully serviced by TasWater potable water and reticulated sewerage, and Council stormwater infrastructure with a drainage easement running parallel to the northern side boundary.

The site is within an established residential area, with the adjoining properties being a mix of single storey detached dwellings and multiple dwellings. The site is within walking distance to open space, local shops, a school and public transport.

3.2. The Proposal

The proposal is for the development of multiple dwellings, one existing and one proposed, with associated infrastructure.

The proposed dwelling will be located behind the existing dwelling at the rear of the lot. The dwelling is proposed to be double storey with a maximum height of 7.1m above natural ground level. The proposed dwelling consists of a double garage, bathroom and laundry on the ground floor, and an open plan living area and three bedrooms on the upper floor. The proposed floor area is 161m².

Both units will share a sealed driveway that runs along the south-west boundary, with each unit having two dedicated parking spaces and one shared visitor parking space, in accordance with the requirements 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

Safeguarding of Airports Code

- The proposed development is below the 147m AHD height specified for the site and as such, is exempt from the Code as per clause 16.4.1.

Parking and Sustainable Transport Code

- The proposal is for two 3-bedroom dwellings in the General Residential Zone. According to Table C2.1, this must provide two car parking spaces per dwelling and one visitor parking space. The proposal includes five car parking spaces, thus meeting the car parking demand for the site.

The application demonstrates compliance with all of the applicable acceptable solutions for the development standards.

The proposal meets the Scheme’s applicable acceptable solutions of the General Residential Zone and the Parking and Sustainable Transport Code and Safeguarding of Airports Code, with the exception of the following.

General Residential Zone

- **Clause 8.4.3 A2 in relation to private open space for all dwellings**

While the total area of private open space for each dwelling exceeds the minimum area of 24m², the dimensions of the private open space for Unit 2 is inconsistent with the requirements of the acceptable solutions because it provides an area with a minimum dimension of 3.5m² instead of the required 4m².

The proposal must be assessed against Performance Criteria P2 of the standard, as follows.

Clause	Performance Criteria	Assessment
8.4.3 P2	<i>“A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and is:</i>	Each dwelling is assessed as having private open space areas which are capable of serving as extensions of the dwelling for outdoor relaxation, dining and entertaining.
	<i>(a) conveniently located in relation to a living area of the dwelling; and</i>	The private open space of Unit 2 is located at ground level between the dwelling and the north-eastern boundary. This area is conveniently located to the open plan living area that is located on the upper floor, via a set of stairs which leads directly to the external door where the private open space is located.
	<i>(b) orientated to take advantage of sunlight.”</i>	The designated private open space associated with the proposed dwelling is to be oriented in a north-eastern direction and would therefore receive adequate sunlight during the morning and mid-afternoon.

		For the above reasons, it is considered that the proposed private open space meets the corresponding performance criterion P2.
--	--	--

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and five representations (two from the same address) were received. The following issues were raised by the representors.

5.1. Loss of Views

The representors raised concern that the proposed development will affect their views.

- **Comment**

There are no planning scheme provisions specifically requiring the retention of private views, therefore this issue has no determining weight.

5.2. Loss of Sunlight

Concerns were raised by the representors that the proposed development would have a detrimental impact upon solar access to nearby residential land use.

- **Comment**

The assessment of the impact of shadows cast by the proposal onto adjoining properties is assessed under Clause 8.4.2 A3 that establishes the minimum setbacks and building envelope for all dwellings. The proposed development was assessed against this clause and complied with the acceptable solutions. The shadow cast from the proposed dwelling is considered reasonable and will not have an unreasonable impact on adjoining properties.

5.3. Loss of Privacy

A representor raised concern in relation to the privacy impact of habitable room windows and private open space of an adjoining property.

- **Comment**

The proposed multiple dwelling development satisfies the requirements of the Scheme in relation to privacy, as articulated by the acceptable solutions of Clause 10.4.6 A1 and A2.

5.4. Double Storey Dwelling

The representors have raised concern in relation to the two-storey design being out of character with the prevailing single storey dwellings within the area.

- **Comment**

Visual impact is assessed under clause 8.4.2 P3 of the Scheme in relation to building envelope. As stated above, the proposed development meets the requirements of the acceptable solution of this clause. Therefore, it has been determined that the design would not cause an unreasonable loss of amenity by way of visual impact.

5.5. Property Values

Two representors are concerned that the proposed second dwelling will have a negative impact on their property's value.

- **Comment**

This is not a planning matter and has no determining weight regarding the planning decision.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, a number of conditions are provided 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

The proposal is consistent with Council's adopted Strategic Plan and all other relevant Council Policies.

9. CONCLUSION

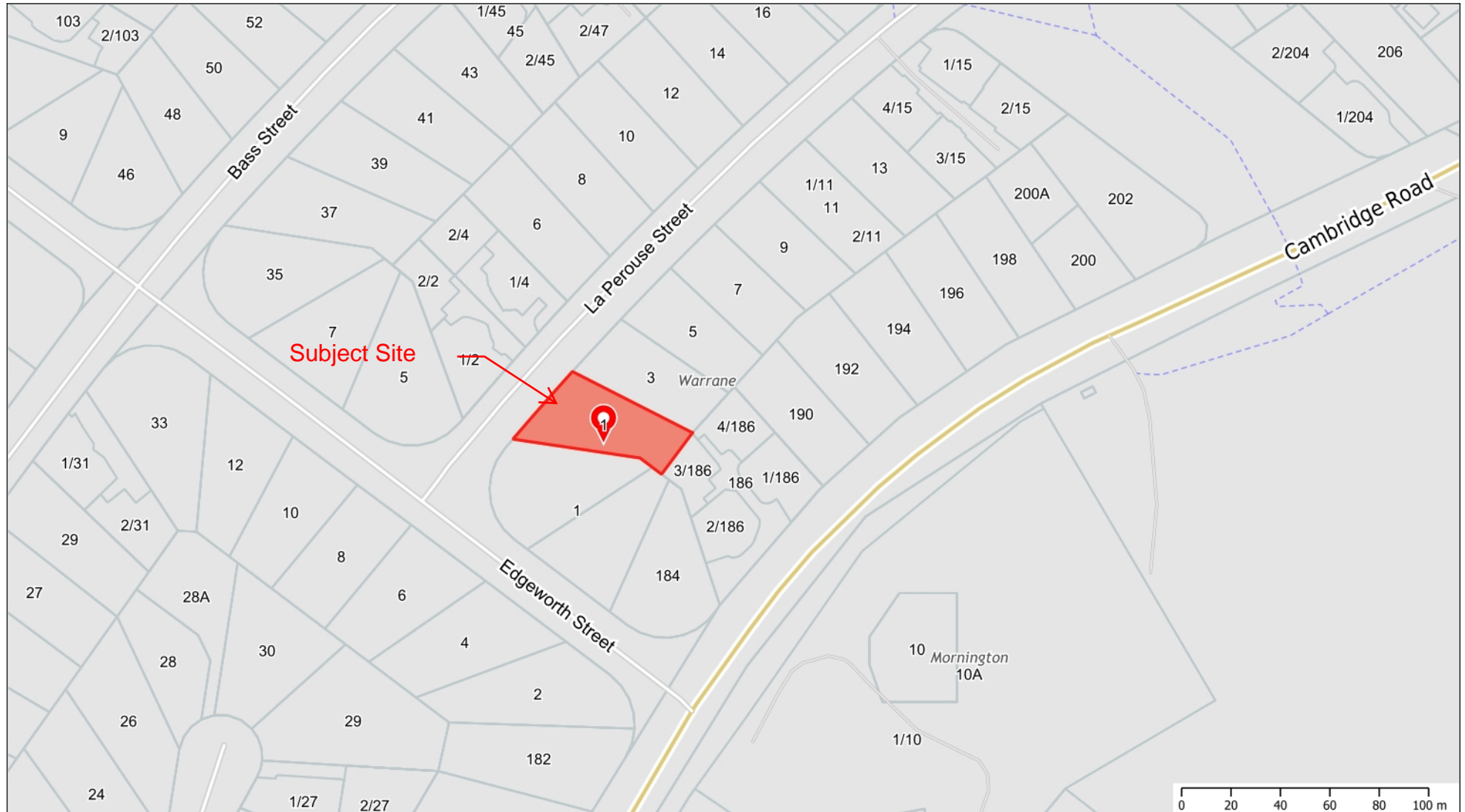
The proposal is for the development of multiple dwellings (one existing and one new) at 1 La Perouse Street, Warrane. The proposal satisfies the relevant requirements of the Scheme and is recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (9)
3. Site Photo (1)

Robyn Olsen
ACTING HEAD OF CITY PLANNING

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

1 La Perouse Street, Warrane Location Plan



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.

18/10/2023

1:2257



ATTACHMENT 2

Sheet List				
Sheet Number	Sheet Name	Project Status	Current Revision	Current Revision Date
1 G-01	COVER	DA	R3	24/08/2023
2 A-01	SITE PLAN	DA	R3	24/08/2023
2 A-02	EXISTING SITE SURVEY	DA	R3	24/08/2023
2 A-03	GROUND FLOOR PLAN	DA	R3	24/08/2023
2 A-04	FIRST FLOOR PLAN	DA	R3	24/08/2023
2 A-05	ELEVATIONS	DA	R3	24/08/2023
2 A-05A	ELEVATIONS	DA	R3	24/08/2023
2 A-05B	ELEVATIONS - UNIT 1	DA	R3	24/08/2023
2 A-07	ROOF PLAN	DA	R3	24/08/2023



General Notes
Do not scale plans, use written dimensions only. The owner/builder subcontractor shall verify all dimensions, levels, setbacks and specifications prior to commencing works or ordering materials and shall be responsible for ensuring that all building works conform to the current NCC and Australian standards, building regulations and town planning requirements.
Report any discrepancies to this office.
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ArchitectInk PADDINGTON PG

Shop 14, 31 Cambridge Road
Bellerive, Tasmania 7018
shane@architectink.net.au



NEW DWELLING
1 LA PEROUSE ST. WARRANE
PADDINGTON PG

COVER		1 G-01
Project number	230407_1_LaPerouse	
Drawing Status	DA	
Current Revision	Agenda Attachments - 1 La Perouse Street, Warrane Page 2 of 11 24/08/2023 R3 Scale on A3	

Construction and materials in accordance with current NCC requirements and all relevant Australian Standards

Cladding materials and fixings to be in accordance with the ABCB Housing Provisions for Corrosion Environment = Medium

SITE COVERAGE

SITE AREA:	754m ²
EXISTING HOUSE COVERAGE:	94m ²
PROPOSED HOUSE COVERAGE:	81m ²
TOTAL SITE COVERAGE:	175m ² (23%) ok < 50%

EXCAVATION:	
CUT	98m ³
FILL	N/A

SITE LEGEND

- SS SS SS Sewer
- SS SS SS Public Sewer
- SS SS SS Storm Water
- SS SS SS Electrical Power (overhead)
- W W W Water
- W W W Water Main
- W W W Telstra (overhead)
- ORG Overflow Relief Gully
- Switch Bd
- SW Pit
- Spoon drain

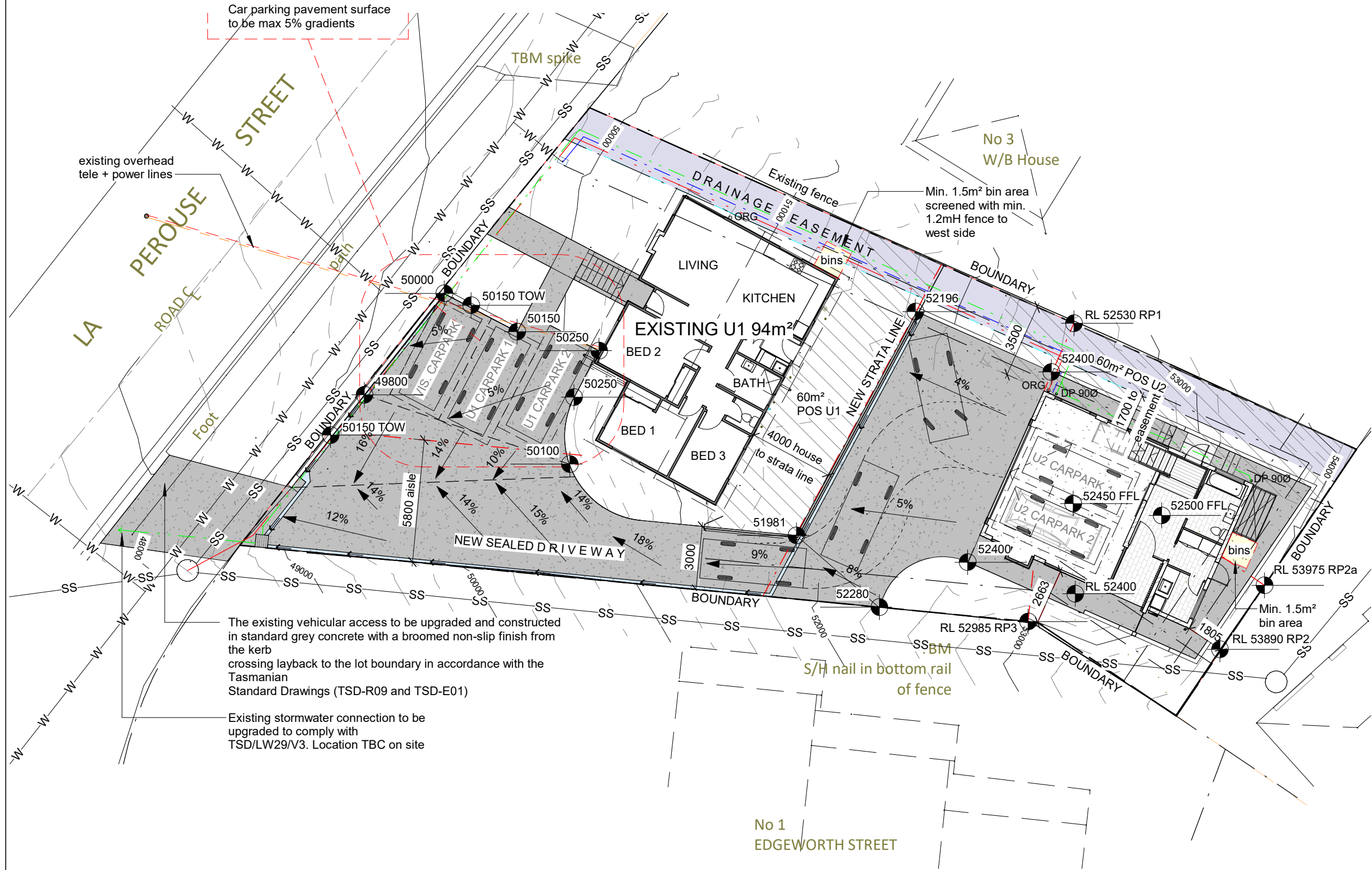
CARPARK Carpark space min. 2.6 x 5.4m

bins Waste bin storage area: 1.5m² min. per unit

Sealed drive/ pathway surface

PRIVATE OPEN SPACE LEGEND

60m² private open space



General Information

Architect: Shane Geard
Reg: 1301 (Tas)
BSP Licence No: 740796453
Classification: Architect

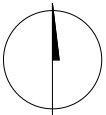
Address: 1 La Perouse St Warrane Tas 7018
Lot: 2
Title Reference: CT 54929/2
Site Area: 754m²
Climate Zone: 7
BAL: N/A
Corrosion Environment: C2 Urban Inland
Floor Area: Refer to Floor Plan

General Notes
Do not scale plans, use written dimensions only. The owner/builder subcontractor shall verify all dimensions, levels, setbacks and specifications prior to commencing works or ordering materials and shall be responsible for ensuring that all building works conform to the current NCC and Australian standards, building regulations and town planning requirements.
Report any discrepancies to this office.
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NEW DWELLING
1 LA PEROUSE ST. WARRANE
PADDINGTON PG

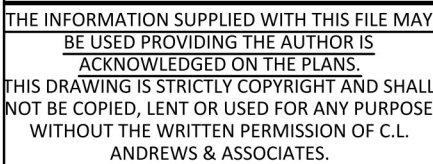


SITE PLAN

Project number	230407_1_LaPerouse
Drawing Status	DA
Current Revision	Agenda Attachments - 1 La Perouse Street Warrane Page 3 of 11 24/08/2023 R3 Scale on A3 indicated

2 A-01

DA ISSUE



DETAIL SURVEY - C.T. 54929/2
1 LA PEROUSE ST WARRANE TAS 7018
FOR PADDINGTON PROPERTY GROUP

This plan is prepared from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose. The title boundaries shown hereon were not marked at the time of survey and have been determined by plan dimensions only, not by field measurement. Services shown hereon have been located where possible by field survey. If not able to be located, services have been plotted from the records of relevant information where available and have been noted accordingly on this plan. Where such records either do not exist or are considered inadequate, a notation has been made hereon.

Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services. This note is an integral part of the plan.

Agent of Attachment - 1 La Perouse Street, Warrane Page 4 of 11

2 A-05B
2

Construction and materials in accordance with current NCC requirements and all relevant Australian Standards

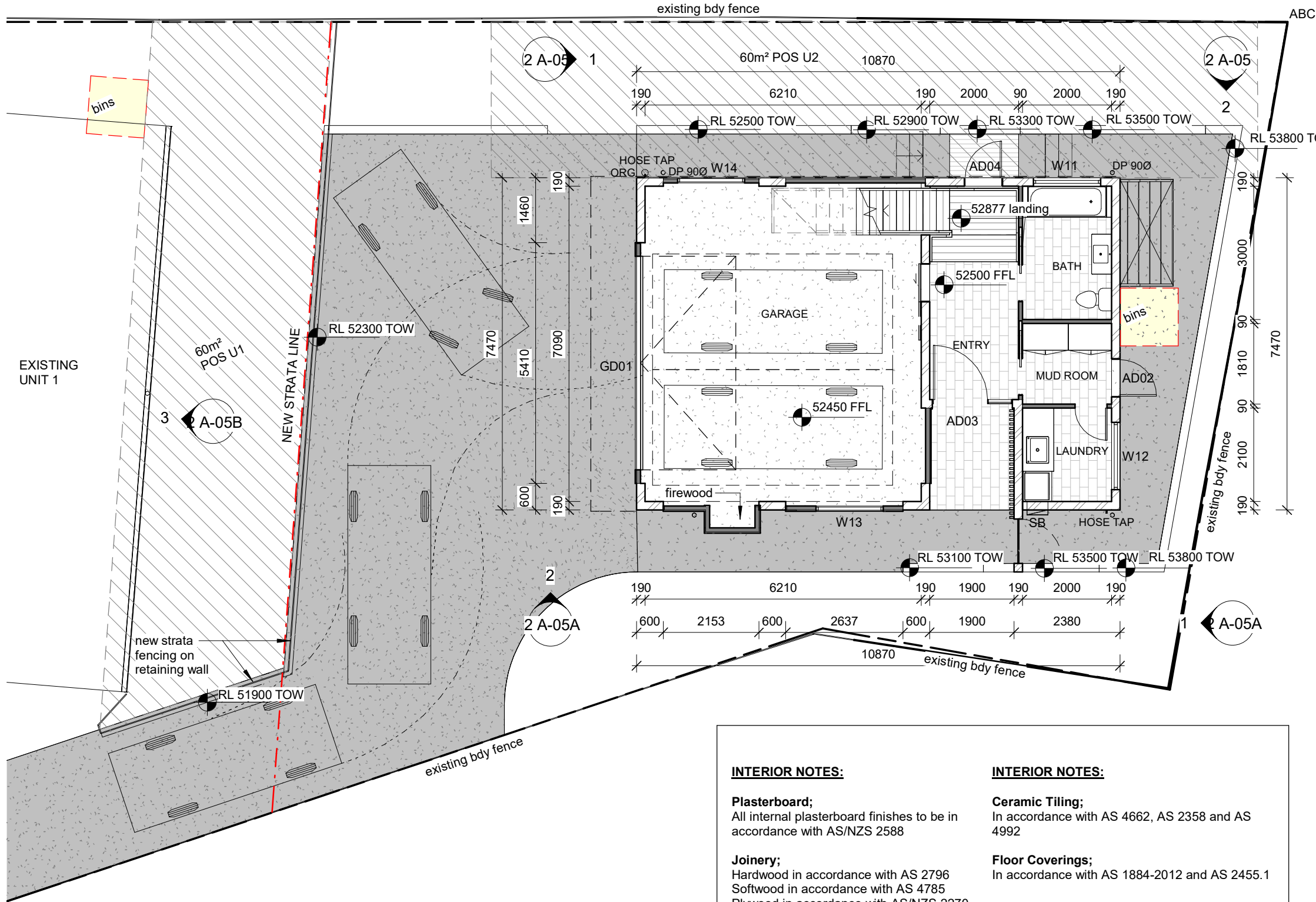
Cladding materials and fixings to be in accordance with the ABCB Housing Provisions for Corrosion Environment = Medium

Area Schedule (Gross Building)		
Name	Area	Comments
1st FLOOR	79 m ²	Excludes Stair Area
Entry Level	33 m ²	Includes Stair Area
BALCONY	3 m ²	
Grand total	115 m ²	

Area Schedule Undercover Parking	
Name	Area
Undercover Parking	48 m ²

FLOOR FINISHES LEGEND	
	Timber flooring overlay
	Tiles with slip resistance to AS 4586 (2013)
	Concrete with natural finish
	Hardwood Decking to AS 2796.1 (1999) Section 4 with stain finish

PRIVATE OPEN SPACE LEGEND	
	60m ² private open space



INTERIOR NOTES:	INTERIOR NOTES:
Plasterboard; All internal plasterboard finishes to be in accordance with AS/NZS 2588	Ceramic Tiling; In accordance with AS 4662, AS 2358 and AS 4992
Joinery; Hardwood in accordance with AS 2796 Softwood in accordance with AS 4785 Plywood in accordance with AS/NZS 2270 and AS/NZS 2271	Floor Coverings; In accordance with AS 1884-2012 and AS 2455.1
Domestic Kitchen Assemblies; In accordance with AS/NZS 4386	WATERPROOFING / WET AREAS: In accordance with AS 3740 Waterproofing membrane and substrates to be installed to floors, walls and wall/floor junctions in accordance with AS 3740 Waterproofing of Domestic wet areas. - Walls and floors of showers, baths, laundries and toilets, splash backs and floor wastes to ABCB Housing Provisions Standard 10.2 - All areas to be lined with resilient 'villaboard' or similar product.

General Notes
Do not scale plans, use written dimensions only. The owner/builder subcontractor shall verify all dimensions, levels, setbacks and specifications prior to commencing works or ordering materials and shall be responsible for ensuring that all building works conform to the current NCC and Australian standards, building regulations and town planning requirements.
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NEW DWELLING

1 LA PEROUSE ST. WARRANE

PADDINGTON PG

GROUND FLOOR PLAN			2 A-03
Project number	230407_1_LaPerouse		
Drawing Status	DA		
Current Revision	Agenda Attachments - 1 La Perouse Street Warrane Page 5 of 11 24/08/2023 R3 Scale on A3 1:100		

DA ISSUE

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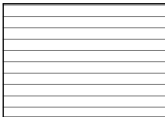
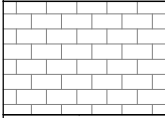

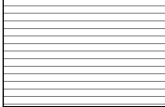
Construction and materials in accordance with current NCC requirements and all relevant Australian Standards

Cladding materials and fixings to be in accordance with the ABCB Housing Provisions for Corrosion Environment = Medium

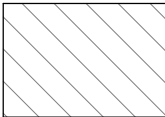
Area Schedule (Gross Building)		
Name	Area	Comments
1st FLOOR	79 m ²	Excludes Stair Area
Entry Level	33 m ²	Includes Stair Area
BALCONY	3 m ²	
Grand total	115 m ²	

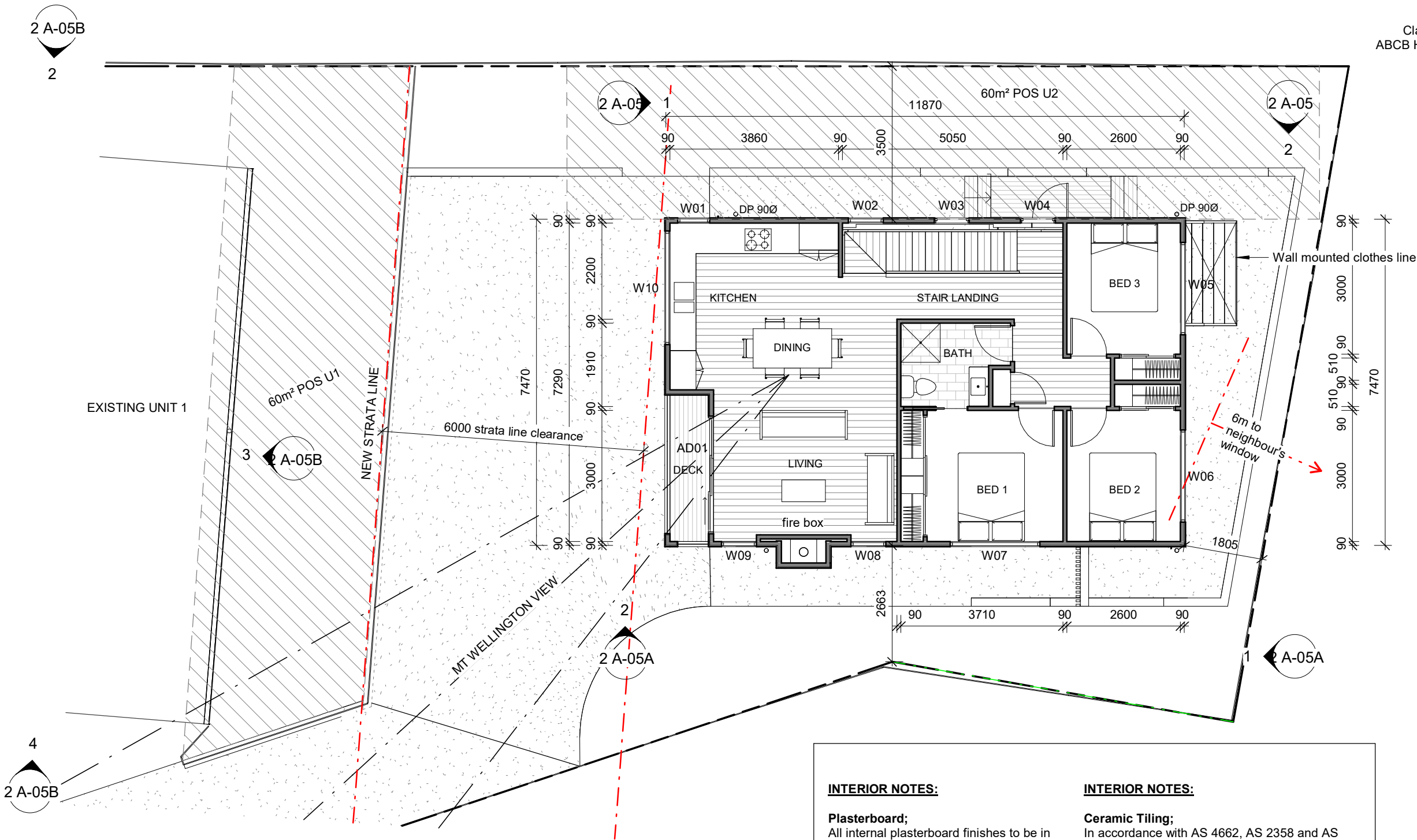
Area Schedule Undercover Parking	
Name	Area
Undercover Parking	48 m ²

FLOOR FINISHES LEGEND

	Timber flooring overlay
	Tiles with slip resistance to AS 4586 (2013)
	Concrete with natural finish
	Hardwood Decking to AS 2796.1 (1999) Section 4 with stain finish

PRIVATE OPEN SPACE LEGEND

	60m ² private open space
---	-------------------------------------



INTERIOR NOTES:

Plasterboard;
All internal plasterboard finishes to be in accordance with AS/NZS 2588

Joinery;
Hardwood in accordance with AS 2796
Softwood in accordance with AS 4785
Plywood in accordance with AS/NZS 2270 and AS/NZS 2271

Domestic Kitchen Assemblies;
In accordance with AS/NZS 4386

INTERIOR NOTES:

Ceramic Tiling;
In accordance with AS 4662, AS 2358 and AS 4992

Floor Coverings;
In accordance with AS 1884-2012 and AS 2455.1

WATERPROOFING / WET AREAS:

In accordance with AS 3740
Waterproofing membrane and substrates to be installed to floors, walls and wall/floor junctions in accordance with AS 3740 Waterproofing of Domestic wet areas.
- Walls and floors of showers, baths, laundries and toilets, splash backs and floor wastes to ABCB Housing Provisions Standard 10.2
- All areas to be lined with resilient 'villaboard' or similar product.

General Notes
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NEW DWELLING
1 LA PEROUSE ST. WARRANE
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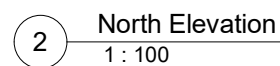
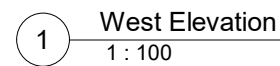
FIRST FLOOR PLAN

Project number	230407_1_LaPerouse
Drawing Status	DA
Current Revision	Agenda Attachments - 1 La Perouse Street, Warrane Page 6 of 11 24/08/2023 RS Scale on A3 1:100

2 A-04

DA ISSUE

Cladding materials and fixings to be in accordance with the ABCB Housing Provisions for Corrosion Environment = Medium

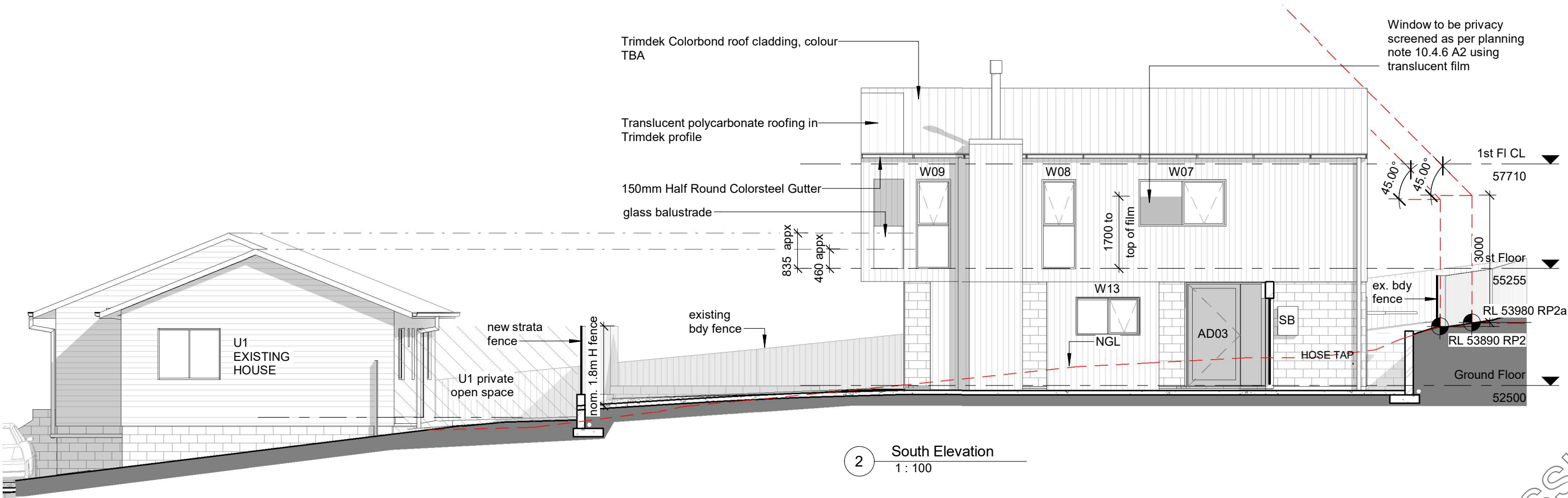
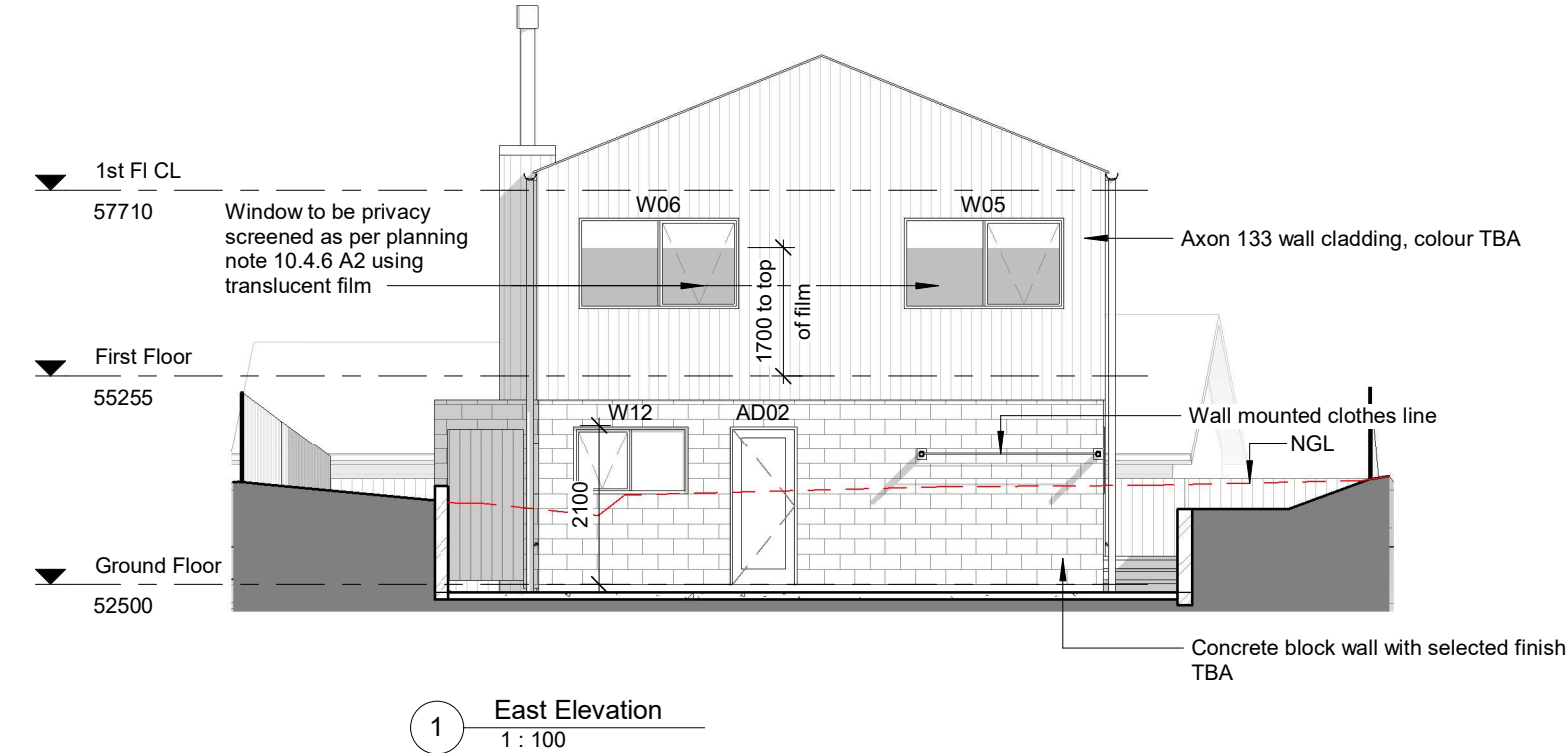


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Street, Warrane Page 7 of 11
Scale on A3 1:100

1
30/08/2023 4:26:57 PM



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NEW DWELLING
1 LA PEROUSE ST. WARRANE
PADDINGTON PG

ELEVATIONS	
Project number	230407_1_LaPerouse
Drawing Status	DA
Current Revision	Agenda Attachments - 1 La Perouse Street, Warrane Page 8 of 11 24/08/2023 R3 Scale on A3

2 A-05A

DA ISSUE



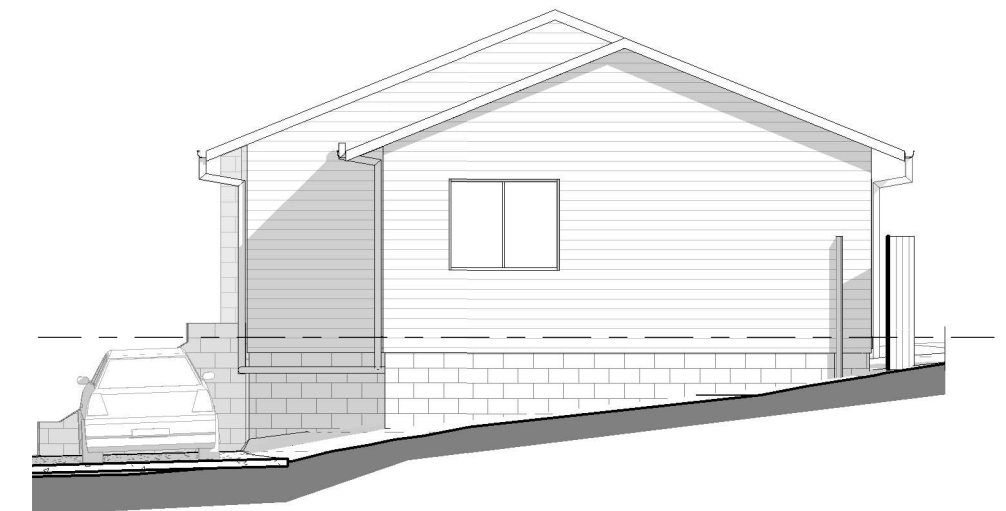
1 Elevation - Unit 1 West
1 : 100



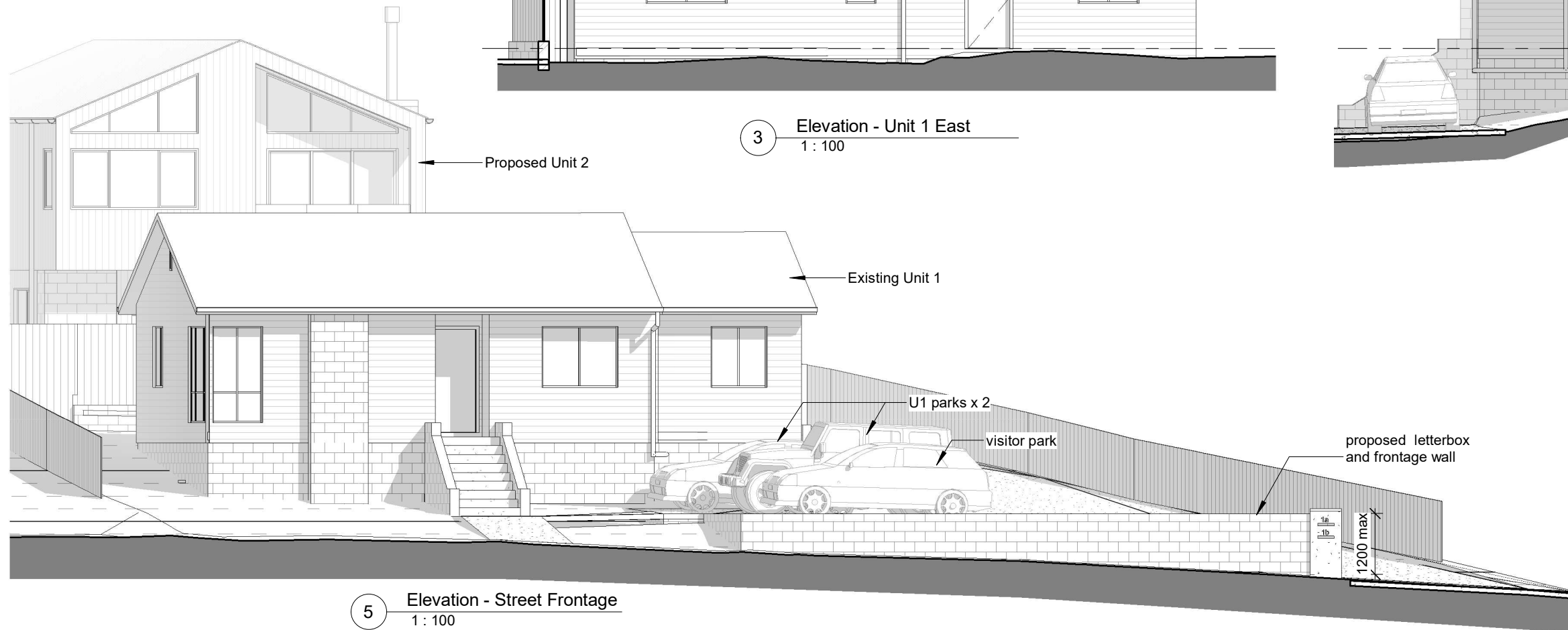
2 Elevation - Unit 1 North
1 : 100



3 Elevation - Unit 1 East
1 : 100



4 Elevation - Unit 1 South
1 : 100



5 Elevation - Street Frontage
1 : 100

General Notes
Do not scale plans, use written dimensions only. The owner/builder subcontractor shall verify all dimensions, levels, setbacks and specifications prior to commencing works or ordering materials and shall be responsible for ensuring that all building works conform to the current NCC and Australian standards, building regulations and town planning requirements.
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NEW DWELLING
1 LA PEROUSE ST. WARRANE
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ELEVATIONS - UNIT 1

Project number	230407_1_LaPerouse
Drawing Status	DA
Current Revision	Agenda Attachments - 1 La Perouse Street, Warrane Page 9 of 11 24/08/2023 R3 Scale on A3

2 A-05B

DA ISSUE

Construction and materials in accordance with current NCC requirements and all relevant Australian Standards

Cladding materials and fixings to be in accordance with the ABCB Housing Provisions for Corrosion Environment = Medium

ROOF CLADDING, GUTTERING AND DOWNPIPES:

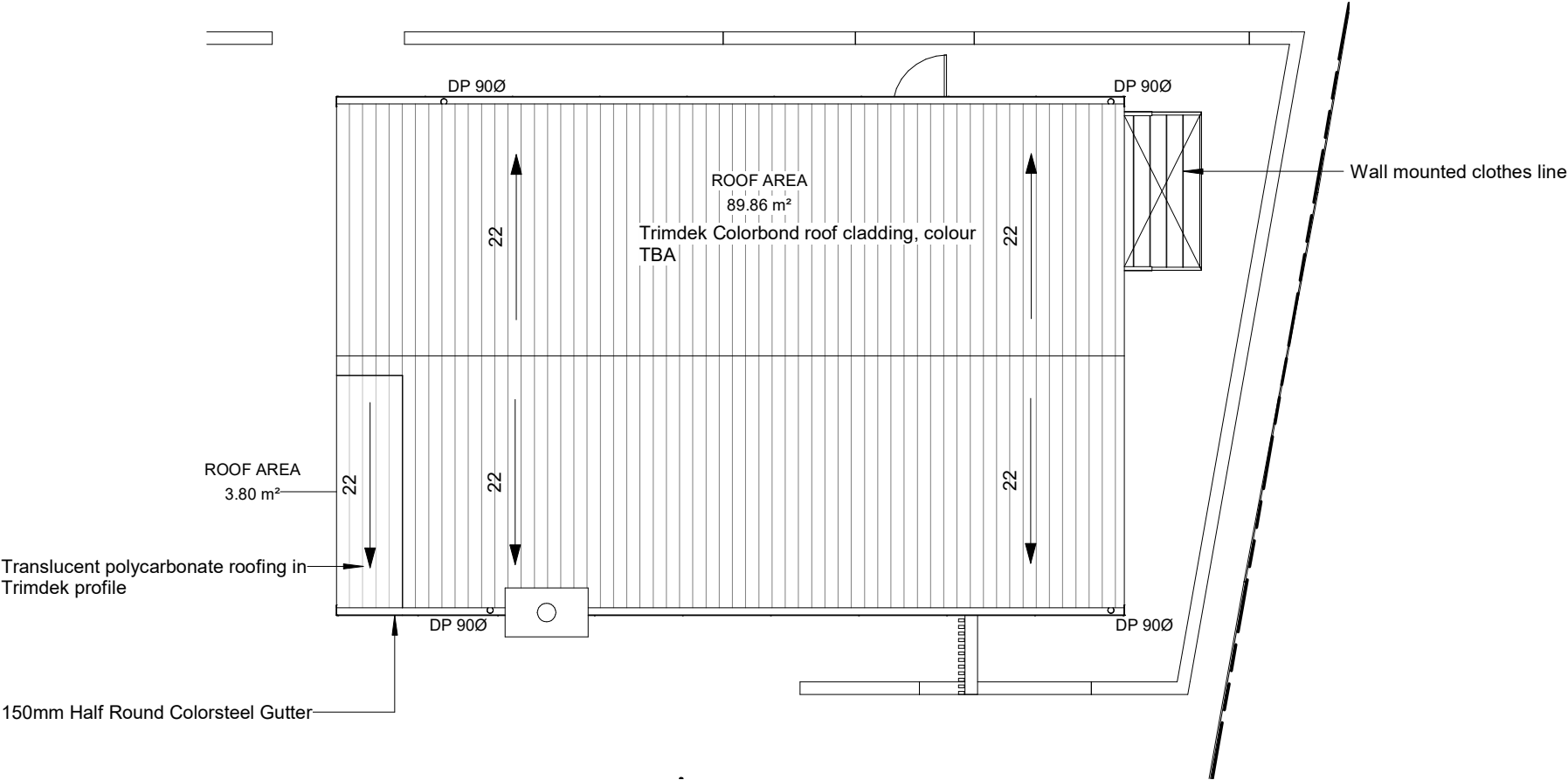
In accordance with ABCB Housing Provisions Standard Part 7 and AS/NZS 3500.5.
Installation to be in accordance with manufacturer's specifications and recommendations.

VENTILATION OF ROOF SPACES:

In accordance with ABCB Housing Provisions Standard Part 10.

HYDRAULIC:

Stormwater to be in accordance with AS/NSZ 3500
Wastewater to be in accordance with AS/NSZ 3500 and/or AS 1547
Water supply to be in accordance with AS/NSZ 3500



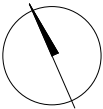
General Notes
Do not scale plans, use written dimensions only. The owner/builder subcontractor shall verify all dimensions, levels, setbacks and specifications prior to commencing works or ordering materials and shall be responsible for ensuring that all building works conform to the current NCC and Australian standards, building regulations and town planning requirements.
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NEW DWELLING
1 LA PEROUSE ST. WARRANE
PADDINGTON PG



ROOF PLAN		2 A-07
Project number	230407_1_LaPerouse	
Drawing Status	DA	
Current Revision	Agenda Attachments - 1 La Perouse Street, Warrane Page 10 of 11 24/08/2023 R3 Scale on A3 1:100	

DA ISSUE

Attachment 3 - Site Photos, 1 La Perouse Street Warrane



1 La Perouse Street, Warrane, looking southwest



1 La Perouse Street, Warrane, looking northeast

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 AUSTRALIAN COASTAL COUNCILS' ASSOCIATION COMMITTEE OF MANAGEMENT VACANCY****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to enable Council to consider nominating an elected member as one of the Tasmanian representatives on the Committee of Management of the Australian Coastal Councils' Association Inc.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

If a council nominee is successful in being elected to the Australian Coastal Councils' Association, there would be some costs associated with representative attendance at the meetings. These costs can be met from existing budget allocations.

RECOMMENDATION:

That Council nominates a Councillor as a Tasmanian representative to the Australian Coastal Councils' Association Committee of Management.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Council is a member of the Australian Coastal Councils' Association.
- 1.2.** The Committee of Management consists of two member Council representatives from each State. Cr Hunter is currently one of the Tasmanian representatives. Appointment terms are for two years with election of each representative being held at alternate Annual General Meetings of the Committee. Cr Hunter's term on the Committee of Management is due to expire in November 2023 (balance term since Local Government Elections in 2022) and nominations are now sought for the next two year term.

2. REPORT IN DETAIL

- 2.1.** The Australian Coastal Councils' Association is an established national body to represent the interests of coastal Councils and communities in Australia. The body was formerly known as the National Seachange Taskforce but underwent a name change in July 2015.
- 2.2.** Clarence Council has been a member for a number of years.
- 2.3.** The Australian Coastal Councils' Association has proven to be an effective advocate for coastal Councils, in particular being an effective vehicle for input into Australian Government Policy formulation.
- 2.4.** It is in the interests of Clarence City Council to continue to be represented on the Australian Coastal Councils' Association Committee of Management, as it provides the ability to have input directly into the policy position of an organisation that has the capacity to influence Australian Government policy in regard to coastal issues.

3. CONSULTATION

- 3.1. Community Consultation Undertaken**
Not applicable.
- 3.2. State/Local Government Protocol**
Nil.
- 3.3. Other**
Nil.
- 3.4. Further Community Consultation**
Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2021-2031 provides the following relevant Objectives:

- “4.3 Working collaboratively with relevant agencies to enhance and protect the natural environment.*
- 4.7 Continuing to provide opportunities for involvement and increased awareness for the care of the local environment.*
- 5.6 Establishing strategic partnerships to facilitate greater opportunities”.*

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

If a Council nominee is successful in being elected to the Australian Coastal Councils' Association, then there would be some costs associated with representative attendance at the meetings. These costs can be met from existing budget allocations.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. Cr Hunter's term on the Committee of Management is due to expire in November 2023 and nominations are sought for the next two year term.

9.2. It would be in the interests of Council to make a nomination and seek to continue Council's representation on the Committee.

Attachments: Nil

Ian Nelson
CHIEF EXECUTIVE OFFICER

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION – MAYOR BLOMELEY
STATE AND LOCAL GOVERNMENT CONSULTATION PROTOCOLS**

In accordance with Notice given, Mayor Blomeley intends to move the following Motion:

“That Council authorises the Chief Executive Officer to write to the Local Government Association of Tasmania (LGAT) and request that a motion be placed on the agenda for the next LGAT General Meeting seeking:

- a) Support from Tasmanian Councils for the renegotiation of the Partnership Agreement on Communication and Consultation 2003 (Partnership Agreement), between the Tasmanian Government and Councils;
- b) That LGAT seek agreement in principle from the Tasmanian Government to renew the Partnership Agreement, subject to the negotiation of new terms; and
- c) That, in pursuit of a new Partnership Agreement, LGAT establish a working group comprising council representatives to develop the key terms of a new Partnership Agreement.”

EXPLANATORY NOTES

1. The Tasmanian Government has recently undertaken “consultations” with Tasmanian Councils and the wider community in relation to proposed legislative change. There appears to be no “standardised” approach to consultation by the Tasmanian Government, which has resulted in significant concerns related to the proposed regulatory changes.
2. Circa 2003, the Tasmanian Government and LGAT entered into a Partnership Agreement on Communication and Consultation. This agreement provided a basis for communication and consultation between government and the local government sector. The Partnership Agreement was discontinued following a Premier’s Local Government Council meeting a few years ago. Since that time critical issues with the Tasmanian Government’s approach to consultation have emerged.
3. The Tasmanian Government’s approach to communication and consultation with Tasmanian Councils does not reflect good practice, varies from issue to issue, and in several instances appears to treat councils with a level of disrespect.

4. Renegotiation of the Partnership Agreement will assist to re-establish a best practice framework between the Tasmanian Government and councils. Once agreed, it will provide all parties with certainty and ensure that regulatory changes can be developed in partnership, be well understood, consulted and feedback properly considered before those regulatory changes are submitted to parliament for debate and vote. A new Partnership Agreement will re-establish confidence and trust within the regulatory development process.

Mayor B A Blomeley

CHIEF EXECUTIVE OFFICER'S COMMENT

The Tasmanian Government's legislative program can result in councils being requested to provide feedback on legislation without reasonable forewarning and within critically short consultation timeframes. Consultation timeframes of five or six weeks often don't allow sufficient time for councils to properly assess the impacts of proposed legislation, conduct workshops with councillors and provide reports for consideration at council meetings. This impacts upon a council's ability to properly represent its community when responding to proposed regulatory change. This raises the risk that consultation is seen as superficial or not genuine.

Different departments within the Tasmanian Government appear to adopt different development and consultation practices when considering legislative change or reform. In some instances, local government is engaged and consulted at the scoping and initial drafting stage, while in other cases there is no involvement until formal community consultation commences.

As a matter of best practice, a regulatory development and consultation protocol that describes the key steps of the regulatory review process, timeframes, and points of engagement with local government, would significantly improve the process and make legislative reforms more robust, well-considered and understood.

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 Darko

Noting the progress of Pindos Park could we have an answer for those constituents who were interested in basketball at the site, when would be the appropriate time for that avenue to be explored and what might that look like?

ANSWER

(Head of Infrastructure a Natural Assets) I believe that our previous advice was that we would consider that as part of the open space strategy which is being developed and we will bring that to council in the New Year. We are also waiting until all the work is finished to reassess the site and how it is being used by the community and what is available. I would need to find out what an expected construction timeframe would be and then inform council.

(Further information) The Pindos Park Playspace is due to open in March/April 2024. As indicated, consideration of a future basketball court will be evaluated through council's upcoming Open Space Strategy and use of the playspace.

Cr Goyne

1. This is more a question from a member of the public and I know that we discussed the pontoon at Lauderdale. If the community itself was to purchase a pontoon for the Lauderdale Bay, what steps would they need to take to have it moored in the bay itself? Is that something to be approved by Council or MAST?

ANSWER

(Chief Executive Officer) That raises a lot of complicated questions regarding ownership, risk, and liability but the issue of where it would be sited would be an issue for MAST as well. We can have a look and provide further information, but it would certainly not be our preferred way to approach this as it raises a range of complicated issues.

(Further information) Any structure in the water requires approval from Crown Land Services and MAST. This is not council's jurisdiction. Officers are also mindful of the risk and insurance aspects of a private facility, which the public may use in an unsheltered beach that can be subject to large wave action.

2. Do we normally have lighting at public toilets in Clarence? Is that something that is generally a safety consideration? I believe that the toilets at Bellerive, the Blundstone end, don't have lighting and the LED flood light at the barbecue area has been blown for a considerably long period of time.

ANSWER

Taken on notice.

(Further information) Some of council's public toilets have lighting; however, this is dependent upon the location and design of the facility as it can contribute to antisocial behaviour in some circumstances. The public toilet at Bellerive Beach Park was not designed to incorporate internal lighting and there is no power supply to the building.

There are no recorded reports of a faulty light at the barbeque area. An electrical contractor has now been engaged to inspect all the lights and repair any faults and this should be completed within the next few days.

Cr Walker

1. At the council meeting of 22 November 2021, I moved a notice of motion and was grateful to have it seconded by Alderman Kennedy and passed unanimously and that was in relation to the Tracks and Trails Advisory Committee representation “that council expand the membership of the Tracks and Trails Committee to include a representative from a recognised dog walkers’ group and authorise amendment of the Tracks and Trails constitution to reflect this change”. Can you confirm that the reconstituted committee has a representative from a recognised dog walking group? I won't ask you to provide the name of that person now, but I would seek confirmation that is the case and sometime after the meeting I would be grateful if you could furnish me with the name of who that representative is.

ANSWER

(Mayor) There have been some issues with reconstitution of the Tracks and Trails Working Group. There have been several attempts to have that committee meet but it has not been possible. I have received correspondence today advising me that there will be discussion in the near future to try to ensure that it does occur because I have been contacted by members of the community as you have, concerned that the committee has not met for nearly twelve months now, and even though this Council has made a decision to put in place that committee, it has not for various reasons been able to meet. I mention that for your benefit and for the benefit of everyone that it is not through lack of will on the part of council officers that this committee has not met for twelve months.

(Chief Executive Officer) As part of the restructure of Council Special Committees, the Tracks and Trails Advisory Committee was disbanded and reconstituted as a working group. I cannot recall whether that group has its own constitution or operating rules but those would have had an approval process and it may be that particular requirement was not picked up in the new rules. If it hasn't, it has been an oversight and can be addressed. It certainly has not been a premeditated view that has been taken by officers if that gives you any comfort. I will take the question on notice and provide further information.

(Further information) The working groups undertake their work in accordance with the special committee constitution; they do not have their own constitution. Working groups do not have any limitations on membership. We understand that the Tracks and Trails Working Group has a representative from the dog walking community.

2. I received correspondence from a landcare group that there seems to be some changes with grant opportunities. The funding received by the bulk of landcare groups is to maintain the good work that they have done and preserve the care that they have provided and not let it fall into disrepair. I have a concern that there has been a note that there “is going to be further information regarding funding in February next year” and that “the program is designed to fund specific projects within the council area aimed at enhancing our natural values. Please note that grants for maintenance of previous projects for ongoing sites will not be eligible under the new program”. Could you confirm that is the case because I find it concerning that we might have our landcare groups disbanding or at least getting disillusioned?

ANSWER

(Chief Executive Officer) I will take the question on notice, but it would be of assistance if you could share that correspondence so that we know what the specific concern is that we are responding to. I put it in that context because we have, as council knows, gone through a process to reform our grants and sponsorship processes through a policy and other structural change framework so I can't answer specifically, but we can certainly give you a detailed answer that may indicate how those groups may access funding, or if there is an issue it can be flushed out and we can discuss how it might be addressed.

(Further information) Following council adoption of the Grants and Sponsorship Policy 2023 in June, a letter was forwarded to our 16 official land and coast care groups to explain a delay of the grant round to February 2024, normally undertaken in August. The letter explains the purpose of the grants program is to focus on enhancing the natural values and not simply maintenance work, which some previous grants approved. Council has separate funds to support the groups with maintenance work, whereas the grants can progress strategies identified in the Reserve Activity Plans. This is a change to how the grants program has operated and the delay in the timing is to provide time for council officers to engage with land care groups and support them through the change. Council officers are available to support the groups.

A briefing detailing information on the grants program is being prepared to forward to all Councillors.

Cr James

1. My question is regarding the shopping trolleys that are left ad hoc on our main streets, particularly Bligh Street and there has been a number of representations made to me and I am sure everyone is aware of this. It seems Mr Mayor, that Coles and Woolworths may have some responsibility in trying to address this. My question is, given it is on council land where these trolleys are being left and given that in the circumstances a lot of people are going without and having no means to get their goods to their properties in close proximity, is it possible for Council to approach Coles and Woolworths, or those major companies not necessarily at Eastlands but there are other places within the City to draw to their attention that they do have some responsibility? These trolleys are being left on council land and may cause some hazard particularly to pedestrians and some of those trolleys can roll onto passing traffic and so on.

ANSWER

(Mayor) You would be aware through media that Glenorchy City Council has a trial with major supermarket chains with some success.

(Chief Executive Officer) I cannot add much more other than the trolleys are the property of relevant supermarket chains and are their obligation to collect. What I am unsure of is what their arrangements are for notification and collection of trolleys. We will investigate further and provide advice to council.

(Further information) Council officers have been in contact with the Centre Manager of Eastlands who advised that supermarket operators have trolley handlers that look after and maintain the Eastland site, including their carparks. They do monitor the Bus Mall as part of this. They do not go further out from the site to look for trolleys but rather rely on the public to log abandoned trolleys via the website (<https://trolleytracker.com.au/>) and arrangements are then made to retrieve them.

This information has been passed onto council's Customer Contact team and Councillors may wish to recommend this website to anyone that might approach them regarding abandoned trolleys.

2. Clunie Close has been scheduled over the last two years for major upgrade that is roadworks, kerb and gutter and a substantial amount of funds has been set aside for those works. Could we be advised what is the current state of play and when works will commence, or whether there has been a change in some of the road works that may require funding in the upcoming budget?

ANSWER

(Head of Infrastructure and Natural Assets) There are sections of the footpath on Clunie Close which are due to be replaced but because of the steepness of the road, a like-for-like replacement with bitumen is not the best long term strategy for the street. If we decide to use concrete, it may be best to do the kerb and gutter at the same time, but this involves some complexities with the intersection with East Derwent Highway, which would then require kerb ramps and dealing with DSG regarding a concrete footpath and there are a lot of services and service pits in this location. If it was decided to go to concrete, it is a specific design project rather than a simple footpath replacement program. Council officers are undertaking an assessment in terms of best long-term strategies, and we will inform council after we have completed this assessment.

Cr Hulme

1. Could we have an update on the progress of the development of the Economic Development Strategy?

ANSWER

Taken on notice.

(Further information) A review of the Economic Development Plan has been undertaken since the expiration of the previous plan in 2021. The economic development strategy will be a component of the City Future Strategy rather than as a stand-alone strategy. Economic development will be a key priority of this strategy. The strategy is pending development and will focus on economic development and planning. An implementation plan will be developed after the strategy is adopted, for action by the Economic Development team.

2. Could we have confirmation that there is some work being done as part of the strategy for a progress report on the 2016-2021 Economic Development Plan?

ANSWER

Taken on notice.

(Further information) The answer to this question is covered in the answer provided above. A progress report on the revised Economic Development Plan element of the City Future Strategy will be provided to Councillors in due course.

Cr Hunter

Has there been a development application approved previously for the large property on the corner of Rifle Range Road and South Arm Highway?

ANSWER

Taken on notice.

(Further information) A planning permit was approved in October 2020 for an eight-lot subdivision. Works have been undertaken since that time to meet the permit conditions. Stage one, including Lots 2, 3 and 4, has been completed.

Cr Mulder

Residents in Howrah Gardens, particularly Fermoy Crescent have complained for some time about a lack of water pressure in that particular area. Being a brand-new subdivision, this is somewhat appalling. I notice that a new reservoir has been constructed at the top end of Roybridge Way. Has that reservoir been commissioned and if so, will that resolve the pressure, and what is TasWater's intention in regard to raising the water pressure to a level that it is usable?

ANSWER

Taken on notice.

(Further information) TasWater has advised that their Service Delivery team is not aware of any recent complaints in the area about water pressure. Affected residents are encouraged to call TasWater's customer service centre on 136 992, so that the complaints can be logged and flag the problem with the team for follow up.

Regarding the new reservoir at the top of Roybridge Way, the advice from TasWater Service Delivery is that it should not have any impact on water pressure in that subdivision.

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 TENDER T1461-22 – ALTERATIONS AND ADDITIONS – LINDISFARNE COMMUNITY ACTIVITIES CENTRE

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services; and
- applications by 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”.