

COUNCIL MEETING
MONDAY 6 MAY 2024

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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 15 April 2024, as circulated, be taken as read and confirmed.

4.2 MAYOR'S COMMUNICATION

4.3 COUNCIL WORKSHOPS

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

PURPOSE	DATE
Presentation – Clarence Natural Areas Strategy	
Presentation – Boulevard Site	
Rates Debt Recovery Policy	
Bligh Street Redevelopment	22 April
Budget	29 April

RECOMMENDATION:

That Council notes the workshops conducted.

4.4. TABLING OF PETITIONS

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

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

4.5 REPORTS FROM OUTSIDE BODIES

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

REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

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

Quarterly Reports
March Quarterly Report pending.

Representative Reporting

- **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

RICHMOND BICENTENARY REPORT – CR CHONG

Refer attached report.



Richmond Bicentenary Planning Committee

Report to Clarence City Council

May 2024

Prepared by Councillor Heather Chong, Chair, Richmond Bicentenary Planning Committee, Professor Noel Frankham, Creative Director, and Doctor Yue Ma, Administrator and Project Officer.

Richmond Bicentenary has been a community event – by and for community – local and beyond the Valley.



Richmond Town Parade; showcasing the past 200 years by decade, starting 1820s, a family wearing period costumes; Sunday 10 December 2023



People attending the 10 December 2023 official launch of the Richmond Bicentenary, and a commemoration of the 200th anniversary of laying the foundation stone of historic Richmond Bridge.

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RICHMOND BICENTENARY IN SUMMARY

The Richmond Bicentenary was an initiative of the Clarence City Council in association with Richmond Village Fair and Events Inc. and local community groups. Richmond Bicentenary commemorations were a great success and a credit to the community and Clarence City Council's commitment to recognise the town's and Coal River Valley's complex, rich and important history, celebrate its achievements and encourage its future prosperity.

Derived from community consultation, four outcomes became the Richmond Bicentenary's key aims.

- The Bicentenary is remembered as significant and positive
- Increased community vitality and resident satisfaction
- Residents and visitors better understand Richmond and the Coal River Valley's history
- That the Bicentenary encourages economic growth and a sustainable future

Along with commemoration, celebration and entertainment, our hope is to establish legacy projects and events, long-lasting improvements in our village and valley. We intend to be more than a period parade, a party, and a plaque. A balance is needed between events that recall the past, acknowledge the present and anticipate the future. The Bicentenary will ensure better recognition of the Mumirimina people, contributions by convicts and emancipists, and women, as well as settlers, landowners, and officials throughout the evolution of the Richmond district.

Richmond Bicentenary Vision Statement – see page 37.

Tasmanian Aboriginal Recognition

Richmond and the Coal River Valley are Mumirimina country, part of the Oyster Bay nation. The river at Richmond was a crossing point for Oyster Bay and Big River people and was used for farming, hunting, fishing, and ceremonies. Within 15 years of Richmond's establishment, no Mumirimina remained on their lands. The tragic stories of the Mumirimina people have been hidden for too long. Accordingly, it was crucially important that the Richmond Bicentenary was consultative, honest and respectful in its inclusion of Tasmanian Aboriginal content.

The Clarence City Council contracted Pakana Elder, Theresa Sainty, as Tasmanian Aboriginal Cultural Advisor for the Richmond Bicentenary early in the program development. Theresa's guidance, advice and involvement is reflected in the general program. Theresa was co-curator of the exhibition, *Mumirimina: People and Country*, exhibition which was displayed in Richmond Court House throughout the three-month Bicentenary period. Theresa also worked with Clarence City Council to develop interpretation panels and objects installed at three sites near the Coal River and Richmond Bridge that begin to tell the stories of the people whose lands were stolen by the British. Theresa addressed the Bicentenary audience with an explanation of the Mumirimina people and the impact of invasion. She also discussed the recently installed interpretation signage and objects at the riverbank within the Open House Richmond program. Additionally, several papers presented within the Richmond History Festival and Richmond Convict Muster addressed the impact of invasion on Tasmanian Aboriginal People.

The program

The Bicentenary program commenced with two 'lead-up' projects in May 2023.

- Richmond Talks, which comprised seven monthly community conversations about topics related to Richmond and the Coal River Valley, and information and updates about the Bicentenary program.
- 200 Richmond Trees, an opportunity for residents to be given a tree to plant in their gardens as a memorial to the 200th anniversary of the town.

The main program commenced in December 2023 and continued until its conclusion on 10 March 2024. The three-month Bicentenary program was structured around five long weekends in the Coal River Valley. Each Weekend in the Valley had its own theme drawn from the aims and objectives set for the Bicentenary by the community. The Weekend themes moved from pre-settlement to current day, with a nod to the future. The first three weekends were reflective and commemorative in tone and nature. The fourth weekend focused on the town's anniversary and its built heritage. The final weekend included the annual Richmond Village Fair and a street party for residents. All weekends included Aboriginal recognition and events developed in consultation with Aboriginal advisors.

Diverse special events, exhibitions, music concerts and activities over the four-month Bicentenary period focused on culture, history and heritage, agriculture, viticulture and value-adding production, tourism, and entertainment. Exhibitions, music, walking tours, displays, and hospitality related interesting stories of past and present.

The richness and diversity of events and projects ensured a series of interesting and enjoyable weekends, each with focused resident and visitor appeal. Spreading the program over five non-consecutive weekends maximised opportunities for people to experience diverse offerings, avoid overwhelming the town's services, and generate income for the village and valley – enabling parking, refreshments, access to sites, attractions, and events.

In summary, the overall program comprised 50 events and projects, attracting more than 30,373 visits.

FIVE WEEKENDS IN THE VALLEY – THE RICHMOND BICENTENARY PROGRAM

Weekend one – The launch weekend was mammoth – *Sounding the Bridge* concert on Friday night, two significant exhibitions, and the Bridge Street Community Parade.

The Sunday town parade took months to organise and depended on dozens of people to ensure we would do the town and Clarence proud. Parade marshals maintained order and timing, the catering hub fed and watered volunteers, a communications hub kept staff and volunteers in touch, and 100s participated: walking, riding and driving. The Clarence City Band and Bicentenary Children's Choir entertained audiences during the formal speeches MC'd by broadcaster, Jane Longhurst, which included, Pakana Elder, Theresa Sainty, Councillor Brendan Blomeley, Mayor of Clarence, The Honourable Mark Shelton, Speaker of the House of Assembly, Liberal member for Lyons, representing the Tasmanian Premier and Minister for State Growth, The Hon Jeremy Rockcliff, and the Governor of Tasmania, Her Excellency the Hon Barbara Baker AC. An estimated 5,000 watched the parade and up to 10,000 people visited Richmond over the weekend.

Weekend two – Richmond History Festival opened on Friday afternoon with journalist Chris Wisbey's engaging interview with long-term local resident, Madeleine Shaw, followed by an evening key-note address by esteemed Professor Henry Reynolds, with

20 more speakers engaging audiences on Saturday and Sunday. A total of 318 people attended the Richmond History Festival.

Weekend three – Richmond Convict Muster included two days of talks and a day discussing and researching convict heritage at the Richmond Town Hall. 309 people attended talks. The complementary Heritage Farming Expo at nearby Summer Hill Farm was a captivating success with 1300 visitors.

Weekend four – Open House Richmond in partnership with Australian Institute of Architects (Tas Branch) – residents shared the village and valley by opening their doors to visitors – a fitting recognition of the 200th anniversary, which comprised 56 experiences, including, 38 open properties, four walking tours, five exhibitions, five music concerts, special events - one at the Star & Garter Inn and two at Roslyn Estate, and an art class. A total of 9,684 visits were recorded.

Weekend five – Richmond Village Fair rewarded 1800 visitors, and a street party for residents, which 200 attended (539 registered but many were dissuaded by wet weather).

An eventful program comprised:

Seven major events

- Bridge Street Community Parade – 5,000 spectators, 200 people in the parade
- Richmond History Festival – talks and events over five days
- Richmond Convict Muster – three days of talks and research about convict heritage
- Heritage Farming Expo – a weekend of machines and heritage displays
- Open House Richmond – a massive three-day weekend of diverse engaging events
- Richmond Village Fair – annual traditional country fair, a wonderful community event
- Street Party for Residents and Friends – Bicentenary’s closing celebratory event

17 special events

- Richmond Talks - seven monthly community talks as lead-up events from May to November 2023
- Star & Garter ‘Campaign Dinner’ – commemorating Richmond’s 1856 House of Assembly election candidates
- Walking tours – Richmond cemeteries (five)
- Walking Tours – Clarence City Council history tours (two)
- Roslyn Estate – a Friday afternoon 1820s inspired lunch, and a Sunday afternoon tour of the property, complementing Richmond History Festival

Eight exhibitions and displays

- *Mumirimina: People and Country* – important, tragic and moving portraits of people with connections to Richmond. Exhibited in Richmond Court House
- *Richmond Bridge* exhibition – artworks and memorabilia depicting the bridge from local collections
- Vehicle displays – following the Bridge Street parade on 10 December, passenger vehicles formed a display on Richmond Village Green and work vehicles were presented at the Richmond Recreation Reserve
- *Barnes Collection – Richmond Photographs*, a selection of images of Richmond from the Barnes Collection held by the Tasmanian Museum and Art Gallery

- *Wesley Stacey's 1960s Richmond* – ‘a moment in time’ exhibition of photographs recording Richmond just prior to its emergence as a nationally significant heritage tourism destination
- *Hidden History* – an exhibition of objects locals found in, under and around their properties, items that suggest past lives lived in Richmond
- *John Eldershaw's Mill House* – 14 paintings by Eldershaw exhibited in the house in which they were painted in the 1920s and '30s.
- *Church Memorabilia and Relics* – items from the St John's Catholic Church and Diocese collection

14 music concerts

- *Sounding the Bridge* music concert – comprising Louise Denson's Bicentenary composition, *Bridge*, and *mulaka milaythina*, The Hunting Ground; beautiful and moving music and story-telling – Richmond Town Hall
- 1950s Country Dance – a step back in time, a wonderful community engagement event - Huon Valley Swing Band and dancers from Moonlight Aviators – Richmond Town Hall
- *Alexander Laing* fiddle concert by The Wolfe and Thorne at Richmond Gaol – tunes composed by the controversial Richmond Gaoler and district Police Constable
- *Young Irelanders in Van Diemen's Land* a musical history – St John's Catholic Church
- ‘Postcards’ music by the Heritage Fiddle Ensemble – Richmond Town Hall
- Southern Sky a cappella ensemble – beautiful songs in St Luke's Church during Open House Richmond – six performances
- Front Row – Australian Army Band ensemble, three performances at St Luke's Anglican Church during Open House Richmond

Four special Clarence City Council projects

- 200 Richmond Trees – Richmond Bicentenary Tree Project – trees for residents – funded by Clarence City Council
- Richmond Interpretation project – new panels and objects on and near the Coal River
- Riverbank upgrade -new viewing platform, pathways and plantings
- Richmond Masterplan – community consultation and presentations

ATTENDANCE

A total of approximately: 30,373 visits over the Bicentenary program, including Richmond Talks in 2023.

- An estimated 5,000 people attended the 10 December parade. Approximately 10,000 visited the village over Bridge Anniversary weekend.
- The Town Anniversary weekend, Open House Richmond, attracted 9,684 visits.
- Richmond Village Fair attracted 1800 visitors.
- And the final event, a street party for residents – 539 online registrations reduced to about 200 actual attendances, due to wet weather.
- Attendances at other Bicentenary events totalled, 8,689

PLANNING, PEOPLE AND RESOURCES

Successful strategic decisions

Several decisions made by the RBPC in concert with CCC were especially significant and instrumental enablers the Bicentenary's success. These include:

- Embedding development of the commemorations within the local community – constant reinforcing need for community input and guidance (RBPC, RAC, Working Groups and Reference Groups, community meetings, social media posts and Coal River Valley New updates)
- Establishing and motivating an active planning committee and working groups
- Engaging a local with appropriate skills and experience as Creative Director to lead the program development
- Ensuring high quality Tasmanian Aboriginal cultural advice – Theresa Sainty
- Lead-up activities: Richmond Talks in 2023 and 200 Richmond Trees – registrations for a tree commenced in mid-2023
- Spreading the program over five weekends rather than one intensive weekend
- the Bicentenary – maximising opportunity for participation
- Ensuring effective communication links to CCC – Councillor Chong and Tracey Cockburn
- CCC funding to engage professional people to do specialist work, provide leadership and technical expertise – contracting a creative director and production manager, and employing a dedicated administrator based within Council
- CCC formally taking over responsibility for the program in 2023 – minimising risk and maximising benefit
- CCC investment in capacity – seed funding for events and projects that then attracted in-kind support for delivery

Clarence City Council

Most significant in realising the successes of the Richmond Bicentenary was the faith and funding invested by CCC. It simply would not have been possible without Council's consistent and generous backing.

CCC support was reflected in broad support across departments – management, finance, legal and governance, insurance; maintenance volunteer and staff induction; parks, footpath and street clean up; events support; communications, marketing and media; river-side upgrade, and new interpretation. The Richmond community and the town's visitors are very grateful.

Preparation for the Bicentenary's events was substantial. The Clarence City Council repaired and replaced worn footpath paving, refreshed the major community buildings – Court House, Town Hall and Supper Room, and ensured the Village Green was at its best, planted trees on the riverbank, installed the first stage of a new Richmond Interpretation Panels, trimmed bushes and weeds around the three town entrances, and generally tidied the town. Ensuring appropriate permits, insurance cover, safety and security, emergency services, and community and business awareness were also major responsibilities in the lead-up weeks. Advertising, marketing, and promotion also required substantial effort and support from local groups, business and the Clarence City Council.

Richmond Bicentenary Planning Committee (RBPC)

The RBPC was established in 2021 to support the Creative Director to realise the vision for a significant and successful Richmond Bicentenary commemoration and celebration. A 'working committee' each member had responsibility for a specific part of the program and/or key advocacy/liaison role.

The Richmond Bicentenary Committee comprised:
Councillor Heather Chong – Chair and Richmond Village Fair, liaison with Clarence City Council

- Ms Sue Harmsen – 200 Richmond Trees Project, Open House Richmond, and sponsorship and media support
- Mr Gary Richardson – leadership of the Richmond Bicentenary launch weekend
- Dr Alan Brooks – leadership of Richmond History Festival
- Dr Dianne Snowden – leadership of Richmond Convict Muster
- Ms Jessie Geraghty – co-leadership Open House Richmond and sponsorship and media support
- Dr Wills Wurf – co-leadership Open House Richmond
- Ms Tracey Cockburn – Clarence City Council liaison and advocacy (Tanya Doubleday stepped in when Tracey was on leave)

Working groups drawn from the local community provided project and specialist support for Weekends in the Valley programs and projects led by RBPC members. An informal community Reference Group was established encompassing the RBPC, Working Group members, and approximately 20 interested community members to provide occasional feedback and guidance on program matters. Several community briefing and update meetings were held during the program development period to facilitate consultation. The seven Richmond Talks evenings also provided opportunities for community engagement and feedback.

This community support was essential to realising the Bicentenary’s vision and program achievements.

Richmond Bicentenary Team Members

- Prof Noel Frankham – Creative Director (CCC Contract)
- Dr Yue Ma – Administrator (CCC Arts and Events Staff Member, fixed-term PT)
- Ingrid Rahlen – Production Manager and Associate Producer (CCC Contract)
- Theresa Sainty – Tasmanian Aboriginal Cultural Advisor (CCC Contract)
- Jonty Dalton – Designer and Website Developer (Fee for service)

Five Interns from the University of Tasmania’s Master of Tourism, Environmental and Cultural Heritage program. They each worked with the Bicentenary on agreed projects in second semester 2023. Three continued to work with the Bicentenary as volunteers following the completion of their formal internship.

Volunteers

The Bicentenary program could not have been realised without the support of over 280 generous volunteers. Along with the 8-member planning committee, over 50 volunteers made consistent contributions during the four-month period, another 230 people volunteered for specific events during the program. Many people volunteered repeatedly.

By way of examples, volunteers assisted with the following:

- 30+ volunteered as parade marshals
- 6 people set up and ran a catering hub for volunteers
- 50 People spoke at the Richmond Talks, History Festival and Convict Muster
- 48 people sat exhibitions, welcoming visitor and securing objects
- Over 100 people volunteered at Open House Richmond properties
- 4 institutions and 52 people lent artworks and items for exhibition
- 18 people helped install exhibitions

As an indication of the in-kind support volunteers provided at events, their financial value is estimated to be \$44,420.

Partners and Sponsors

Along with Clarence City Council, there were:

Six core partners:

- Richmond Village Fair and Events, Inc (Auspicing, Richmond Village Fair, and Street Party for Residents)
- Hobart Vintage Machinery Society, Inc. (Bridge Street Community Parade and Heritage farming Expo)
- University of Tasmania (Master of Tourism, Environmental and Cultural Heritage program Interns)
- Australian Institute of Architects (Open House Hobart)
- Tasmanian Museum and Art Gallery (Waived Fees, research assistance, loans of Eldershaw paintings)
- Coal River Valley Historical Society Inc.

59 In-kind sponsors included:

- 17 Government agencies, museums and collections, and institutions
- 20 Community groups, institutions, clubs, and associations
- 22 Businesses

A full list of sponsors is attached.

Budget

The Clarence City Council made budget allocations across three financial years towards the costs of presenting the Richmond Bicentenary program. With some program elements incomplete at the time of writing, the final budget report will be provided once all income and expenditure have been reconciled.

Grant Applications

Five grant applications were submitted and two were successful, both from Arts Tasmania, one to assist Louise Denson present the music concert, *Sounding the Bridge*, and another to the Clarence Council Arts and Events program in support of the site-specific exhibition, *SITE*, to be presented in later 2024.

MEDIA AND COMMUNICATIONS

With support from Clarence City Council Media and Communications team and ABC local radio, significant awareness was achieved as demonstrated by the attached summary of news and editorial items across all platforms.

Volunteers on the Richmond Bicentenary team also provided substantial assistance and advice in developing and implementing our marketing plan. Volunteers were also crucial to distributing flyers, posters and signs across the village, and along Richmond Road. A company was contracted to distribute flyers and posters to dozens of southern Tasmania locations – public buildings, businesses and meeting places. Art By Jonty, Jonty Dalton, developed the Richmond Bicentenary logo, brand identity and style guide and designed most of the associated collateral.

Media coverage

Noting that with syndication and multiplatform usage, it is challenging to track media coverage. Based on Clarence City Council and Richmond Bicentenary records, and excluding social media posts, 36 discrete media items were secured: 11 Print media, 10 Digital media, six Television, and nine Radio.

The Richmond Bicentenary website was the main platform for provision of program information. A Facebook page and an Instagram account were established. A

Richmond Bicentenary email account provided an effective means for communication. Clarence City Council social media sites were utilised for marketing and promotion.

Flyers and posters (A4) were distributed within the district via mailbox drops and local businesses' notice boards and display areas. A commercial distributor circulated flyers and posters across southern Tasmania. Large road signs were displayed at the entrances to Richmond for four of the five weekend programs and displayed along Richmond Road, Clarence City Council display points and other main road sites.

See attachment for additional information, page 38.

LOOKING TO THE FUTURE

Some projects are continuing:

A Bicentenary Cookbook, 200 Richmond Stories, Site-specific art exhibition (CCC), Richmond Interpretation Project, assistance with editing a posthumous book by local historian, Peter MacFie, and Richmond Masterplan (CCC).

The Richmond Bicentenary Website is being converted from a program to an archive creating a permanent record of the program, projects and events, who contributed, participated, and benefitted.

Legacies – lasting benefits include:

- The remodelled and upgraded riverbank parkland
- Renewed vision for the Court House as a small museum space
- Hanging track installed in the Supper Room – making it a permanent display space
- A framed collection of Stacey and Barnes Collection photographs, and Mumirimina portraits remain as part of the Clarence Council collection and are available for repeat presentation
- New Richmond Visitor Interpretation – the CCC project program will continue
- Potential for recurring Events and attractions: Open House Richmond, Richmond History Festival/Convict Muster, Heritage Farming Expo, and regular dances and other events in the Town Hall.

RECOMMENDATIONS

Achievements with two Bicentenary aims stand out:

- More of the town and valley's history is documented, shared, and understood, and
- feedback suggests a significantly increased sense of community and resident satisfaction

Reflecting on the Richmond Bicentenary program, the formal and casual conversations and community feedback received by the team, there's appetite and need for continuing investment in Richmond. The public infrastructure, heritage assets, economic and tourism potential, and residential growth underscore the need for planning – affirming the wisdom of the current Richmond Masterplan project. The following recommendations are presented as the community's encouragement and guidance to Clarence City Council.

Increased community engagement with local facilities, opportunities for the future, and significant maintenance and refurbishment needs were identified during the

Bicentenary planning and delivery period. These were shared with the Clarence City Council Master Plan team during community consultation.

Recommendation 1.

Maximise appropriate use of Richmond Court House, Richmond Town Hall and Richmond Supper Room

There is a general view that Court House, along with the Town Hall and Supper Room would benefit from repairs and maintenance that would enable more regular use for community events. It was broadly noted that some strategic funding allocations for events and activities in the buildings will also be required.

All three heritage listed buildings are close together adjoining Richmond Village Green and form the heritage and community heart of Richmond. They are heritage listed, underutilised and in need of maintenance, a revised usage policy, and some funding for activities.

- Consider and plan a repairs and maintenance program and event/activity/usage policy guidelines for the three buildings, and the associated Village Green.
- Replace worn, damaged and outdated tables and chairs
- Establish an appropriate storage facility in Richmond for Council-owned equipment
- Fit the Town Hall with a projection screen, projector, sound system and lights.

Recommendation 2.

Encourage and facilitate regular community events and attractions

The successes of the Richmond History Festival (and Convict Muster), Heritage Farming Expo, Open House Richmond, CRaVe Harvest Festival (not part of the Richmond Bicentenary), and exhibitions and music concerts suggests that there is demand and opportunity to utilise public infrastructure, increase visitation to the town, and contribute to economic development. Whilst funding amounts for such events might be (relatively) modest, the Council's timely commitments can build the confidence, certainty and capacity of regular events.

- Investigate options for establishing a biennial Richmond History Festival
- Partner with the Australian Institute of Architects (Tasmanian Chapter)/Open House Hobart to fund an annual presentation of Open House Richmond.
- Continue to partner with Hobart Vintage Machinery Society to deliver a biennial Heritage Farming Expo in the Coal River Valley.
- Ensure that CRaVe Harvest Festival also continues as a major attraction.

Recommendation 3.

Resource community groups

Perhaps a sub-set of Recommendation 2, Richmond has 16 community service groups, all reliant on local volunteers, and struggling to raise funds to survive, with limited capacity to grow. However, energy and need remain solid. With some seed funding and facilitatory assistance, the community spirit revived by the Bicentenary's success can be reinforced and directed towards these important community services.

- Consider strategies to seed community development and fundraising through local groups.

Recommendation 4.

Provide improved visitor information and support

Richmond is a highly popular destination for local, interstate and international visitors, with obvious potential to increase. The new interpretation panels and objects and the improved riverbank are demonstrations of Council's commitment to enhance the quality of visitor experience, and the Richmond Masterplan has received requests and suggestions through consultation. However, some basic services and support are

missing or inadequate. Chief among these is an absence of information about attractions, services, refreshments and food.

- Investigate options for increasing support for visitors

Conclusion

The Richmond Bicentenary program's greatest achievement has been reactivation of community spirit. Written and oral feedback to Richmond Bicentenary Planning Committee members and staff repeatedly emphasised people's pleasure and excitement at better understanding the district's past and getting to know the people who currently live and work in the valley. This community building success validates and rewards the Clarence City Council's investment - financial and staff support, advice and assistance. The challenge now is to capitalise on the achievements and maximise lasting benefit.

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 15, 22 and 29 April 2024 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 15, 22 and 29 April 2024 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.

Ms Shannon Heard of Bellerive has given notice of the following question:

AFL HIGH PERFORMANCE CENTRE

Please advise the following in as much detail as possible in relation to the AFL-HPC Survey which was conducted at the 2023 Colour run:

- Were the surveys completed on site on the day of the Colour run event?
- How many survey responses were received from participants of the Colour Run event?
- Were survey responses from any source accepted after the survey closing date of the 7th November 2024?

5.2 ANSWERS TO QUESTIONS ON NOTICE

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

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 15 April Mr Michael Figg asked the following question.

STORMWATER SYSTEM LAUDERDALE

The question that I have been raising for 30 years in this Council Chamber is to do with the stormwater in Lauderdale. The stormwater system in Lauderdale is still non-compliant with the current Drains Act or equivalent and I have been asking when the Council will be compliant. The last response I had was Council was doing a drainage assessment or a stormwater assessment and that it would go to public consultation. That was two years ago. Could you please tell me what has happened to the public consultation and those reports I think done by GHD, and why we do not have a compliant drainage system?

ANSWER

Council adopted the Clarence Stormwater System Management Plan (SSMP) in 2019 as required by the Urban Drainage Act. Council is working through stormwater improvements identified in the plan, in descending order starting with the highest ranked risk hazards. The SSMP provides high level concepts for possible improvements. Each one of these identified hazards requires detailed design and some complex ones require a greater level of stormwater/flood modelling to gain an understanding of the possible design, implications to the local area and the catchment, and potential costs. The Lauderdale project has not commenced as it is not ranked as high as other assessed stormwater hazards, and due to council's resource capacity in working through other higher rated risks across the nine catchments.

Notwithstanding the above, Council Officers have included in the draft 2024/2025 budget, \$120,000 for stormwater modelling of a detention basin in the Roscommon area. The Lauderdale SSMP identified potential benefits to the lower catchment region from a detention basin in Roscommon and this work will gain evidence to inform council on the next stage of stormwater recommendations for Lauderdale's low lying area.

At Council's Meeting of 15 April Mr Gary Witt asked the following questions.

20 AND 42 SCOTTS ROAD, RISDON VALE

1. My question is regarding the operation at 20 and 42 Scotts Road Risdon Vale and the on-going pollution that is emanating from those sites. I need to raise concern with the Council of suspected non-compliance with the planning scheme and/or conditions on the planning permits. Will council take action on these sites under the Land Use Planning and Approvals Act 1993 to instigate compliance under Section 63B of LUPAA?
2. I have resided in Risdon Vale since 1991 and I have been here on several occasions with regard to this matter and at the moment my understanding is that what I have requested under Section 63B Council being the governing body under section 48 has duty of care to proceed with this.

/ contd on Page 23...

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**ANSWER**

1. Section 63B of LUPAA provides that a person can give notice in writing of a contravention or failure, or likely contravention or failure, to the relevant planning authority (in this case, Clarence City Council). The section then requires the Planning Authority, within 120 days, to investigate and advise if they intend to take enforcement action if the complaint is substantiated. However, Section 65D of the LUPAA prevents Council from issuing an enforcement notice with regard to a matter that may be the subject of, or be inconsistent with, an Environmental Protection Notice. The EPA has advised that they intend to issue an Environmental Protection Notice that covers the entire site at 20 and 42 Scotts Road, Risdon Vale.
2. The answer to this question is provided above.

At Council's Meeting of 15 April Mr Jim Woodward asked the following question.

20 AND 42 SCOTTS ROAD, RISDON VALE

I commend Clarence City Council on the program to reduce smoking in public places, playgrounds and 20m exclusion zones. My question is with that particular program in mind and the health of our children, adults and so forth will that same degree of scrutiny on airborne pollutants etc be extended to the operations at Scotts Road, otherwise known as the Reprocess Tas Spectran site, given that it is still unclear what permits the operation runs under and the fact that it is less than one kilometre from the primary drinking water for all of the Eastern Shore operating at the Risdon Brook Dam?

ANSWER

The issuing of an Environmental Protection Notice by the EPA will ensure that a full environmental assessment of all activities on the site is undertaken by the EPA and that an Environmental Management Plan is put in place to control activities on the site into the future.

At Council's Meeting of 15 April Ms Regina Williams asked the following question.

20 AND 42 SCOTTS ROAD, RISDON VALE

A development application by Spectran Group and Reprocess Tas at 20 and 42 Scotts Road, Risdon Vale was advertised on the Council's website recently as a "waste storage and reprocessing facility, recycling and waste disposal partial retrospective application and level one and two activity including associated buildings, stockpiling areas and associated works" which was readvertised. Can the Council please clarify on notice what aspects of that development were seeking retrospective approval and whether this means that they are currently operating without permits from Council or other agencies?

ANSWER

The EPA has advised that they intend to issue an Environmental Protection Notice that covers the entire site at 20 and 42 Scotts Road, Risdon Vale. Within this context, all activities on the site will now be managed through an Environmental Management Plan. The EMP will be utilised to inform any future development application that may be required for the sites.

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 PLANNING APPLICATION PDPLANPMTD-2024/041647 – 1 SOUTH TERRACE, LAUDERDALE - TWO MULTIPLE DWELLINGS (ONE EXISTING, ONE PROPOSED)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for two Multiple Dwellings at 1 South Terrace, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Car Parking and Sustainable Transport Code, the Road and Railway Assets Code, the Coastal Erosion Hazard Code, the Inundation Hazard Code, the Flood-Prone Areas Hazard Code and the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory period which expires on 8 May 2024.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Planning Application for two Multiple Dwellings (one existing, one proposed) at 1 South Terrace, Lauderdale (Cl Ref PDPLANPMTD-2024/041647) be refused due to the following reasons.
1. The proposal does not comply with 8.4.1 P1 (a) because the proposal is not compatible with the density of the surrounding area.
 2. The proposal does not comply with 8.4.1 P1 (b) because the proposal does not provide for a significant social or community benefit.
- 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.

PLANNING APPLICATION PDPLANPMTD-2024/041647 - 1 SOUTH TERRACE, LAUDERDALE - TWO MULTIPLE DWELLINGS (ONE EXISTING, ONE PROPOSED) /contd...

ASSOCIATED REPORT**1. BACKGROUND**

The Lauderdale area has traditionally been zoned in a way that did not allow for multiple dwellings. With the adoption of the Tasmanian Planning Scheme – Clarence in 2020, the area has been zoned General Residential, which allows for such an application to be made.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned General Residential under the Scheme. Multiple Dwellings are listed as a Permitted use in the Use Table in this zone.

2.2. The proposal is discretionary because it does not meet all the Acceptable Solutions under the Scheme and relies upon performance standards to be met.

2.3. The relevant parts of the Planning Scheme are:

- Clause 5.6 – Compliance with Applicable Standards,
- Clause 6.10 – Determining Applications,
- Clause 8.0 – General Residential Zone,
- Clause C2.0 – Parking and Sustainable Transport Code,
- Clause C3.0 – Road and Railway Assets Code,
- Clause C10.0 – Coastal Erosion Hazard Code,
- Clause C11.0 – Coastal Inundation Hazard Cod,
- Clause C12.0 – Flood-Prone Areas Hazard Code, and
- Clause C16.0 – Safeguarding of Airports Code.

- 2.4.** Council's assessment of this proposal must 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 property is a 620m², rectangular shaped lot with a north facing aspect. The lot has a 15.2m road frontage and a length of 40m. The site is flat.

The property currently supports an existing single storey, weatherboard dwelling that is setback 6.8m from the road frontage.

The surrounding area is predominantly residential with a small amount of local business and community space located to the west of the subject site. The surrounding area is dominated by single storey dwellings with generous setbacks and large areas of private open space.

3.2. The Proposal

The proposal is for two multiple dwellings. The existing dwelling is proposed to remain at the front of the site and a second two-storey dwelling is proposed to the rear. The proposed development will have a density of one dwelling per 310m².

Both dwellings are to have two bedrooms. For the existing dwelling the car parking spaces are proposed to be located within the frontage, and the rear dwelling will have a double garage on the ground floor.

The existing dwelling is to remain single storey while the rear dwelling is to be double storey with a maximum height of 6.67m above ground level. Setbacks will vary, with the frontage setback being maintained at 8.6m, the minimum rear setback proposed at 4.29m and the minimum side setback at 0.9m.

A total of five car parking spaces have been provided for the proposed development, in accordance with the requirements of the Parking and Sustainable Transport Code.

Access is proposed to be shared via the existing crossover from South Terrace.

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 partially within the Road and Railway Attenuation Area. However, no new habitable structures are proposed within the overlay area and as a result, assessment under this code is not applicable.

The proposal satisfies exemption C10.4.1 (a) of the Coastal Erosion Hazard Code by the development requiring authorisation under the *Building Act 2016*. Additionally, the works are not for a critical, hazardous or vulnerable use, are not within a high coastal erosion hazard band and are not for coastal protection works.

The proposal satisfies exemption C11.4.1 (a) of the Coastal Inundation Hazard Code in that the development requires authorisation under the *Building Act 2016*. Additionally, the works are not for a critical, hazardous or vulnerable use, are not within a high coastal inundation hazard band, are not located within a non-urban zone and is not for coastal protection works.

The site is partially within a flood-prone hazard area. However, an assessment against the Flood-Prone Areas Hazard Code is not required as there are no works proposed within the overlay area.

The proposal satisfies exemption 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. However, the proposal requires discretionary consideration because it relies on performance criteria to comply with applicable standards.

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

General Residential Zone

- **Clause 8.4.1 – Residential density for multiple dwellings – P1** – the proposal cannot meet the Acceptable Solution given the proposed multiple dwellings do not have a site area per dwelling of not less than 325m².

The application must be assessed against Performance Criteria P1 of 8.4.1

Residential density of multiple dwellings as follows.

Clause	Performance Criteria	Assessment
8.4.1 - P1	<p><i>“Multiple dwellings must only have a site area per dwelling that is less than 325m², if the development will not exceed the capacity of infrastructure services and:</i></p>	<p>The intent of this performance criteria is to enable a higher density in areas that already have a higher density or where there are significant benefits to increasing density.</p> <p>While the proposed density is not expected to exceed the capacity of the existing infrastructure services, it is considered that the proposal does not meet the performance criteria, as per the following.</p>
	<p><i>(a) is compatible with the density of existing development on established properties in the area; or</i></p>	<p>This criterion requires an assessment of density. Recent matters before the Supreme Court (Clarence City Council v M Drury [2021] TASSC 5) expressly considered this clause of the planning scheme.</p> <p>The proposal is seeking a site area per dwelling of 310m². The Acceptable Solution is a minimum of 325m² per dwelling, which would require a site to be 650m² to comply with the density for two multiple dwellings.</p> <p>While, in the Tribunal decision which lead to this Supreme Court case, applied the term “surrounding area” as relating to a 100m radius of the site, we have considered a wider application to include properties located along North Terrace, South Terrace and the northern side of Bayview Road. This surrounding area is identified in Attachment 3.</p>

		<p>It is also noted that the Supreme Court clearly determined that the term “compatibility” was a broader and more general concept than mere statistical consistency and encompasses both quantitative and qualitative assessment. It supported the Tribunal’s interpretation that assessing compatibility required a general consideration as to whether the proposal “is in harmony or broad correspondence with the surrounding area”.</p> <p>From a quantitative perspective, an analysis of lots (124 lots) within the surrounding area found an average lot size of 748m² and an average density of one dwelling per 730.3m². Furthermore, within this area it found that there were only two multiple dwelling sites, with:</p> <ul style="list-style-type: none">• A maximum density of 512.7m².• A minimum density of 784m². <p>Accordingly, the subject lot of 620m² is smaller than the average lot size in the selected area and the proposed density of 310m² per dwelling is significantly higher than that within the surrounding area.</p> <p>In undertaking a qualitative assessment of the proposed multiple dwellings and determining whether it would be compatible and in harmony with the surrounding area, the following is considered:</p> <ul style="list-style-type: none">• Single dwellings are the predominant development pattern in the area.
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		<ul style="list-style-type: none">• South Terrace primarily consists of moderate single-storey dwellings, with generous front setbacks and backyards. However, there are some two-storey dwellings interspersed in this area.• Parking areas are generally located to the side or rear of the dwelling, not within the frontage and do not visually dominate the streetscape.• The few multiple dwellings which have been constructed primarily have moderate outdoor private open spaces, and with generous setbacks from rear boundaries. It is noted that some of these multiple dwelling developments are double storey. <p>The proposal for two multiple dwellings, with reduced side setbacks and limited private open spaces, would represent a significant departure from the established pattern of built form in the area.</p> <p>Additionally, the location of the car parking areas within the site frontage of the existing dwelling does not demonstrate comparable streetscape to that which exists along South Terrace.</p> <p>Concern over the density of the development was raised with the applicant in the early stages of the assessment of this application.</p>
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		<p>The applicant contended that a justification for the proposed density was that the proposal was compatible with the density of the existing properties in the area, and relied on existing multiple dwellings, located at 52 North Terrace, as an example of compatibility.</p> <p>The existing development at 52 North Terrace was included in the above analysis and it is considered to not provide support for the proposal, but instead support the contention that the prevalent densities are significantly higher than the proposal. The characteristics of 52 North Terrace are:</p> <ul style="list-style-type: none"> • The lot size is 1538m². • There are three multiple dwellings on-site. • The density (site area per dwelling) is 512.7m². <p>While it is acknowledged that the lack of multiple dwelling development in this area is largely due to it being prohibited in previous planning schemes, there is clearly no prevailing density that would lead to a conclusion that increasing the density beyond the Acceptable Solution was appropriate. Accordingly, the proposed density is assessed as not being compatible with the existing density of the surrounding area.</p>
	<p><i>(b) provides for a significant social or community benefit and is:</i></p> <p><i>(i) wholly or partly within 400m walking distance of a public transport stop; or</i></p>	<p>The proposed multiple dwellings do not propose to provide a specific social or community benefit nor do they demonstrate a significant benefit to the wider community which would justify the higher residential density proposed.</p>

	<p><i>(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.”</i></p>	<p>Therefore, the remainder of this criterion is not relevant.</p>
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- Clause 8.4.2 – Setbacks and building envelopes for all dwellings – P3**
 – the proposal cannot meet part (a)(i) and (a)(ii) of the Acceptable Solution given there are protrusions outside of the building envelope.

The application must be assessed against Performance Criteria P3 of 8.4.2 *Setbacks and building envelopes for all dwellings* as follows.

Clause	Performance Criteria	Assessment
<p>8.4.3 – P2</p>	<p><i>“The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i></p>	<p>The application is assessed as meeting the performance criteria and the objectives of the standard.</p> <p>The proposed Unit 2 protrudes marginally beyond the building envelope towards the eastern boundary. The siting and scale of the dwelling does not cause an unreasonable loss of amenity to adjoining properties having regard to the following.</p>
	<p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i></p>	<p>The site’s long axis is oriented north to south. The sites adjoining to the west and south-west do not have dwellings on them. The dwelling on the site to the east is setback around 6.5m from the boundary and sited further north on the site than the proposed unit.</p>

		The dwelling on the site to the south is setback significantly from the shared boundary. Habitable windows within dwellings located on these sites are not expected to be unreasonably impacted by overshadowing.
	<i>(ii) overshadowing the private open space of a dwelling on an adjoining property;</i>	<p>There is a 5.5m wide outbuilding located on the boundary of the site to the east which contributes significantly to afternoon shadow. The private open space on this site is not expected to be unreasonably impacted by overshadowing.</p> <p>The site to the south will be marginally impacted by overshadowing around midday. However, the dwelling has a significant area of private open space, and an outbuilding located near the shared boundary. The private open space for the site to the south is not expected to be unreasonably overshadowed.</p>
	<i>(iii) overshadowing of an adjoining vacant property; and</i>	There are no adjoining vacant properties.
	<i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i>	<p>The existing dwelling is small in size and there are no proposed changes to the dwelling.</p> <p>The proposed rear unit is to be double storey and located to the rear of the site and has a 4.29m rear setback. This dwelling provides material and design articulation to minimise the impacts of bulk.</p> <p>When viewed collectively from adjoining properties, the two dwellings will not appear as visually dominant, nor will they appear out of proportion.</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>There is a number of structures located within 1.5m to boundaries on many nearby sites. The proposal is reasonably setback so as to provide for separation between dwellings that is consistent with that existing on established properties in the area.</p>
	<p><i>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i> <i>(i) an adjoining property; or</i> <i>(ii) another dwelling on the same site.”</i></p>	<p>There are no existing solar energy installations in the area.</p>

- Clause 8.4.3 – Site coverage and private open space for all dwellings**
 – **P2** – the proposal cannot meet (b) (i) of the Acceptable Solution because the private open space for Unit 1 has a minimum horizontal dimension of less than 4m.

The application must be assessed against Performance Criteria P2 of 8.4.3 *Site coverage and private open space for all dwellings* as follows.

Clause	Performance Criteria	Assessment
<p>8.4.3 – P2</p>	<p><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></p>	<p>The application is assessed as meeting the performance criteria and the objectives of the standard.</p> <p>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. The plans demonstrate that the areas of useable private open space proposed for each dwelling are significantly more than the required 24m² area.</p>

	<i>(a) conveniently located in relation to a living area of the dwelling; and</i>	Each unit is provided with an area of private open space that is conveniently located, and immediately accessed from the living area of the dwelling.
	<i>(b) orientated to take advantage of sunlight.”</i>	The site is oriented on the long axis from north to south. Around half of the private open space for proposed Unit 1 is located directly north of the dwelling. Shadow diagrams were not provided by the applicant or required because the site orientation and siting of the dwellings is such that the private open space for each dwelling is expected to receive reasonable access to sunlight.

- **Clause 8.4.6 – Privacy for all dwellings – P3** – the proposal cannot meet the Acceptable Solution because the shared access and visitor parking space is located within 1m of a habitable window associated with Unit 2.

The application must be assessed against Performance Criteria P3 of 8.4.6 *Privacy for all dwellings* 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 application is assessed as meeting the performance criteria and the objectives of the standard.</p> <p>The development is for two multiple dwellings, both with two bedrooms. It is not expected that there will be a significant amount of vehicle movements throughout the site.</p> <p>Where there are habitable windows for Unit 1 within 1m of the shared driveway, a 2.1m paling fence is provided.</p>

		<p>The paling fence is expected to be reasonable in screening the habitable window from the impacts of vehicle noise or light intrusions.</p> <p>Where there are habitable windows for Unit 2 within 1m of the shared visitor park, the minimum sill height above the shared car parking space is 4.6m. The significant sill height is expected to be reasonable in screening the habitable window from the impacts of vehicle noise or light intrusions.</p>
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5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and no representations were received.

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 outcomes of the State Policies, including those of the State Coastal Policy.

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

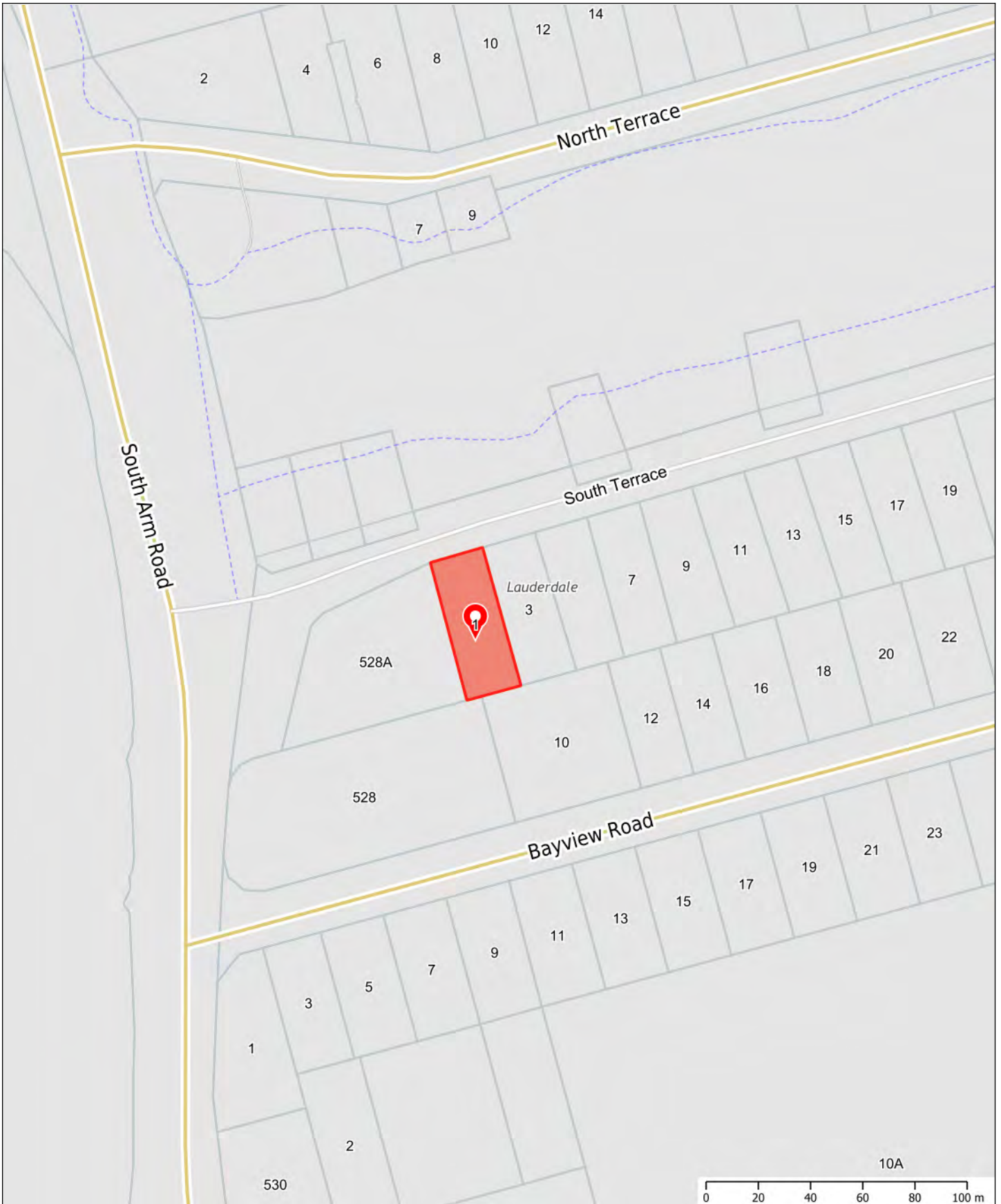
9. CONCLUSION

The proposal is recommended for refusal. The application has not demonstrated that it complies with performance criteria P1 of 8.4.1 Residential density for multiple dwellings, as the proposal is not compatible with the density of existing development on established properties in the area.

- Attachments:
1. Location Plan (1)
 2. Proposal Plan (11)
 3. Surrounding Area Diagram (1)
 4. Site Photo (1)

Daniel Marr
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.

22/04/2024

1:2000



Attachment 2

PLANNING APPLICATION - PDPLANPMTD-2024/041647 - 1 South Terrace, Lauderdale

Please see attached documentation and replies to RFI's from previous submission

General Residential Zone

8.4.1 Residential density for multiple dwelling

- The proposal is unable to comply with the acceptable solution, given the multiple dwellings do not have a site area per dwelling of not less than 325m². Please provide a response to the performance criteria.

Please note that at this stage it appears that it will be difficult for the proposal to comply with the performance criteria given the multiple dwellings do not appear to be compatible with the density of existing development on established properties in the area and the proposal does not appear to provide for a significant social or community benefit.

On the site plan 2023-10-WD601 under the Site Analysis construction notation:

Proposed multiple dwellings at 1 south terrace lauderdale (1 existing 1 new) under a performance solution criteria. The development will not exceed the capacity of infrastructure services and is compatible with the density of the existing development on established properties in the area (52 north terrace 3 unit development). The development is within 400m walking distance of a public transport bus stop and a local business zone. This development provides affordable rental property for the community. (see aerial view on site plan)

8.4.2 Setbacks and building envelopes for all dwellings

- Please amend shadow diagrams to include the surrounding properties for context. This is required to assess the overshadowing impacts on the adjoining properties.

Please see Shadow Diagram Plan 2023-10-WD607 amended attached

Building locations have been added near over shadowing of new proposed dwelling
(This wasn't shown before as there was no residential houses affected and well away from
shadow protrusions)

8.4.3 Site coverage and private open space for all dwellings

Version: 2, Version Date: 08/02/2024 Document Set ID: 5196145

- Please amend plans to include compliant 24m²

area of private open space in accordance
with clause 8.4.3 – A1. Alternatively, you may choose to provide a response to the
performance criteria if the acceptable solution cannot be satisfied.

Each Dwelling shows a total of 60m² of P.O.S area total and there is ample room for clothes line
and recreation use for both units.

8.4.6 Privacy for all dwellings

- Please include details to satisfy clause 8.4.6 – A3/P3. Plans should include any
dimensions from a shared driveway or parking areas (including visitor park, which would
be accordingly labelled on the plans), to a window, or glazed door, to a habitable room of
a multiple dwelling. For a full assessment of this standard, floor plans and the western
elevation of the existing dwelling onsite should be provided.

On the site plan 2023-10-WD601 plans have been amended and show a new 2.1m paling fence
to be erected down the driveway giving existing dwelling full privacy from shared driveway.

8.4.7 Frontage fences for all dwellings

- Please clarify if the fence is existing or proposed.

Existing fence

8.4.8 Waste storage for multiple dwellings

- Please provide information to demonstrate compliance with clause 8.4.8 – A1/P1.

Bin location on On the site plan 2023-10-WD601 for each unit

Car Parking and Sustainable Transport Code

C2.6.1 Construction of parking areas

- Please provide drainage fall directions for all parking areas and the shared driveway.

Fall direction amended on Site plan 2023-10-WD601 and Plumbing plan 2023-10-WD606

C2.6.1 Design and layout of parking areas

- Please amend plans to include dimensions and delineation for parking areas.
- Please label visitor park.

PROJECT: PROPOSED MULTIPLE DWELLINGS (1 EXISTING 1 NEW)
ADDRESS: 1 SOUTH TERRACE LAUDERDALE 7021
CLIENT: B CHANDLER
TITLE REF: VOLUME 212742 FOLIO 1
BUILDING DESIGNER: SAM BURNETT CC6609
SOIL CLASSIFICATION: CLASS 'A' BY GEO-ENVIRONMENTAL SOLUTIONS
STORMWATER CIVIL PLAN: BY GEO-ENVIRONMENTAL SOLUTIONS
WIND CLASSIFICATION: N3 BY GEO-ENVIRONMENTAL SOLUTIONS

DRAWING INDEX
DRAWINGS ARE A3 SIZE UNLESS NOTED OTHERWISE

2023-10-WD601	SITE PLAN
2023-10-WD602	FIRST FLOOR PLAN
2023-10-WD603	SECOND FLOOR PLAN
2023-10-WD604	NORTH/EAST ELEVATION PLAN
2023-10-WD605	SOUTH/WEST ELEVATION PLAN
2023-10-WD606	PLUMBING/DRAINAGE PLAN
2023-10-WD607	SHADOW DIAGRAM PLAN
2023-10-WD608	LANDSCAPE AND VEHICLE MANEUVERING PLAN

TITLE REFERENCE.
VOLUME FOLIO
212742 1

BUILDING DESIGNER: SAM BURNETT
ACCREDITATION No: CC6609



CONSTRUCTION NOTES

WALLS:

EXTERNAL:

FIRST FLOOR - GRAPHITE FACE BRICK
SECOND FLOOR - AXON CEMENT SHEET CLADDING

INTERNAL WALLS:

10MM PLASTERBOARD LINING ON90X35MM MGP10
STUDWORK@450MM CTS,1 ROW NOGGIN90X45,MGP10 TOP
AND BOTTOMPLATES.LINTELS AND PLATES WHERE SHOWN
ON DETAIL PLANS.

WET AREAS:

WATERPROOF LININGS AND MEMBRANE TO ALL WET AREAS
TO BCA 3.8.1

FLASHINGS:

COLORBOND FLASHINGS ASREQUIRED COLOUR TO BE
SURFMIST

WINDOWS:

DOWELL WINDOWS OR SIMILAR,SELECTED POWDER
COATING TO
WINDOWS AND DOORS. COLORBOND FLASHINGS AROUND
WINDOWS AND
DOORS

GLAZING:

REFER TO WINDOW SCHEDULE

ROOF:

COLORBOND CORRUGATED IRON COLOUR TO BE SURFMIST

CROSS VENTILATION TO ROOF CAVITY:

INSTALL ROOF VENTS TO EAVES AS PER CONDENSATION IN
BUILDINGS -TASMANIAN DESIGNERS' GUIDE - VERSION 2
THE MINIMUM VENT AREA SHOULD BE: A) CEILING AREA/150
FOR <16° PITCH ROOF
75% OF VENTILATION SHOULD BE SUPPLY

CORNICE AND REVEALS:

SQUARE SET PLASTERBOARD

CEILING:

10MM PLASTERBOARD FITTED TO FURRING CHANNELS
@450MM CTS AND/OR UNDERSIDE OF 450MM FLOOR JOISTS.

FLOOR:

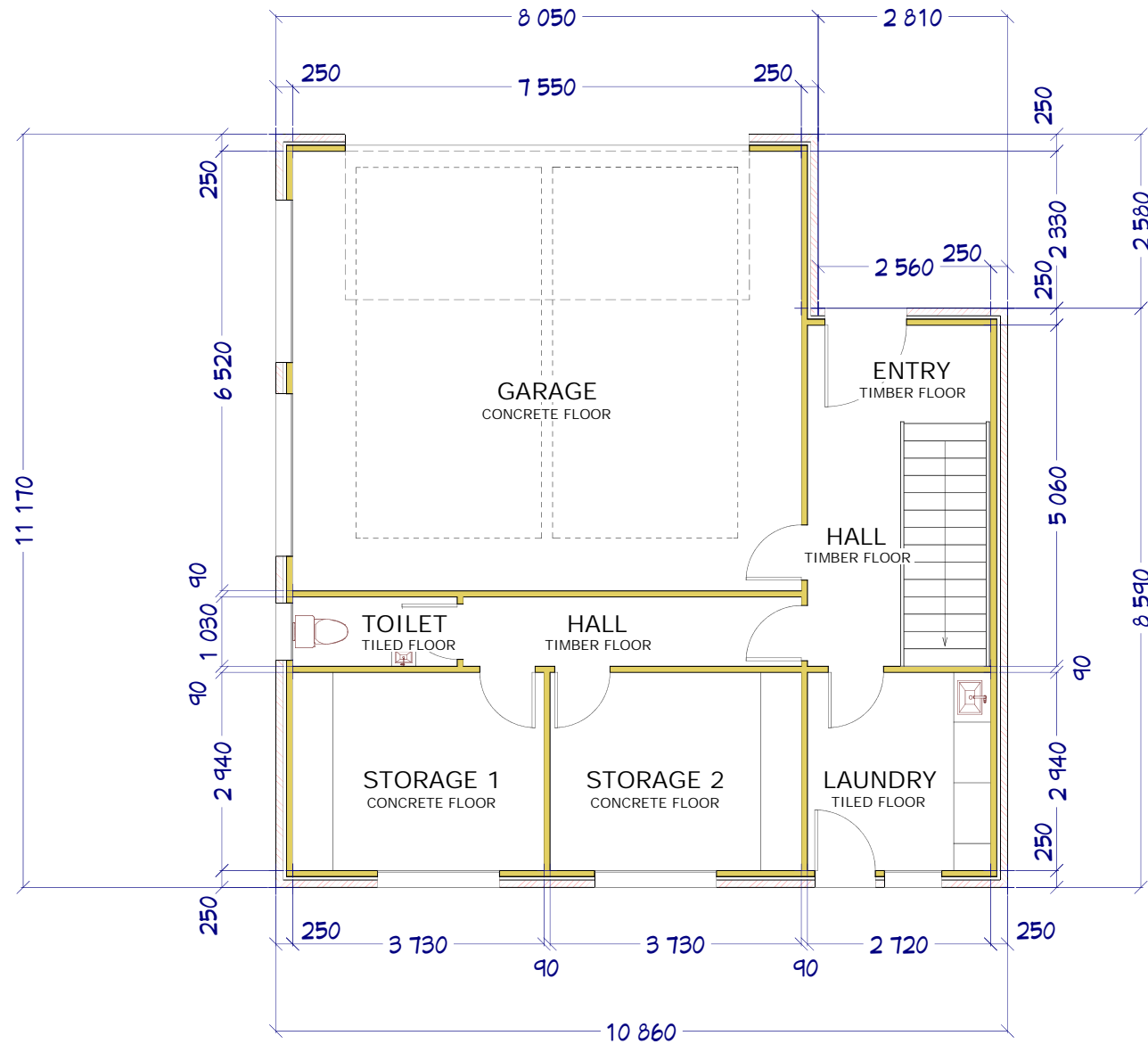
SELECTED 10MM TILES TO BATHROOMS 10MM TIMBER
FLOORBOARDS AND CARPET WHERE SHOWN.

ARCHITRAVE & SKIRTING

67X18MM BEVELLED PAINTED
ARCHITRAVES AND 42X18MM
SQUARE PAINTED SKIRTS.

INSULATION:

MIN R4.0 PINK BATTS TO CEILINGS
MIN R2.5 BATTS TO EXTERNAL WALLS
MIN R2.5 INSULATION IN INTERNAL WALLS BETWEEN
GARAGE, LAUNDRY, WC BATHROOM AND REST OF HOUSE.



FIRST FLOOR AREA: 107.1 SQM

SECOND FLOOR AREA: 117.2 SQM

TOTAL FLOOR AREA: 224.3 SQM

No.	REVISION
-----	----------

PROJECT
PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
B CHANDLER
1 SOUTH TERRACE
LAUDERDALE 7021

SCALE
1:100

DRAWN DC	CHECKED SB
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DATE:
OCTOBER 2023

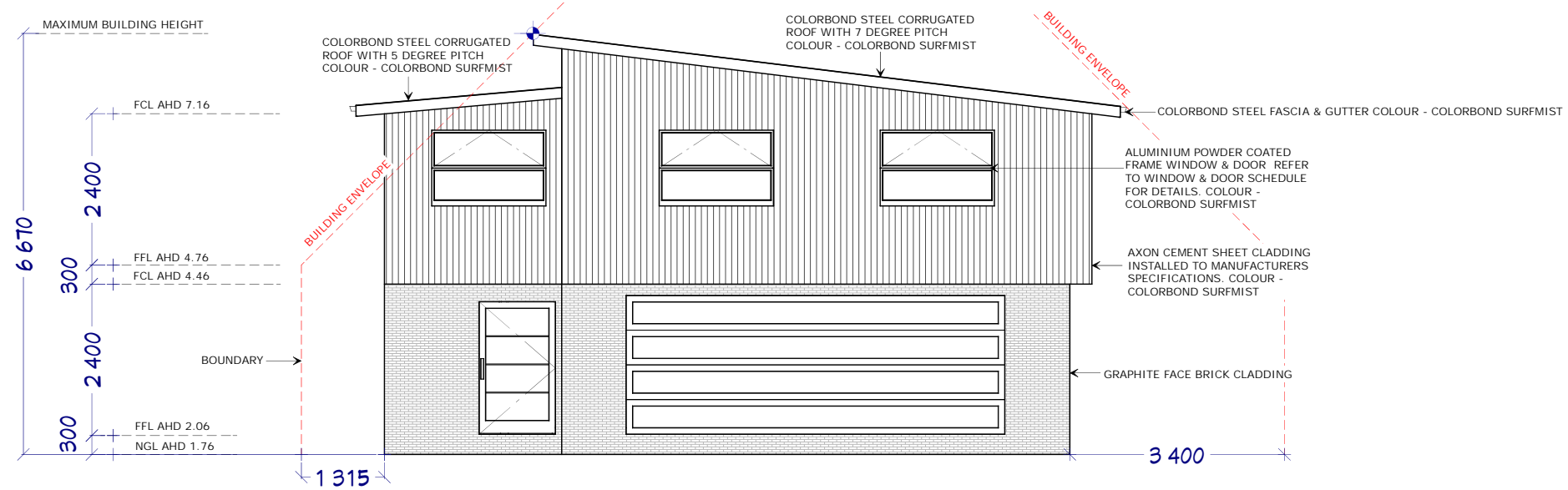
FIRST FLOOR PLAN

DRG No 2023-10-WD602	REV
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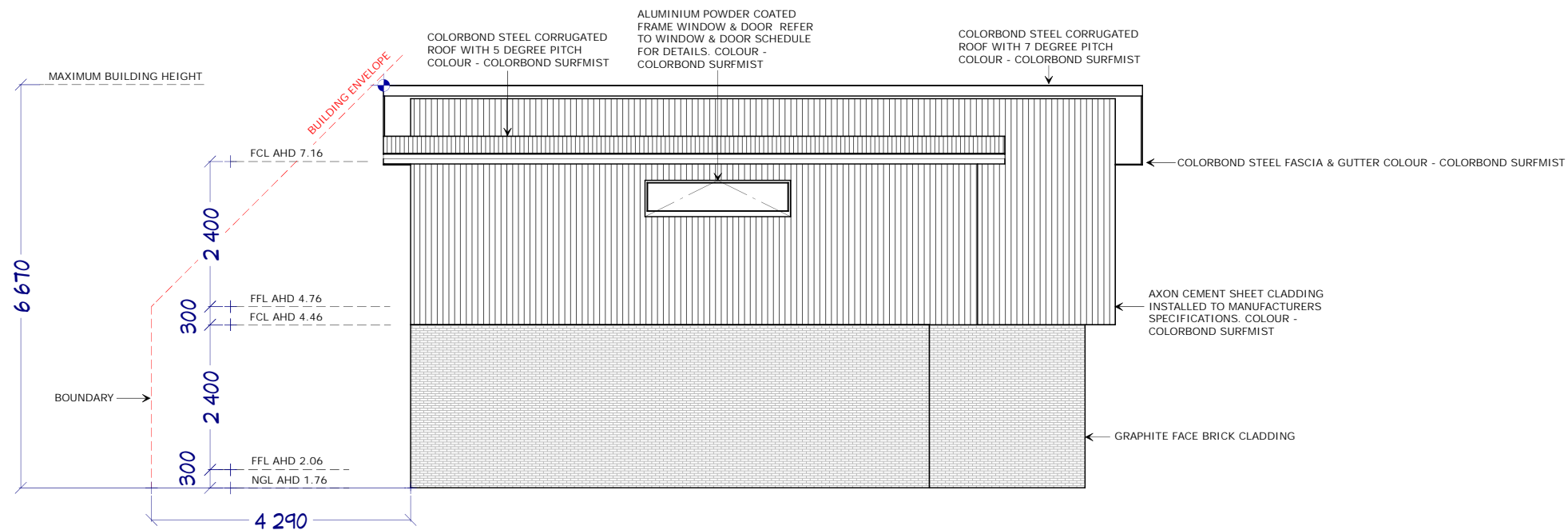
A3

TITLE REFERENCE.
 VOLUME FOLIO
 212742 1

BUILDING DESIGNER: SAM BURNETT
 ACCREDITATION No: CC6609



NORTH ELEVATION



EAST ELEVATION

No.	REVISION
-----	----------

PROJECT
PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
B CHANDLER
1 SOUTH TERRACE
LAUDERDALE 7021

SCALE
 1:100

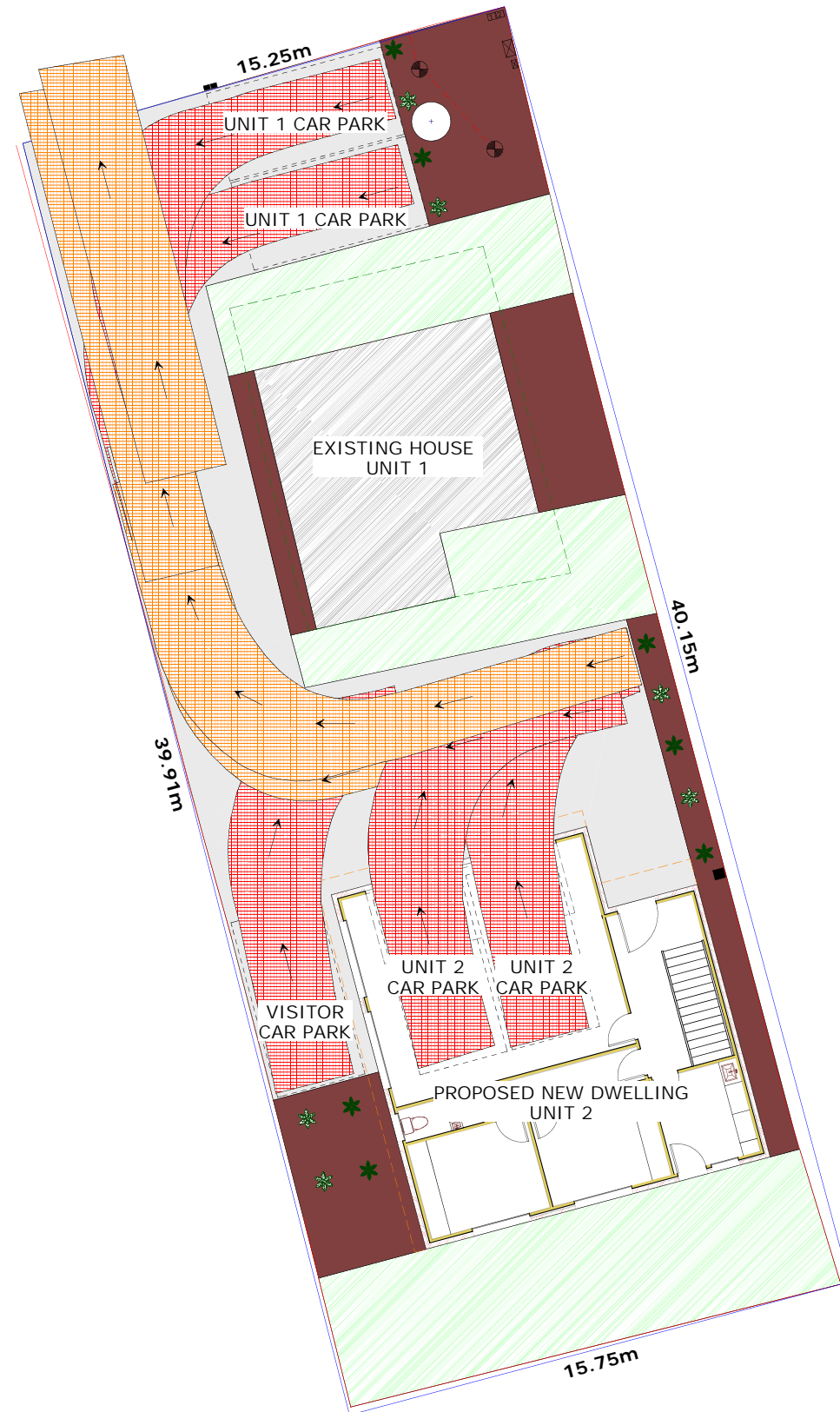
DRAWN DC	CHECKED SB
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DATE:
 OCTOBER 2023

NORTH/EAST ELEVATION PLAN

DRG No 2023-10-WD604	REV
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A3



**VEHICLE MANEUVERING
 AUSTRALIAN STANDARD
 B85 VEHICLE**

LEGEND

CONCRETE DRIVEWAY/PATH

PRIVATE OPEN SPACE

GARDEN BED

EXISTING HOUSE

BOUNDARY LINE

FENCE LINE

REDCORDALINE FLAX OR SIMILAR
 QUANTITY:6
 HEIGHT: 1M

GREEN CORDALINE FLAX OR SIMILAR
 QUANTITY:7
 HEIGHT: 1M

LAND AREA: 620 sqm

SITE COVERAGE: 206.69 SQM - 33%

IMPERVIOUS SURFACES: 239.45 sqm - 38.6%

No.	REVISION

PROJECT
 PROPOSED TWO MULTIPLE
 DWELLINGS 1 EXISTING 1 NEW
 B CHANDLER
 1 SOUTH TERRACE
 LAUDERDALE 7021

SCALE
 1:200

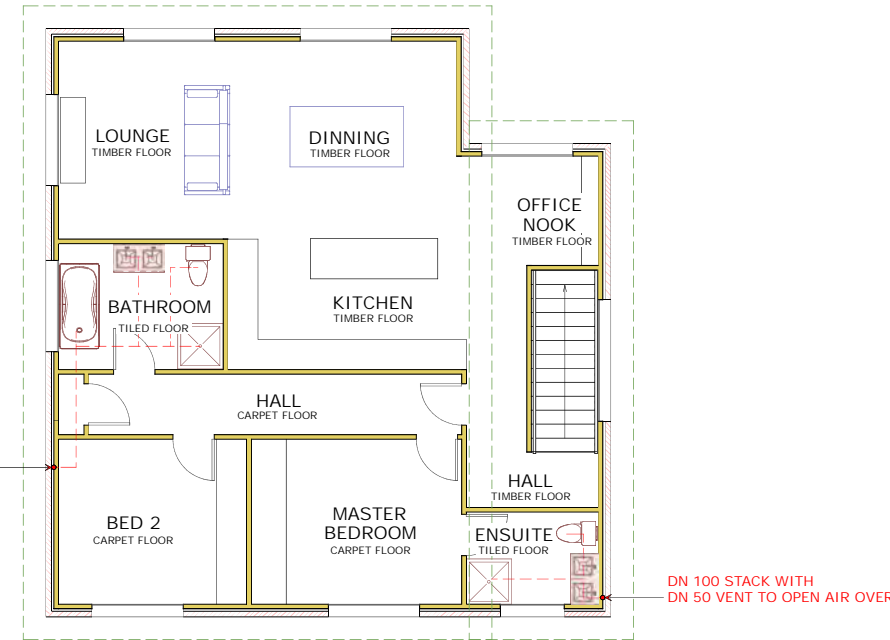
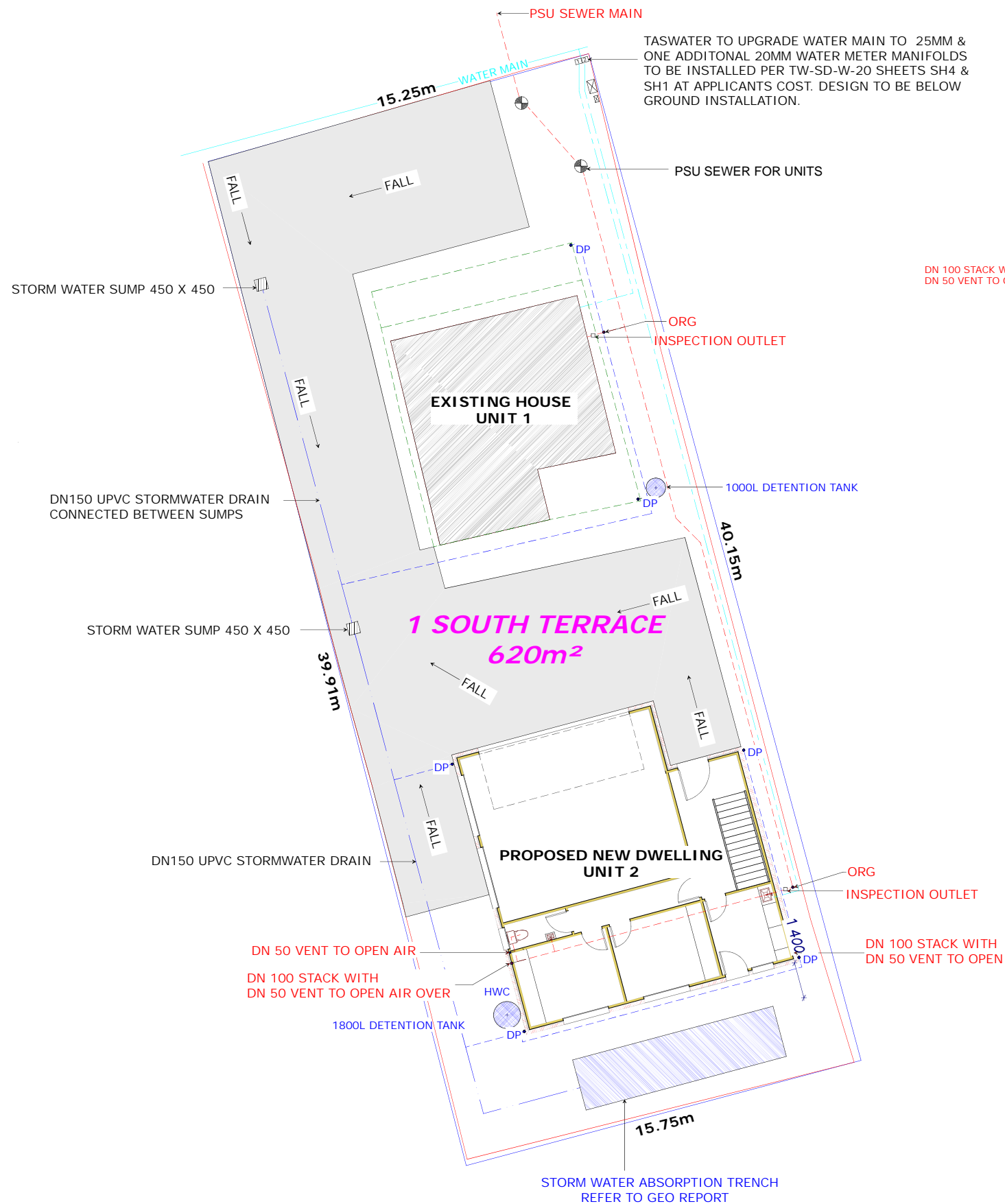
DRAWN DC	CHECKED SB
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DATE:
 OCTOBER 2023

**LANDSCAPE AND
 MANEUVERING PLAN**

DRG No 2023-10-WD608	REV
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A3



SECOND STORY PLUMBING PLAN
 1:150

PIPE SIZE LEGEND

- DN 100 UPVC STORMWATER DRAIN (DARK BLUE)
- DN150 UPVC STORMWATER DRAIN (DARK BLUE)
- DN 100 UPVC VENTED SEWER DRAIN (RED) MIN FALL 1 IN 60
- DN 25 water main (LIGHT BLUE)
- 450 x 450 x 600 DEEP GRATED SUMP DN150 UPVC CONNECTED BETWEEN SUMPS
- ORG - OVERFLOW RELIEF GULLY WITH TAP OVER
- HWC - HOT WATER CYLINDER
- DP - DOWN PIPE

STORMWATER AREA:

ROOF AREA EXISTING HOUSE - 82.28 SQM
 ROOF AREA NEW PROPOSED DWELLING - 151.02 SQM
 CONCRETE SURFACE AREA - 239.45 SQM
 TOTAL STORM WATER AREA 472.75 SQM

FIXTURE OUTLET SIZES:

- W.C-DN100 SHOWER-DN50
- SINK-DN50 TROUGH-DN50
- BASIN-DN40 BATH-DN40

THE LOCATION OF HOTWATER CYLINDERS TO BE CONFIRMED BY OWNER & BUILDER THE BUILDER IS TO LOCATE AND CONFIRM THE PRESENCE OF ALL EXISTING SERVICES ONSITE AND WITHIN THE AREA OF WORKS.

REFER TO GEO REPORT FOR STORM WATER TECHNICAL DETAILS

No.	REVISION
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PROJECT
 PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
 B CHANDLER
 1 SOUTH TERRACE
 LAUDERDALE 7021

SCALE
 1:100

DRAWN DC **CHECKED** SB

DATE:
 OCTOBER 2023

PLUMBING AND DRAINAGE PLAN

DRG No
 2023-10-WD606

REV

A3



CONSTRUCTION NOTES

WALLS:

EXTERNAL:

FIRST FLOOR - GRAPHITE FACE BRICK
SECOND FLOOR - AXON CEMENT SHEET CLADDING

INTERNAL WALLS:

10MM PLASTERBOARD LINING ON90X35MM MGP10
STUDWORK@450MM CTS,1 ROW NOGGIN90X45,MGP10 TOP
AND BOTTOMPLATES.LINTELS AND PLATES WHERE SHOWN
ON DETAIL PLANS.

WET AREAS:

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TO BCA 3.8.1

FLASHINGS:

COLORBOND FLASHINGS ASREQUIRED COLOUR TO BE
SURFMIST

WINDOWS:

DOWELL WINDOWS OR SIMILAR,SELECTED POWDER
COATING TO
WINDOWS AND DOORS. COLORBOND FLASHINGS AROUND
WINDOWS AND
DOORS

GLAZING:

REFER TO WINDOW SCHEDULE

ROOF:

COLORBOND CORRUGATED IRON COLOUR TO BE SURFMIST

CROSS VENTILATION TO ROOF CAVITY:

INSTALL ROOF VENTS TO EAVES AS PER CONDENSATION IN
BUILDINGS -TASMANIAN DESIGNERS' GUIDE - VERSION 2
THE MINIMUM VENT AREA SHOULD BE: A) CEILING AREA/150
FOR <16° PITCH ROOF
75% OF VENTILATION SHOULD BE SUPPLY

CORNICE AND REVEALS:

SQUARE SET PLASTERBOARD

CEILING:

10MM PLASTERBOARD FITTED TO FURRING CHANNELS
@450MM CTS AND/OR UNDERSIDE OF 450MM FLOOR JOISTS.

FLOOR:

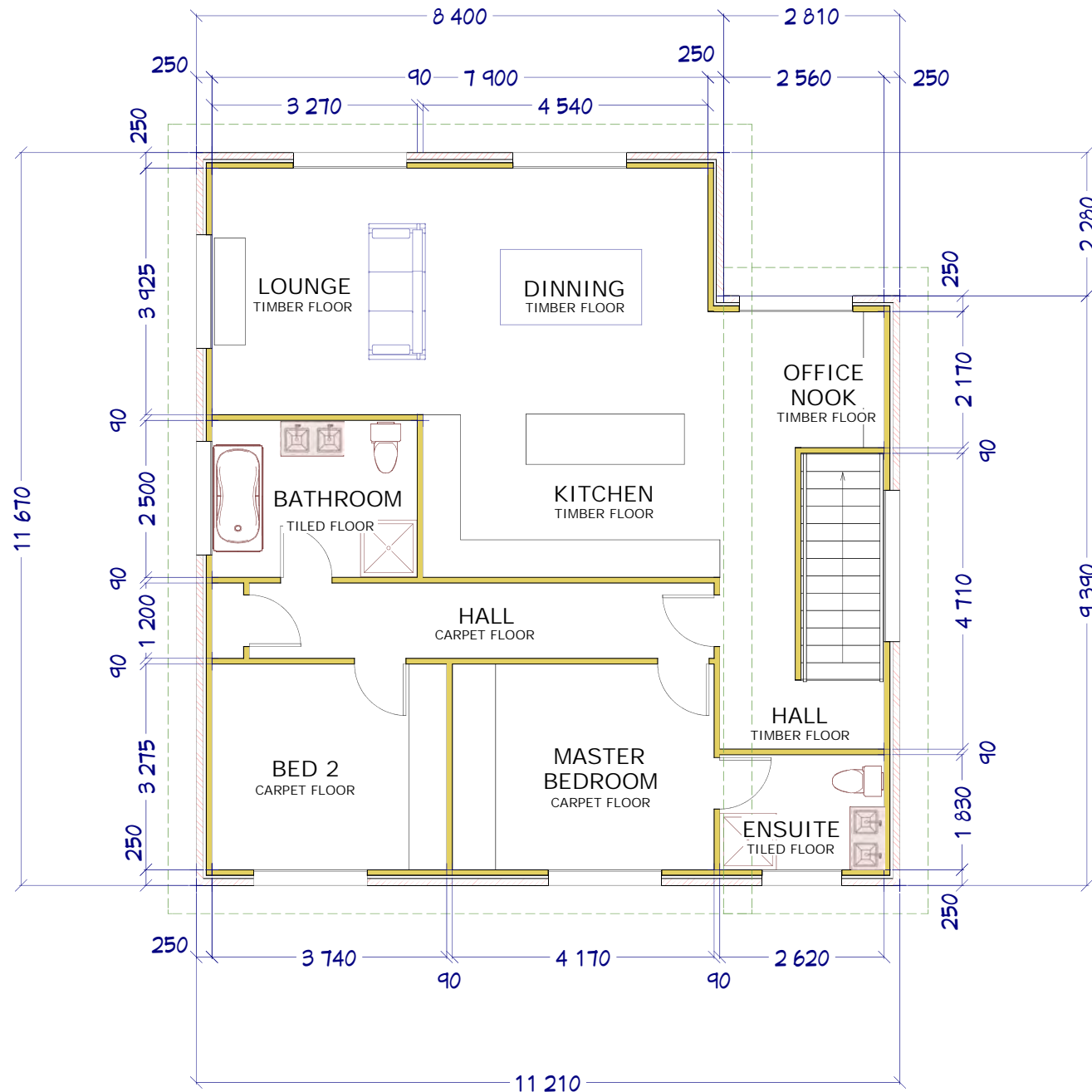
SELECTED 10MM TILES TO BATHROOMS 10MM TIMBER
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ARCHITRAVES AND 42X18MM
SQUARE PAINTED SKIRTS.

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MIN R2.5 BATTS TO EXTERNAL WALLS
MIN R2.5 INSULATION IN INTERNAL WALLS BETWEEN
GARAGE, LAUNDRY, WC BATHROOM AND REST OF HOUSE.



FIRST FLOOR AREA: 107.1 SQM

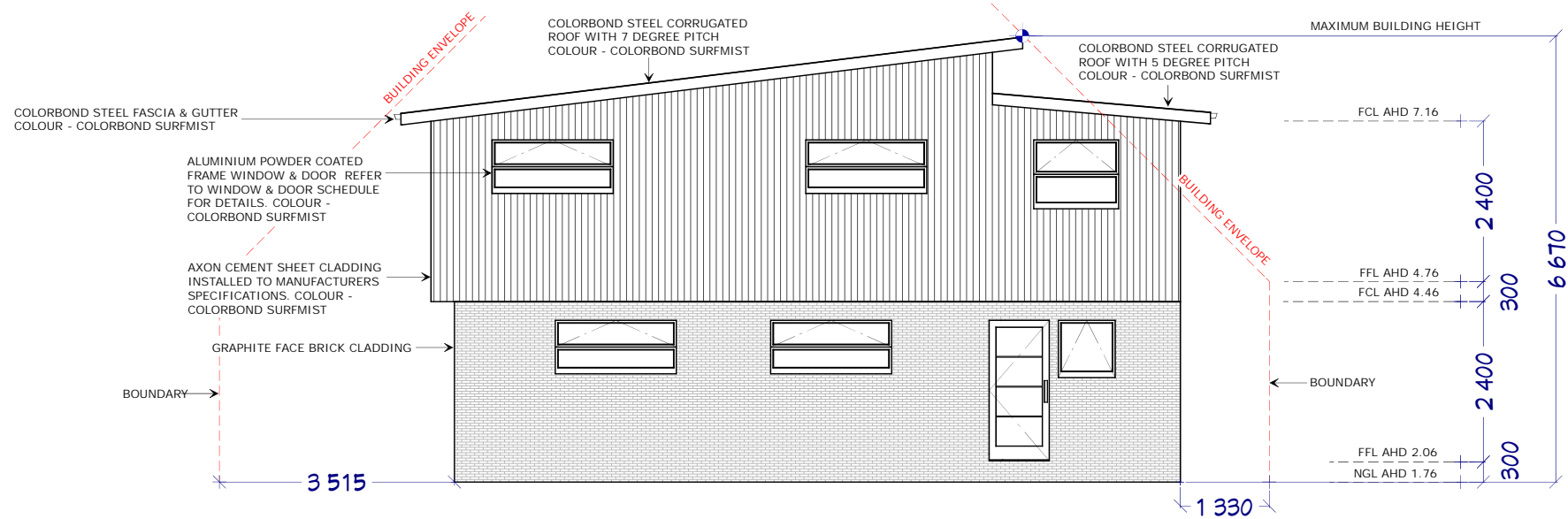
SECOND FLOOR AREA: 117.2 SQM

TOTAL FLOOR AREA: 224.3 SQM

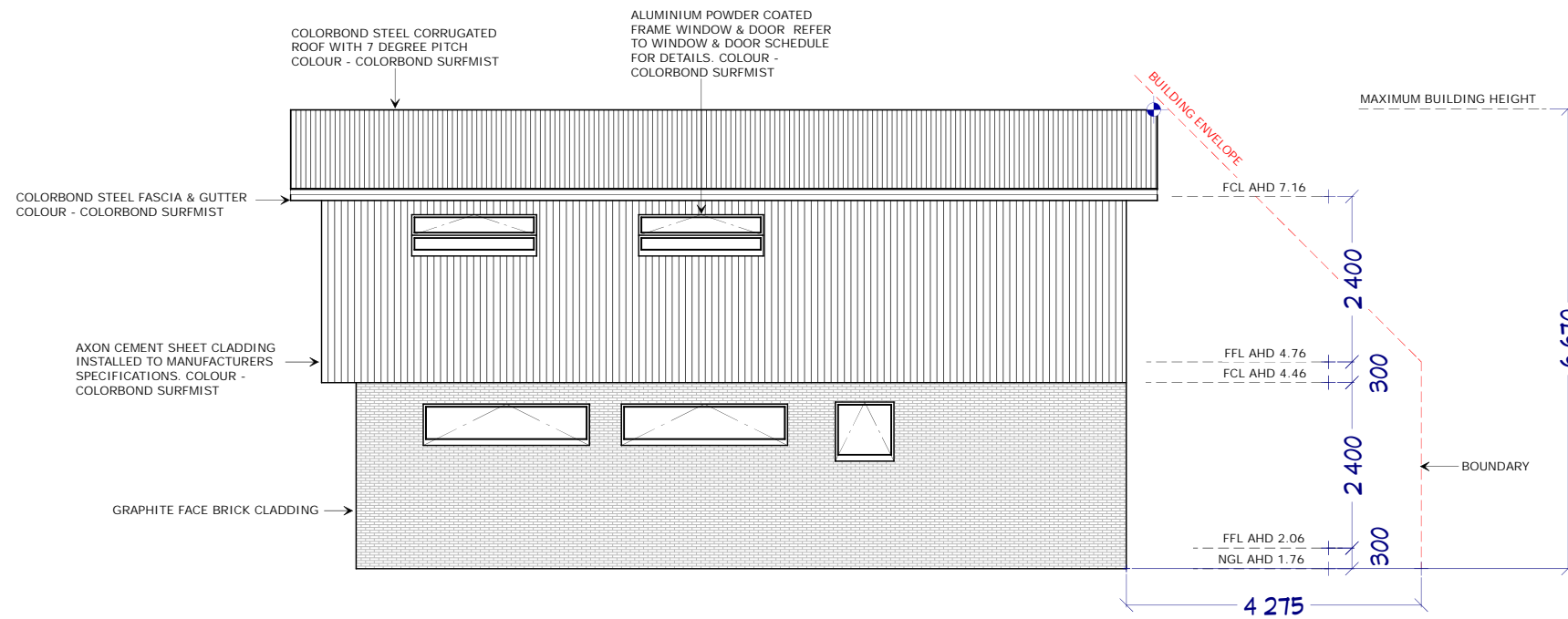
No.	REVISION
<p>PROJECT PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW B CHANDLER 1 SOUTH TERRACE LAUDERDALE 7021</p>	
<p>SCALE 1:100</p>	
<p>DRAWN DC</p>	<p>CHECKED SB</p>
<p>DATE: OCTOBER 2023</p>	
<p>SECOND FLOOR PLAN</p>	
<p>DRG No 2023-10-WD603</p>	<p>REV</p>
<p>A3</p>	

TITLE REFERENCE.
 VOLUME FOLIO
 212742 1

BUILDING DESIGNER: SAM BURNETT
 ACCREDITATION No: CC6609



SOUTH ELEVATION



WEST ELEVATION

No.	REVISION

PROJECT
PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
B CHANDLER
1 SOUTH TERRACE
LAUDERDALE 7021

SCALE
 1:100

DRAWN DC	CHECKED SB
--------------------	----------------------

DATE:
 OCTOBER 2023

SOUTH/WEST ELEVATION PLAN

DRG No 2023-10-WD605	REV
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A3

TITLE REFERENCE.
 VOLUME FOLIO
 212742 1

BUILDING DESIGNER: SAM BURNETT
 ACCREDITATION No: CC6609

SITE ANALYSIS



CONSTRUCTION

PROPOSED MULTIPLE DWELLINGS AT 1 SOUTH TERRACE LAUDERDALE (1 EXISTING 1 NEW) UNDER A PERFORMANCE SOLUTION CRITERIA. THE DEVELOPMENT WILL NOT EXCEED THE CAPACITY OF INFRASTRUCTURE SERVICES AND IS COMPATIBLE WITH THE DENSITY OF THE EXISTING DEVELOPMENT ON ESTABLISHED PROPERTIES IN THE AREA (52 NORTH TERRACE 3 UNIT DEVELOPMENT). THE DEVELOPMENT IS WITHIN 400M WALKING DISTANCE OF A PUBLIC TRANSPORT BUS STOP AND A LOCAL BUSINESS ZONE. THIS DEVELOPMENT PROVIDES A AFFORDABLE RENTAL PROPERTY FOR THE COMMUNITY. (SEE AERIAL VIEW ON SITE PLAN)

STOCKPILE AND WASTE

DESIGNATED STOCKPILE AND WASTE DURING CONSTRUCTION

COASTAL EROSION HAZARD

ALL HABITABLE ROOMS SHOULD COMPLY WITH PERFORMANCE CRITERIA C11.6.1 P1.1 AND HAVE A FINISHED FLOOR LEVEL ABOVE 3.2 M AHD REFER TO COASTAL EROSION HAZARD REPORT FROM GES

SET BACKS/BUILDING ENVELOPE

THE EAST BOUNDARY IS A PERFORMANCE SOLUTION REFER TO ELEVATION PLANS

SUN/SHADOW/PRIVACY/VIEWS

NO NEIGHBORING PROPERTY'S ARE NOT EFFECTED BY OVER SHADOWING OR BLOCKING OF VIEWS AND THE NEW DWELLING (UNIT 2) DOES NOT GIVE ANY UNREASONABLE LOSS OF AMENITY. WEST BOUNDARY BUILDING IS THE LAUDERDALE COMMUNITY HALL AND TO THE SOUTH BOUNDARY THERE IS ONLY A SHED TO THE REAR OF BLOCK.

PLUMBING

STORM WATER TO BE CONNECT TO ABSORPTION TRENCH REFER TO GEO REPORT FOR TECHNICAL DETAILS
 SEWER TO BE CONNECTED TO PSU (REFER TO DRAINAGE/PLUMBING PLAN)

BAL RATING

N/A

NUMBERS IN PINK ON THE SITE PLAN ARE CONTOUR ELEVATION HEIGHTS TO AHD

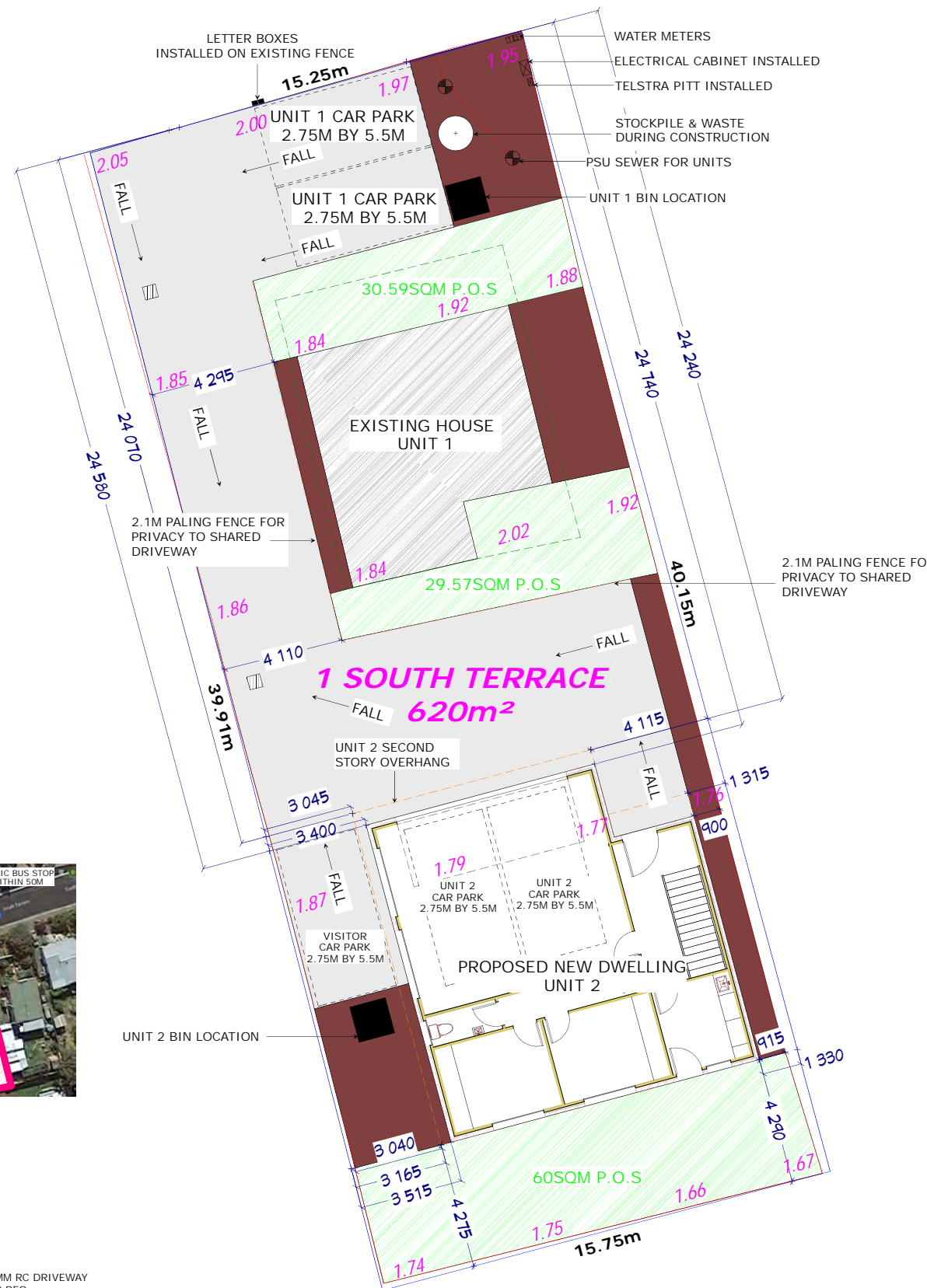
LEGEND

- CONCRETE DRIVEWAY/PATH
- PRIVATE OPEN SPACE
- GARDEN BED
- EXISTING HOUSE
- BOUNDARY LINE
- FENCE LINE

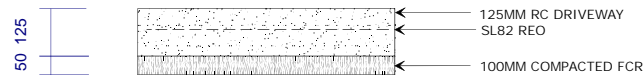
LAND AREA: 620 sqm

SITE COVERAGE: 206.69 SQM - 33%

IMPERVIOUS SURFACES: 239.45 sqm - 38.6%



AERIAL VIEW



DRIVEWAY SECTION
 1:20

No.	REVISION

PROJECT
 PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
 B CHANDLER
 1 SOUTH TERRACE
 LAUDERDALE 7021

SCALE
 1:200

DRAWN DC CHECKED SB

DATE:
 OCTOBER 2023

SITE PLAN

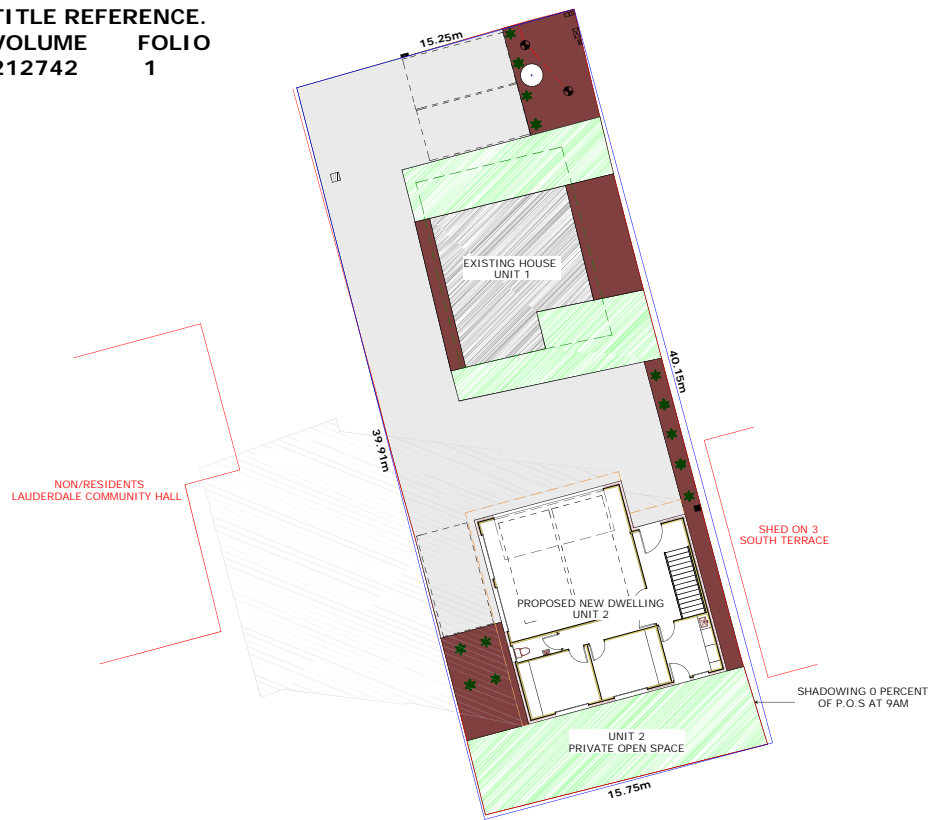
DRG No
 2023-10-WD601

REV

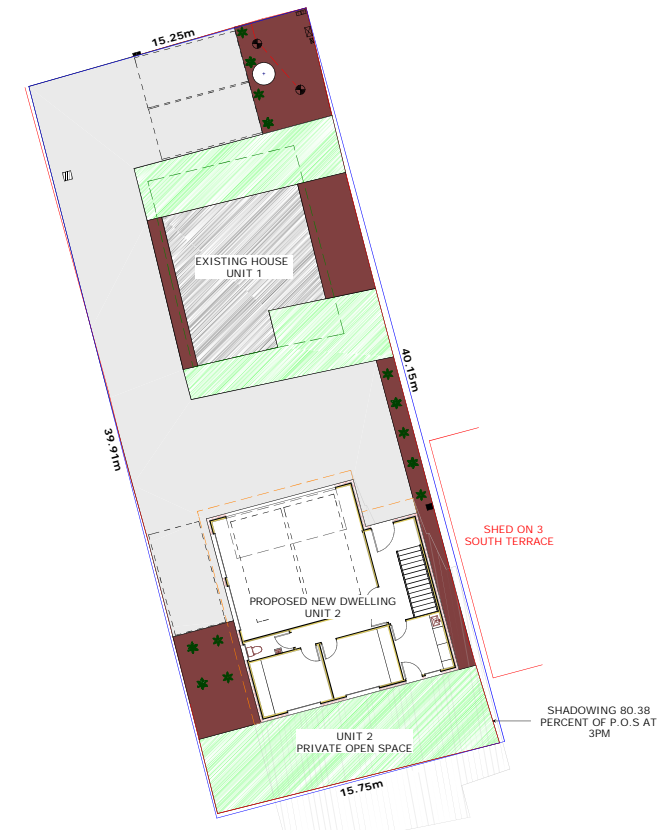
A3

TITLE REFERENCE.
VOLUME FOLIO
212742 1

BUILDING DESIGNER: SAM BURNETT
ACCREDITATION No: CC6609



9AM SHADOW DIAGRAM



3PM SHADOW DIAGRAM



12PM SHADOW DIAGRAM

JUNE 21ST
9AM-3PM SHADOW
LATITUDE: 42.54 S
LONGITUDE: 147.29 E

No.	REVISION

PROJECT
PROPOSED TWO MULTIPLE DWELLINGS 1 EXISTING 1 NEW
B CHANDLER
1 SOUTH TERRACE
LAUDERDALE 7021

SCALE
1:400

DRAWN DC CHECKED SB

DATE:
OCTOBER 2023

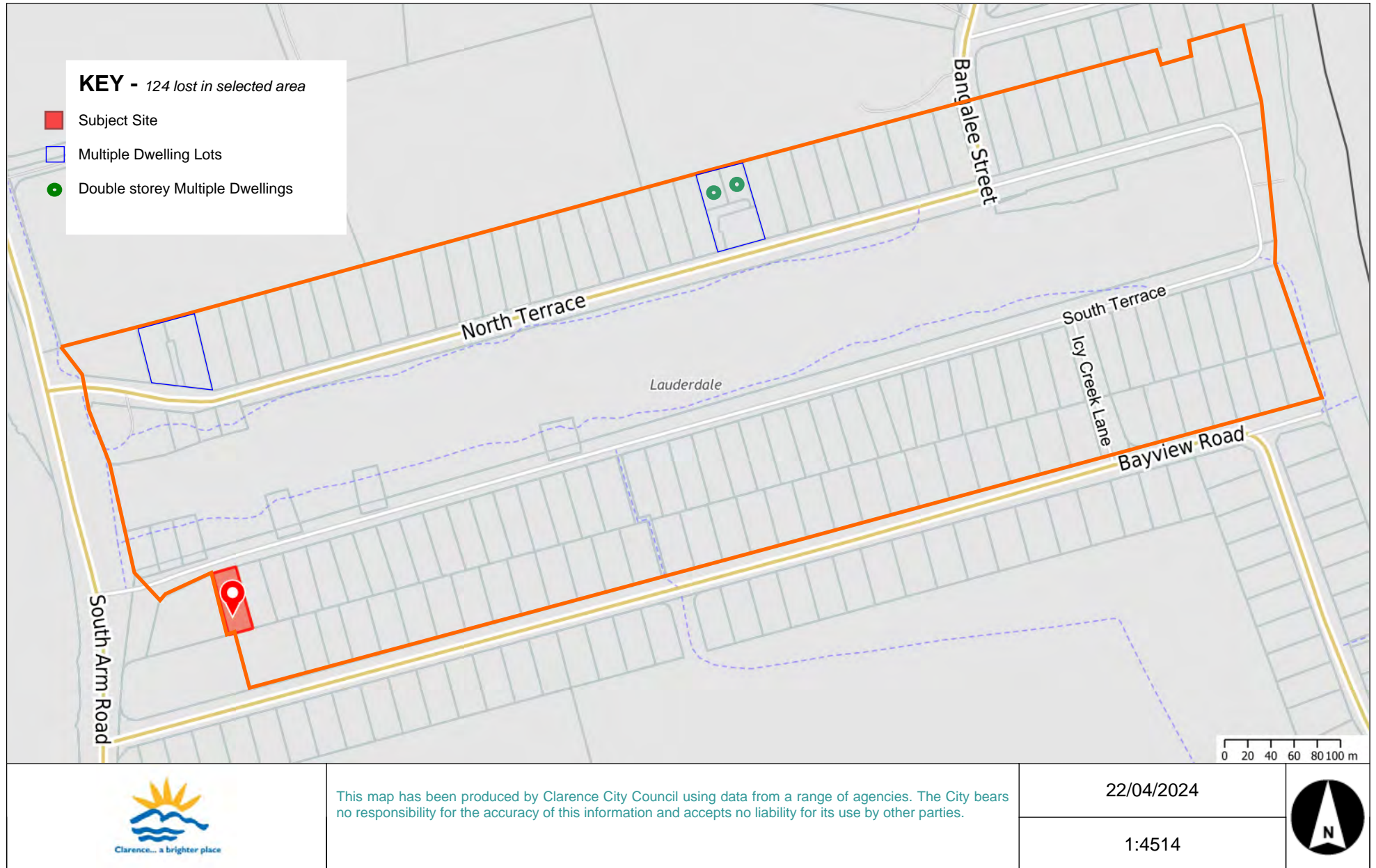
SHADOW DIAGRAM
PLAN

DRG No
2023-10-WD607

REV

A3

Attachment 3



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.

22/04/2024

1:4514



Attachment 4

Image One (below): Existing dwelling at 1 South Terrace, southern elevation.



Image Two (below): Existing dwelling, access and view to the rear of the site at 1 South Terrace, southern elevation.



7.2 PLANNING APPLICATION PDPLANPMTD-2024/041806 – 23 SABRE PLACE, SANDFORD - VISITOR ACCOMMODATION (TWO UNITS)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for visitor accommodation (comprising two self-contained units) at 23 Sabre Place, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Parking and Sustainable Transport Code, Bushfire-prone Areas Code, Coastal Erosion Hazard Code, Flood-prone Hazard Areas Code, Landslip Hazard Code and Natural Assets Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory period which has been extended and expires on 9 May 2024.

CONSULTATION

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

- Restrictive covenants on title documents,
- Incompatibility of the scale of the development and intensity of the use with the surrounding area,
- Loss of residential amenity for adjoining properties, and
- Vegetation removal and degradation of natural environment.

RECOMMENDATION:

A. That the Planning Application for Visitor Accommodation (Two Units) at 23 Sabre Place, Sandford (C1 Ref PDPLANPMTD-2024/041806) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. LAND 1A – LANDSCAPE PLAN.

ADVICE

That the following advice be included in the approval documentation, in addition to standard advice.

- a. The landowner is encouraged to seek independent legal advice with regard to the application of covenants within the Schedule of Easements to Sealed Plan 38160.
 - b. The applicant is encouraged to include design responses within buildings and structures to minimise risk of bird strike by:
 - (i) eliminating or obscuring transparent or highly reflective obstacles that are not readily perceptible by birds in flight, such as, mesh fences more than 1.5m, uncovered corner windows or opposing windows that allow sightlines through buildings, and
 - (ii) using low reflectance glass on external surfaces, or
 - (iii) angling glass surfaces to reflect the ground or built fabric rather than the sky or habitat.
 - c. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building application.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Rural Living under the Scheme.

2.2. The proposal is discretionary because it does not meet applicable 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 11 – Rural Living Zone,

- Section C2.0 – Parking and Sustainable Transport Code,
- Section C7.0 – Natural Assets Code,
- Section C10.0 – Coastal Erosion Hazard Code,
- Section C12.0 – Flood-prone Hazard Areas Code,
- Section C13.0 – Bushfire-prone Areas Code, and
- Section C15.0 – Landslip Hazard Code.

2.4. Council’s 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 is a 2.6-hectare lot located at the head of Sabre Place, on the west side of Gellibrand Drive in Sandford. It is adjacent to the crown foreshore reserve and currently contains a large outbuilding and shipping container.

The site is accessed down a gravel road to the main volume of the lot. It shares a north-western boundary with 35 Sabre Place and is bordered by Council foreshore access strip to the south-east. The site has a moderate downward slope from the ridge along the north-western boundary southward toward Mortimer Bay. Much of the central part of the lot has been cleared aside from a few pockets of vegetation and numerous mature eucalypts.

The location of the site and site images are shown in Attachment 1.

3.2. The Proposal

The proposal is for 2 two-storey visitor accommodation units along the north-western ridge of the site. The lower level of each building will contain a small kitchen, living and dining area, toilet and utility room, with the upper level of each unit containing two bedrooms, each with a small balcony overlooking Mortimer Bay, and a bathroom and ensuite.

Both levels of each building have 50m² of gross floor area with exterior decks extending the living spaces on the lower level, orientated south-west toward Mortimer Bay. The lower levels will be clad in stone panels and the upper levels clad in timber. The maximum building height of Unit 1 and Unit 2 is 7.72m and 8.2m respectively.

The proposal also includes provision for parking for guests located off the existing access for the site.

The site plan indicated a future dwelling site to the south, but this is not part of the current application.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

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

4.2. Determining Applications [Section 6.10]

“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”*

References to these principles are contained in the discussion below.

4.3. General Provisions

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

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

4.4. Compliance with Zone and Codes

Visitor Accommodation is a permitted use in the Rural Living Zone.

The proposal meets the Scheme’s applicable Acceptable Solutions of the Rural Living Zone and Parking and Sustainable Transport Code, Bushfire-prone Areas Code, Coastal Erosion Hazard Code, Flood-prone Hazard Areas Code, Landslip Hazard Code and Natural Assets Code, with the exception of the following.

Rural Living Zone

- **Clause 11.3.2** – the proposal entails the construction of new habitable buildings and therefore does not comply with the Acceptable Solution A1. The proposal must be assessed against Performance Criteria P1 as follows.

Clause	Performance Criteria	Assessment
11.3.2 P1	<p><i>“Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</i></p> <p><i>(a) the privacy of adjoining properties;</i></p>	<p>The proposal is assessed as satisfying Performance Criteria P1, as set out below.</p> <p>The lots in Sabre Place generally contain large, single dwellings with associated large outbuildings, usually set in a cleared area toward the centre of the lot.</p> <p>The nearest dwelling to the proposal is located in excess of 50m to the north of the proposed units, with some vegetation screening along the boundary. Due to the vegetation cover, it is unlikely that the buildings will be visible from the public road.</p> <p>The character of the area is rural-residential with large dwellings and outbuildings set in cleared areas of large lots. Further toward the southern end of Gellibrand Drive, in particular, properties are shaped by moderate gradients and denser patches of vegetation.</p>

		<p>At the subject site, the proposed units are sited toward the north-western boundary of the lot which is the high point of the site with the best vantage point to view Mortimer Bay. The buildings are setback a minimum of 22m from the boundary. The nearest adjoining residential dwelling is setback approximately 30m from the shared boundary. Accordingly, the two units will be located more than 50m and 80m respectively to the dwelling on the adjoining property at 35 Sabre Place. The buildings are not expected to be visible from any other dwelling on an adjoining property.</p> <p>The proposal does include a landscaping plan, which proposes the planting of new vegetation in areas where the existing band of vegetation becomes sparse, with the intention of maximising privacy between the two properties.</p> <p>A condition is recommended that requires a detailed landscaping plan, showing appropriate species selection, planting location and ongoing maintenance regime.</p> <p>Floor plans of the adjacent dwelling at 35 Sabre Place appear to show that the primary orientation is north-west, while the living spaces of both of the proposed accommodation units are orientated south-west and glazing is minimised on the north-orientated elevations.</p>
	<p><i>(b) any likely increase in noise to adjoining properties;</i></p>	<p>The levels of noise that can be reasonably anticipated with small-scale visitor accommodation as proposed is equivalent to what would be expected of a similar scale residential use. Given that each building accommodates two bedrooms, it is conceivable that as much or less noise could be associated with the proposed visitor accommodation use compared to a four-bedroom dwelling.</p>

		<p>The physical separation and vegetation cover between the existing dwelling on the adjoining lot and the two proposed accommodation units is considered suitable to mitigate potential increase in noise resulting from the proposal.</p>
	<p><i>(c) the scale of the use and its compatibility with the surrounding character and uses within the area;</i></p>	<p>The proposed buildings are small in scale, and while there is not an associated dwelling on the site, they are not incompatible with the normal grouping of a large main building and associated outbuildings in the area.</p> <p>Multiple habitable structures are not uncommon in the area. In the immediate vicinity of Sabre Place there are several other sites with secondary residences (ancillary dwellings). These include: 59 Sabre Place; 532 Gellibrand Drive and 509 Gellibrand Drive.</p> <p>There are also records of twenty-six properties in Sandford which have a historical or current visitor accommodation use. These include 67 Baragoola Lane; 2156 South Arm Road; 1 Sandville Place and 117 Richardsons Road.</p> <p>The proposal has also been designed so that its scale would be within the 200m² gross floor area limit prescribed by the Acceptable Solution of this Clause, which affirms that the scale of the use is within the limits of what is considered acceptable within the Rural Living Zone.</p> <p>Importantly, the purpose of the Rural Living Zone includes “to provide for Visitor Accommodation that is compatible with residential character.” The scale and nature of this proposal is assessed as meeting this purpose statement.</p>
	<p><i>(d) retaining the primary residential function of an area;</i></p>	<p>As noted above, the proposed use is of an intensity and scale that would very closely resemble that of a residential use and therefore, is compatible with the residential use in the wider area and does not preclude the area from achieving its primary residential function.</p>

	<i>(e) the impact on the safety and efficiency of the local road network; and</i>	Sabre Place is a standard cul-de-sac off Gellibrand Drive, about halfway between Rifle Range Road and South Arm Road. It is capable of accommodating any increased road usage associated with the proposed use. Council’s development engineers do not have any concerns that the proposal would have any impact on the safety or efficiency of the local road network.
	<i>(f) any impact on the owners and users’ rights-of-way.”</i>	There is no right-of-way burdening or benefitting.

Parking and Sustainable Transport Code

- **Clause C2.6.1** – the proposal entails the construction of a new gravel driveway off the existing. It does not comply with the Acceptable Solution A1, and the proposal must be assessed against Performance Criteria P1 as follows.

Clause	Performance Criteria	Assessment
C2.6.1 P1	<p><i>“All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</i></p> <p><i>(a) the nature of the use;</i></p>	<p>The proposal is assessed as satisfying Performance Criteria P1, as set out below.</p> <p>The proposed gravel driveway was assessed by Council’s engineers, who formed the opinion that the proposed surfacing is reasonable for the proposed use. Council engineers are satisfied that the parking and access would remain usable in all weather conditions.</p> <p>As noted above, the nature of the use is considered in alignment with ordinary residential use and driveway construction within the area.</p>
	<i>(b) the topography of the land;</i>	There are no topographical factors on the site considered relevant to the all-weather useability of the proposed driveways and parking.
	<i>(c) the drainage system available;</i>	The proposed driveway is based on a standard detail for a gravel driveway, comprising falls from a central crown and a (swale) drainage ditch along either side. These are diverted to the stormwater collection system on-site.

	<i>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</i>	The likelihood of transporting any sediment or debris from the site onto a public place is considered negligible.
	<i>(e) the likelihood of generating dust; and</i>	The likelihood of generating dust is considered in alignment with the same expectation for residential uses in the area. The existing access of Sabre Place is of the same design, and it is commonly used for the same purposes in the surrounding area.
	<i>(f) the nature of the proposed surfacing.”</i>	As described above, the proposed driveway is based on a standard detail, comprising falls from a central crown and ditch (swale) drainage along either side; and two layers of compacted FCR base.

Natural Assets Code (Priority Vegetation)

- Clause C7.6.2** – the proposal involves the clearance of one tree within a mapped priority vegetation area to facilitate the construction of Building 2, and therefore does not comply with Acceptable Solution A1. The proposal was referred to Conservation Assessments (CAS) at the Department of Natural Resources and Environment Tasmania, who expressed no objection to the proposal. A natural values assessment report was not requested or required given the clearance is limited in scale relative to the extent of priority vegetation on the site. The proposal must be assessed against Performance Criteria P1.1 and P1.2 as follows.

Clause	Performance Criteria	Assessment
7.6.2 P1.1	<p><i>“Clearance of native vegetation within a priority vegetation area must be for:</i></p> <p><i>(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</i></p>	<p>The proposal is assessed as satisfying Performance Criteria P1.1, as follows.</p> <p>The proposal must demonstrate compliance with one of the prescribed criteria.</p>

	<i>(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;</i>	The buildings and works are not associated with the construction of a single dwelling or an associated outbuilding.
	<i>(c) subdivision in the General Residential Zone or Low-Density Residential Zone;</i>	The proposal is not for subdivision in the General Residential Zone or Low-Density Residential Zone.
	<i>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</i>	It has not been demonstrated that the proposed use and development would result in significant long-term social and economic benefits, nor have feasible alternative locations or designs been considered.
	<i>(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</i>	It has not been demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation, or that there is little potential for long-term persistence.
	<i>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</i>	<p>The proposed development identifies one tree that will be removed which appears to be within the current mapping of the priority vegetation overlay.</p> <p>As the proposed buildings are largely outside the priority vegetation area of the site, it is expected that any additional clearing required to achieve the appropriate bushfire hazard management area around the buildings would be minimal.</p> <p>Accordingly, the clearance of native vegetation is limited in scale relative to the extent of the priority vegetation on the site.</p>
7.6.2 P1.2	<p><i>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</i></p> <p><i>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</i></p>	<p>The proposal is assessed as satisfying the Performance Criteria P1.2, as set out below.</p> <p>As previously noted, there is a ridge line along the north-western boundary of the site. This represents a logical place to situate the visitor accommodation buildings with respect to maximising views across Mortimer Bay. There is also a band of relatively dense vegetation along that boundary, which is mapped as priority vegetation.</p>

		The design of the two buildings responds to these competing factors by locating them as far up the ridge as possible, while remaining for the most part clear of existing vegetation and maintaining a reasonable setback from the adjoining property.
	<i>(b) any particular requirements for the buildings and works;</i>	No particular requirements for the building and works have been identified.
	<i>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</i>	The proposed location of the two buildings on the site with respect to the existing vegetation minimises impact on priority vegetation resulting from bushfire hazard management measures.
	<i>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</i>	No particular mitigation measures have been identified or considered necessary.
	<i>(e) any on-site biodiversity offsets; and</i>	The proposal includes a concept planting scheme along the north-western boundary of the site, suggesting that thirteen additional trees will be planted in association with the development. This would represent an offset substantially greater than the impact anticipated from the proposed clearance of one tree. Written correspondence from the owner suggests that 11 of those have already been planted and 60 additional trees have been ordered for the site. A condition on the permit with regard to implementing any landscaping is appropriate.
	<i>(f) any existing cleared areas on the site.”</i>	Much of the central part of the site is cleared. The location of the proposal responds to this as the majority of the proposal is based in the already cleared zone.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and four representations were received during the statutory advertising period. One representation was received outside that period but raised similar concerns to those already submitted. The following issues were raised by the representors.

5.1. The existence of a restrictive covenant on the subject lot prohibiting the construction of more than one dwelling.

The site is identified as Lot 56 on Sealed Plan 38160. The relevant Schedule of Easements identifies a restrictive covenant “Not to use any building or structure erected or placed on such Lot, other than as a single residence for one family only.” Representors expressed concerns that the proposed development is in contravention of this covenant, insofar as it is for two visitor accommodation buildings.

- **Comment**

Compliance with covenants is a private law matter between the lot owners as parties to that Sealed Plan. As there is no applicable standard in the State Planning Provisions and the Local Provisions Schedules relating to compliance with covenants, this concern can have no weight in the determination of the application. Advice relating to the covenant will be provided to the applicant recommending that they seek their own legal advice on this matter. If there are any issues or concerns with compliance with the covenants, this is a matter between the lot owners.

5.2. The incompatibility of the proposal with the character of the area.

Representors expressed concerns that two visitor accommodation buildings would run counter to the existing character of the area because it would involve multiple structures on the property, as well as the potential for multiple guests to stay at any one time. “Commercial accommodation has no place in an entirely residential community....”

- **Comment**

The character of the area is described in the above assessment and complies with the relevant standard through the performance criteria.

It is noted that such a use is permitted in the zone and specifically referenced in the zone purpose statement. Accordingly, the planning scheme clearly considers that the visitor accommodation use, if an appropriate scale or form, is suitable for the area. Specifically, Performance Standard 11.3.2 P1 requires that the proposal be compatible with the character of the area.

As noted in the above assessment, the intensity and scale of the proposed use is assessed as similar to that of other residential uses in the area. This aligns with the purpose of the zone to provide for visitor accommodation that is compatible with residential character.

5.3. Loss of residential amenity for adjoining properties.

Concerns for privacy and visual impact were expressed by the representors. Concern was raised about the positioning of the two accommodation buildings being too close to the boundary, and that the buildings were too high, meaning that lines of sight would likely be possible into the neighbour's yard and outbuilding, as well as the primary residence. The proposal includes the planting of trees along the shared boundary to provide additional screening and privacy, which is acknowledged by representors; but deemed insufficient and unlikely to survive given the dryness of the area. The nature of the use is perceived as likely to increase noise from increased vehicle movements associated with visitors staying in the accommodation.

- **Comment**

As noted above, the proposal is assessed as complying with the application applicable standard for privacy and visual impact. Furthermore, the siting of the proposed visitor accommodation buildings is considered to balance the privacy for potential guests and for inhabitants of adjoining properties, as well as to situate the buildings within already cleared areas taking advantage of the highest point on the site to maximise views over Mortimer Bay and South Arm.

In addition to a 20m wide band of vegetation separating the two properties, and the respective building orientations being different, there is 50m separating Building 1 and 80m separating Building 2 to the existing dwelling at 35 Sabre Place. It is noted above that the scale of the two buildings in combination, in terms of both building height and volume, is comparable with that of the neighbouring dwelling, not including its associated outbuildings. Nevertheless, a condition is recommended for a detailed landscaping plan, showing appropriate species selection, planting location and ongoing maintenance regime.

5.4. Clearance of priority vegetation and bushfire management.

Representors expressed concerns regarding the clearance of vegetation and the earthworks required to facilitate the proposed development, and resultant reduction of potential habitat for vulnerable or threatened species. Due to the nature of the use, representors also expressed concern that the heightened requirements for bushfire management might necessitate more clearance than would otherwise be necessary.

- **Comment**

The above assessment has concluded that the proposal complies with the applicable standard in the Natural Assets code dealing with priority vegetation clearance. The same code deals with the management of impacts on threatened fauna species by minimising clearance of significant habitat to which the proposal is assessed as achieving.

6. EXTERNAL REFERRALS

As noted above, the proposal was referred to Conservation Assessments (CAS) at the Department of Natural Resources and Environment Tasmania, who expressed no objection to the proposal.

CAS noted the possible presence of Swift Parrots (*Lathamus discolor*), which are listed as endangered under the *Threatened Species Protection Act 1995* (TSPA) and critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA), as well as potential foraging habitat for the species within the vicinity of the site. Advice was provided recommending that infrastructure, such as windows and fences be designed to minimise collision risks to swift parrots. As consideration of this issue is not required within this zone or code, it is not appropriate to include by way of condition; however, relevant advice will be included encouraging the applicant to consider including this in the building application.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

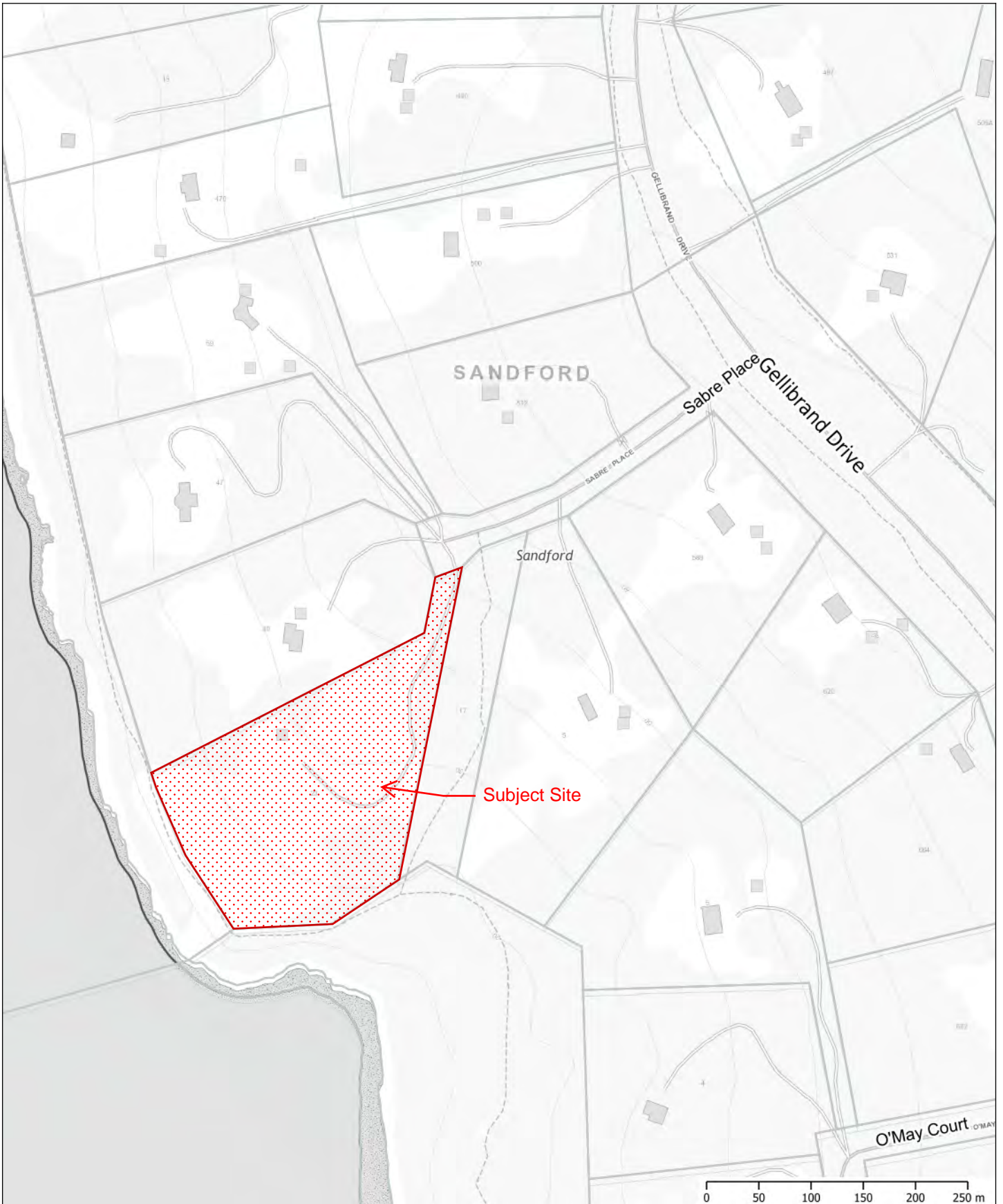
9. CONCLUSION

The proposal is recommended for approval.

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

Daniel Marr
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.

10/04/2024
1:5000



PINNACLE














23 Sabre Pl, Sandford 7020

Owner(s) or Clients	Kris Forsyth	Title Reference	38160/56
Building Classification	1a	Zoning	Rural Living
Designer	Jason Nickerson CC6073Y	Land Size	26410m ²
Total Floor Area (Combined)	200m ² Deck 106m ²	Design Wind Speed	TBA
Alpine Area	N/A	Soil Classification	TBA
Other Hazards	Low landslip hazard area, Flood prone area, Waterway and coastal protection area, Bushfire prone area, Priority vegetation area, High coastal erosion hazard band	Climate Zone	7
<small>(e.g., High wind, earthquake, flooding, landslip, dispersive soils, sand dunes, mine subsidence, landfill, snow & ice, or other relevant factors)</small>		Corrosion Environment	Severe
		Bushfire Attack Level (BAL)	TBA

ID	Sheet Name	Issue
A.01	Location Plan	DA - 03
A.02	Site Plan	DA - 03
A.03	Lower Floor Plan - V1 & V2	DA - 03
A.04	Upper Floor Plan - V1 & V2	DA - 03
A.05	Elevations - V1	DA - 03
A.06	Elevations - V1	DA - 03
A.07	Elevations - V2	DA - 03
A.08	Elevations - V2	DA - 03
A.09	Roof Plan - V1 & V2	DA - 03

Legend

-  - Electrical Connection
-  - Electrical Turret
-  - Sewer Connection
-  - Stormwater Connection
-  - Telstra Connection
-  - Telstra Pit
-  - Water Meter
-  - Water Stop Valve
-  - Fire Hydrant
-  - Solar Bollard Light
-  - Spotlight with sensor

Survey Notes from Surveyor

While all reasonable effort has been made to locate all visible above ground services, there may be other services which were not located during the field survey. Prior to any demolition, excavation, final design or construction on this site, a full site inspection should be completed by the relevant engineers.



All survey data is 3D. The level (z-value) of any specific feature can be interrogated with a suitable CAD package. Spot heights of all features, including pipe inverts, are included in the model space but are not displayed on the PDF. Spot heights are organised into appropriate layers, and can be displayed as required.

DATUM - Vertical : AHD per SPM9670 with reputed AHD level of 82.006 from SURCOM on 26/09/2022
Date of Survey: 26/09/2022

Site Areas

Site Area	26410m ²
Building Footprint	200 m ²
Total Site Coverage	0.76%



<p>PINNACLE</p> <p>PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence: CC6073Y</p>	<p>Location Plan</p> <p>Revision: DA - 03 Approved by: JN & MM</p>	<p>Scale: 1:1000 @ A3 Pg. No: A.01</p>	<p>Proposal: Visitor Accommodations Client: Kris Forsyth Address: 23 Sabre Pl, Sandford 7020</p>	<p>Date: 25/01/2024 Drawn by: RZ Job No: 047-2023 Engineer: TBA Building Surveyor: TBA</p>	<p>Issue Date DA 02 13.02.2024 DA 03 28.02.2024</p>	<p>Description Planning RFI Amendments Planning RFI Amendments</p>		<p><small>These drawings are the property of Pinnacle Drafting & Design Pty Ltd. reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINNACLE DRAFTING & DESIGN PTY LTD.</small></p>	
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Legend

- Electrical Connection
- Electrical Turret
- Sewer Connection
- Stormwater Connection
- Telstra Connection
- Telstra Pit
- Water Meter
- Water Stop Valve
- Fire Hydrant
- Solar Bollard Light
- Spotlight with sensor

Surface Water Drainage

Ground to fall away from building in all directions in compliance with AS2870 & N.C.C 2022 3.3.3.

Surface water must be diverted away from a Class 1 building as follows:

- (a) Slab-on-ground - finished ground level adjacent to a building: the external finished surface surrounding the slab must be drained to move surface water away from the building and graded to give a slope of not less than (i) 25mm over the first 1m from the building (A) in low rainfall intensity areas for surfaces that are reasonably impermeable (such as concrete or claying); or (B) for any reasonably impermeable surface that forms part of an access path or ramp provided for the purposes of Clauses 1.1 (2) or (4)(c) of the ABCB Standard for Livable Housing Design; or (ii) 50 mm over the first 1 m from the building in any other case.
- (b) Slab-on-ground - finished slab heights: the height of the slab-on-ground above external finished surfaces must be not less than (i) 100 mm above the finished ground level in low rainfall intensity areas or sandy, well-drained areas; or (ii) 50 mm above impermeable (paved or concrete) areas that slope away from the building in accordance with (a); or (iii) 150 mm in any other case.
- (c) The ground beneath suspended floors must be graded so that the area beneath the building is above the adjacent external finished ground level and surface water is prevented from ponding under the building.

Subsoil Drainage

is to comply with AS2870, AS3500 & N.C.C 2022 3.3.4.

Where a subsoil drainage system is installed to divert subsurface water away from the area beneath a building, the subsoil drain must-

- (a) be graded with a uniform fall of not less than 1:300; and
- (b) discharge into an external silt pit or sump with-
 - (i) the level of discharge from the silt pit or sump into an impervious drainage line not less than 50 mm below the invert level of the inlet and provision for cleaning and maintenance.

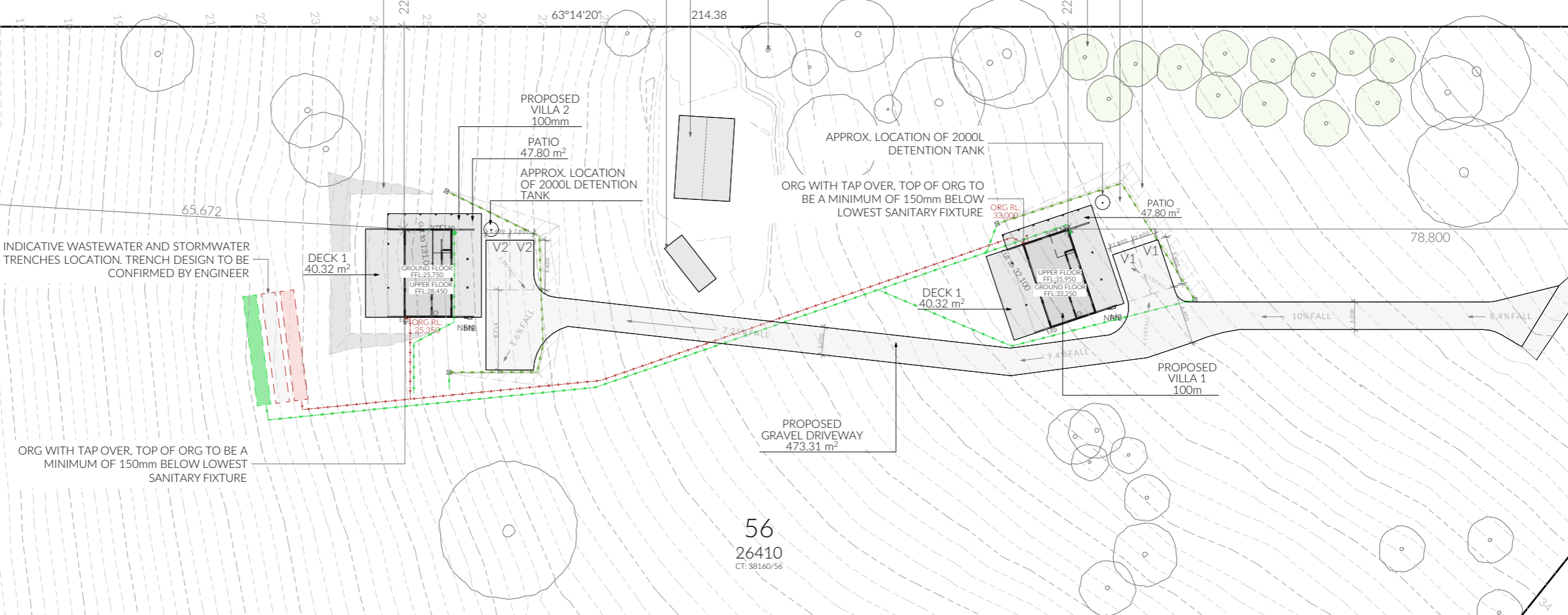
Note

All driveway pits and grate drains to be Class B.

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

Revision 13/02/24

FILL TO COMPLY WITH NCC 2022 VOL II 3.2.1 & TABLE 3.2.1



INDICATIVE WASTEWATER AND STORMWATER TRENCHES LOCATION. TRENCH DESIGN TO BE CONFIRMED BY ENGINEER

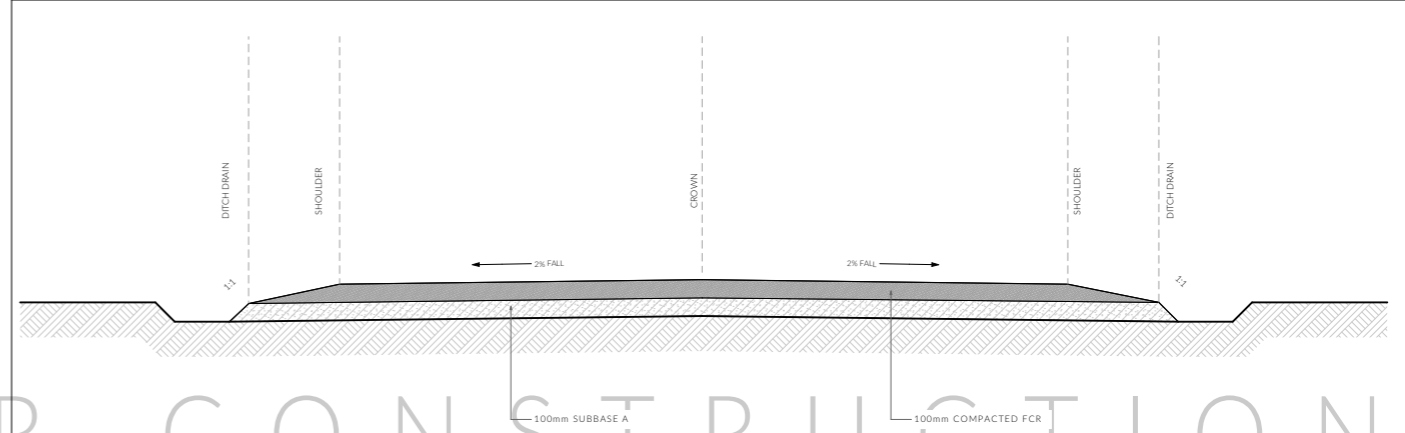
ORG WITH TAP OVER, TOP OF ORG TO BE A MINIMUM OF 150mm BELOW LOWEST SANITARY FIXTURE

Site Areas

Site Area	26410 m ²
Building Footprint	200 m ²
Total Site Coverage	0.76%

Survey Notes from Surveyor

While all reasonable effort has been made to locate all visible above ground services, there may be other services which were not located during the field survey. Prior to any demolition, excavation, final design or construction on this site, a full site inspection should be completed by the relevant engineers. All survey data is 3D. The level (z-value) of any specific feature can be interrogated with a suitable CAD package. Spot heights of all features, including pipe inverts, are included in the model space but are not displayed on the PDF. Spot heights are organised into appropriate layers, and can be displayed as required. DATUM - Vertical : AHD per SPM9670 with reputed AHD level of 82.006 from SURCOM on 26/09/2022 Date of Survey: 26/09/2022



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PINNACLE DRAFTING & DESIGN
7/3 Abernatt Way, Cambridge 7170
03 6248 4218
admin@pinnacledrafting.com.au
www.pinnacledrafting.com.au
Licence: CC6073Y

Site Plan
Scale: 1:500 @ A3
Pg. No: A.02
Revision: DA - 03
Approved by: JN & MM

Proposal: Visitor Accommodations
Client: Kris Forsyth
Address: 23 Sabre Pl, Sandford 7020

Date: 25/01/2024
Drawn by: RZ
Job No: 047-2023
Engineer: TBA
Building Surveyor: TBA

Issue Date: DA 02 13.02.2024, DA 03 28.02.2024
Description: Planning RFI Amendments, Planning RFI Amendments



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Access Panel



Articulation Joint



Smoke Alarm

Construction of sanitary compartments

10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -
· open outwards; or
· slide; or
· be readily removable from the outside of the compartment.

unless there is a clear space of at least 1.2 m, measured in accordance with Figure 10.4.2 of NCC 2022 Vol II, between the closet pan within the *sanitary compartment* and the doorway.

Note: Safe Movement & Egress

Openable windows greater than 4m above the surface below are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m. Refer to clauses 11.3.7 and 11.3.8 of NCC 2022 for further information on suitable protective devices.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with NCC Vol II 2022 Part 11.2.2:

Riser: Min 115mm - Max 190mm

Going: Min 240mm - Max 355mm

Slope (2R+G): Max 550 - Min 700

For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

Landings to comply with Clause 11.2.5 and be a minimum of 750mm deep measured 500mm from the inside edge of the landing.

Slip resistance of treads, nosings and ramps to comply with Clause 11.2.4.

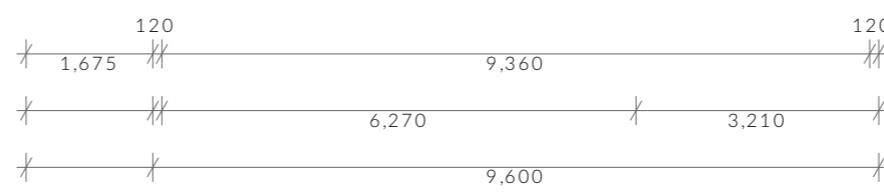
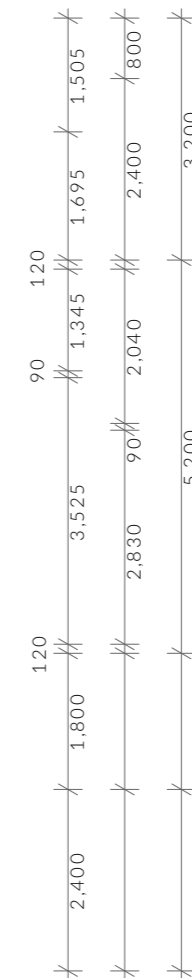
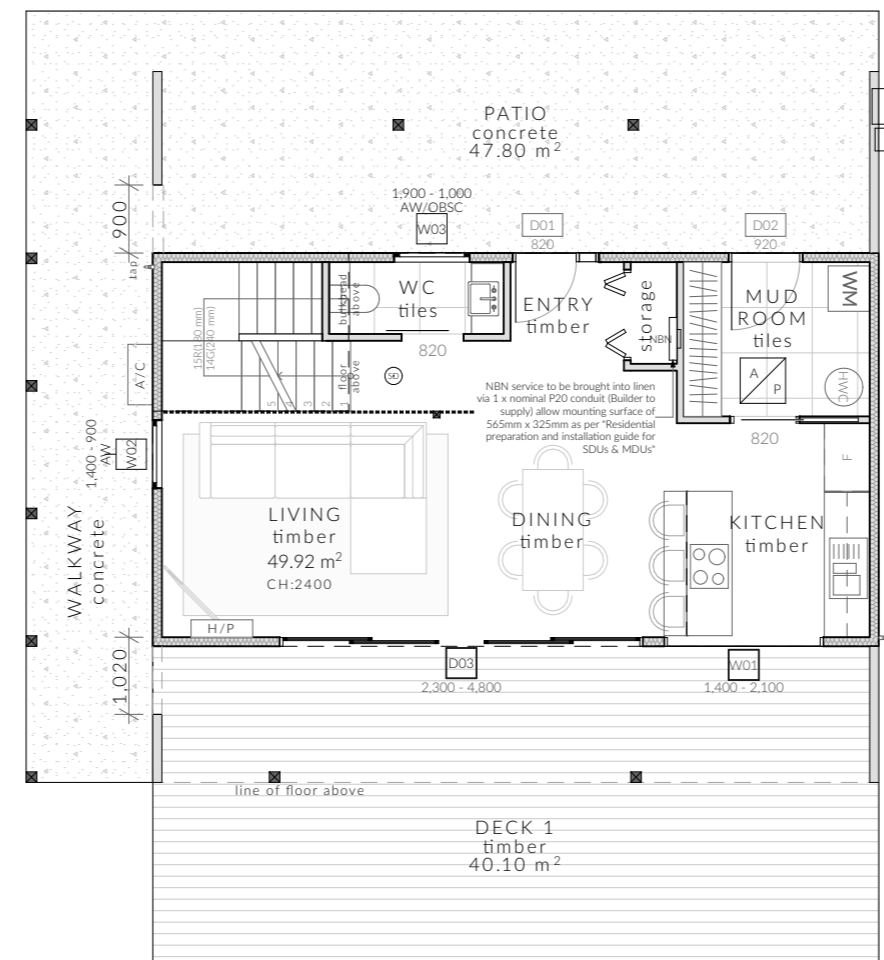
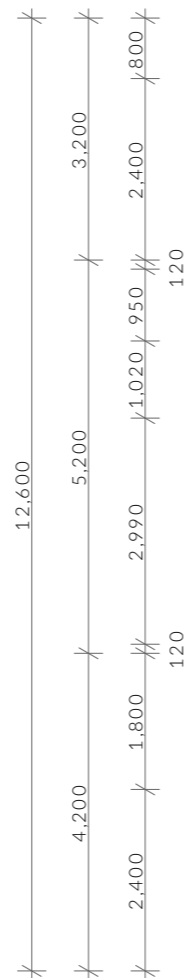
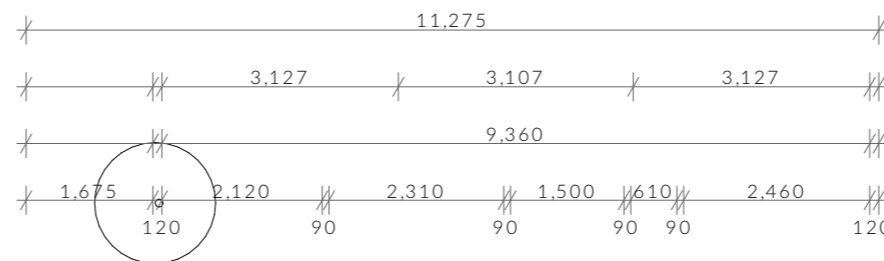
Heights of rooms & other spaces 10.3.1 of NCC 2022

Heights of rooms and other spaces must not be less than;
(a) in a *habitable room* excluding a kitchen - 2.4 m; and
(b) in a kitchen - 2.1 m; and
(c) in a corridor, passageway or the like - 2.1 m; and
(d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and
(e) in a room or space with a sloping ceiling or projections below the ceiling line within- See NCC directly for these items
(f) in a stairway, ramp, *landing*, or the like - 2.0 m measured vertically above the nosing line of stairway treads or the floor surface of a ramp, *landing* or the like.

If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.

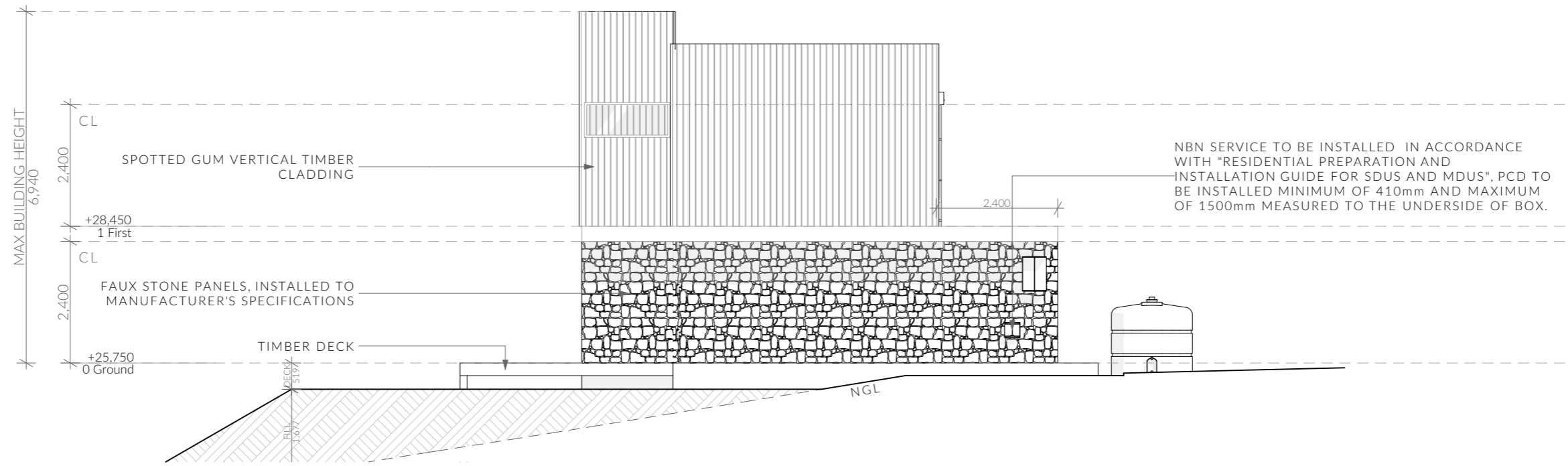
Floor Areas Per Villa

Lower Floor	49.92m ²
Upper Floor	49.92m ²
Total Floor Area	100m ²
Deck 1	40.07m ²
Deck 2	7.49m ²
Deck 3	5.40m ²
Patio & Walkway	47.80m ²



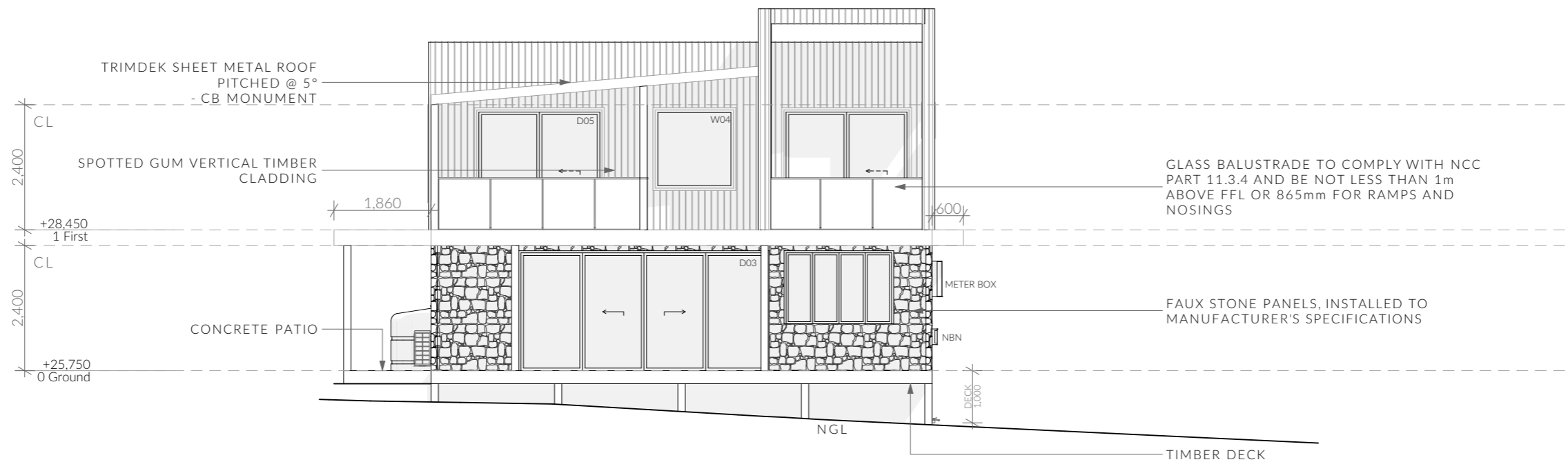
NOT FOR CONSTRUCTION

	PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au Licence: CC6073Y	Lower Floor Plan - V1 & V2 Revision: DA - 03 Approved by: JN & MM	Scale: 1:100 @ A3 Pg. No: A.03	Proposal: Visitor Accommodations Client: Kris Forsyth Address: 23 Sabre Pl, Sandford 7020	Date: 25/01/2024 Drawn by: RZ Job No: 047-2023 Engineer: TBA Building Surveyor: TBA	Issue Date DA 02 13.02.2024 DA 03 28.02.2024	Description Planning RFI Amendments Planning RFI Amendments		These drawings are the property of Pinnacle Drafting & Design Pty Ltd. reproduction in whole or part is strictly forbidden without written consent. © 2023. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting/producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINNACLE DRAFTING & DESIGN PTY LTD.	
	Document Set ID: 5207746 Version: 1, Version Date: 28/02/2024									



V2 - South Elevation

1:100



V2 - West Elevation

1:100

NOTE

Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of: 100mm in low rainfall intensity areas or sandy, well-drained areas; or 50mm above impermeable areas that slope away from the building; or 150mm in any other case.

Wall cladding must extend a minimum of 50 mm below the bearer or lowest horizontal part of the suspended floor framing.

U.N.O in builders specifications or located in saline environments or if using a glazed finish brick, brickwork is to be installed in stretcher bond pattern with raked joints.

As per NCC parts 11.3.7 and 11.3.8,

Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N. Except for bedrooms, where the requirement is for heights above 2m.

All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2

Riser: Min 115mm - Max 190mm Going: Min 240mm - Max 355mm Slope (2R+G): Max 550 - Min 700

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Access Panel



Articulation Joint



Smoke Alarm

Construction of sanitary compartments

10.4.2 of NCC 2022

The door to a fully enclosed sanitary compartment must -
· open outwards; or
· slide; or
· be readily removable from the outside of the compartment.

unless there is a clear space of at least 1.2 m, measured in accordance with Figure 10.4.2 of NCC 2022 Vol II, between the closet pan within the *sanitary compartment* and the doorway.

Note: Safe Movement & Egress

Openable windows greater than 4m above the surface below are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m. Refer to clauses 11.3.7 and 11.3.8 of NCC 2022 for further information on suitable protective devices.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with NCC Vol II 2022 Part 11.2.2:

Riser: Min 115mm - Max 190mm

Going: Min 240mm - Max 355mm

Slope (2R+G): Max 550 - Min 700

For stairways serving non-habitable room used infrequently, refer to table 11.2.2(b).

Landings to comply with Clause 11.2.5 and be a minimum of 750mm deep measured 500mm from the inside edge of the landing.

Slip resistance of treads, nosings and ramps to comply with Clause 11.2.4.

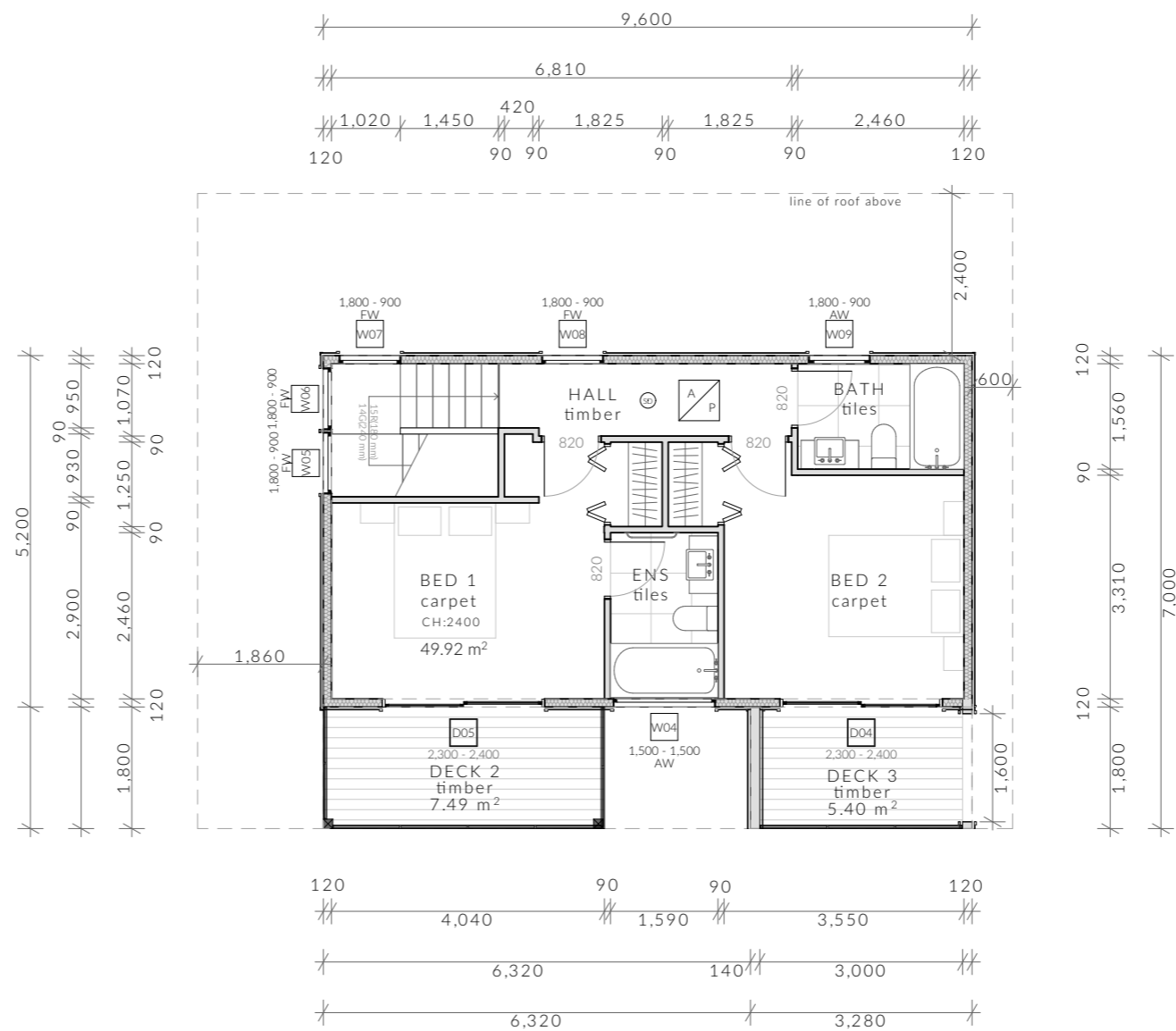
Heights of rooms & other spaces 10.3.1 of NCC 2022

Heights of rooms and other spaces must not be less than:
(a) in a *habitable room* excluding a kitchen - 2.4 m; and
(b) in a kitchen - 2.1 m; and
(c) in a corridor, passageway or the like - 2.1 m; and
(d) in a bathroom, shower room, laundry, *sanitary compartment*, airlock, pantry, storeroom, garage, car parking area or the like - 2.1 m; and
(e) in a room or space with a sloping ceiling or projections below the ceiling line within- See NCC directly for these items
(f) in a stairway, ramp, *landing*, or the like - 2.0 m measured vertically above the nosing line of stairway treads or the floor surface of a ramp, *landing* or the like.

If required onsite, the builder may work within the tolerances of the above as specified within the NCC 2022 Vol II. Builder to contact *Pinnacle* before undertaking works.

Floor Areas Per Villa

Lower Floor	49.92m ²
Upper Floor	49.92m ²
Total Floor Area	100m ²
Deck 1	40.07m ²
Deck 2	7.49m ²
Deck 3	5.40m ²
Patio & Walkway	47.80m ²



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PINNACLE

PINNACLE DRAFTING & DESIGN
7/3 Abernant Way, Cambridge 7170
03 6248 4218
admin@pinnacledrafting.com.au
www.pinnacledrafting.com.au
Licence: CC6073Y

Upper Floor Plan - V1 & V2

Revision: DA - 03
Approved by: JN & MM

Scale: 1:100 @ A3
Pg. No: A.04

Proposal: Visitor Accommodations
Client: Kris Forsyth
Address: 23 Sabre Pl, Sandford 7020

Date: 25/01/2024
Drawn by: RZ
Job No: 047-2023
Engineer: TBA
Building Surveyor: TBA

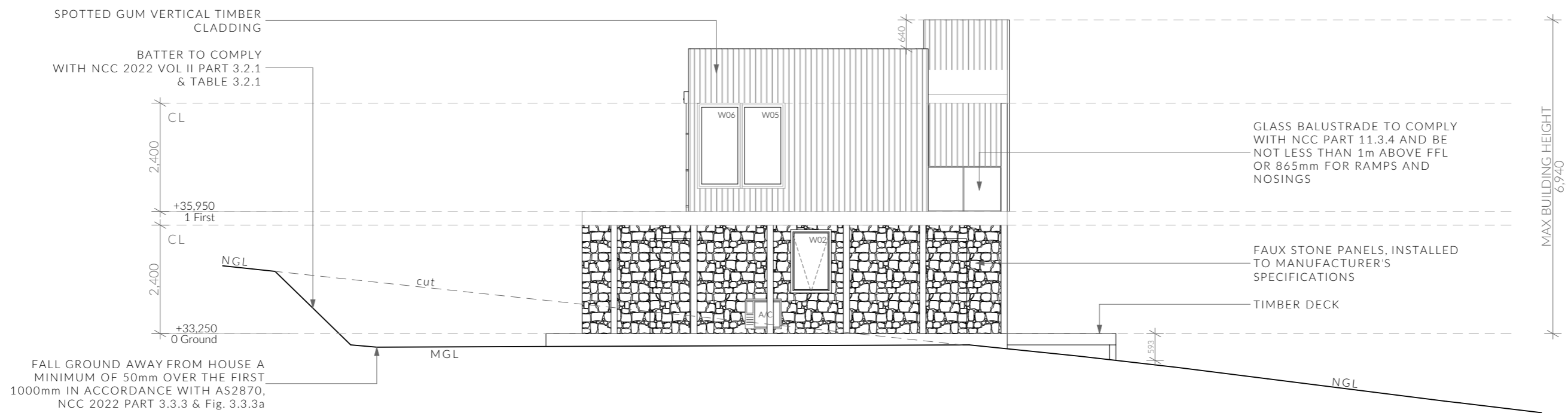
Issue Date
DA 02 13.02.2024
DA 03 28.02.2024

Description
Planning RFI Amendments
Planning RFI Amendments



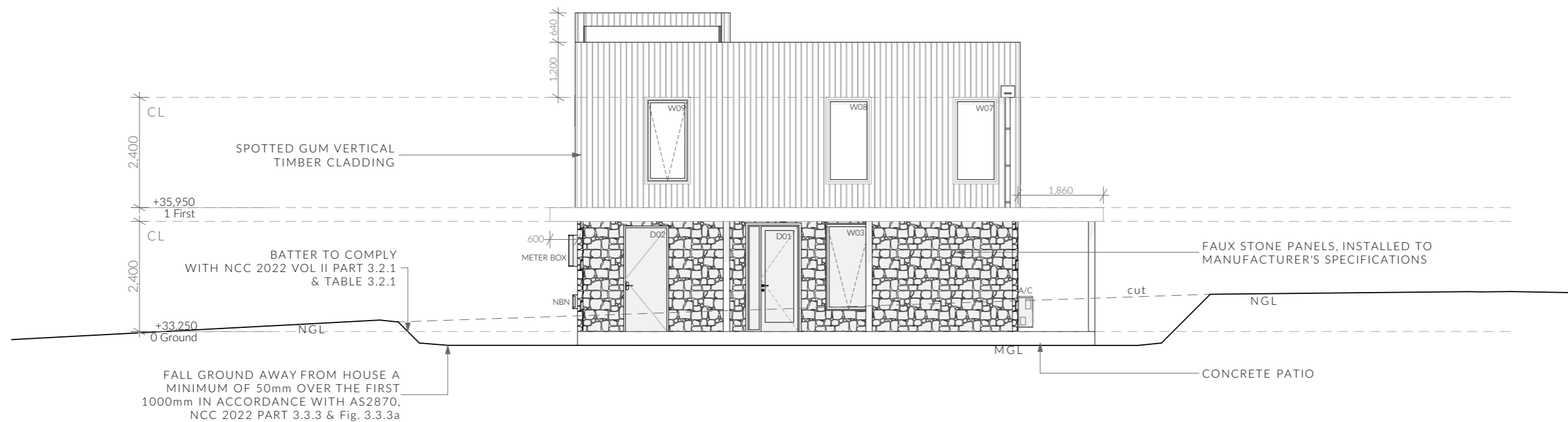
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V1 - North Elevation

1:100



V1 - East Elevation

1:100

NOTE

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As per NCC parts 11.3.7 and 11.3.8,

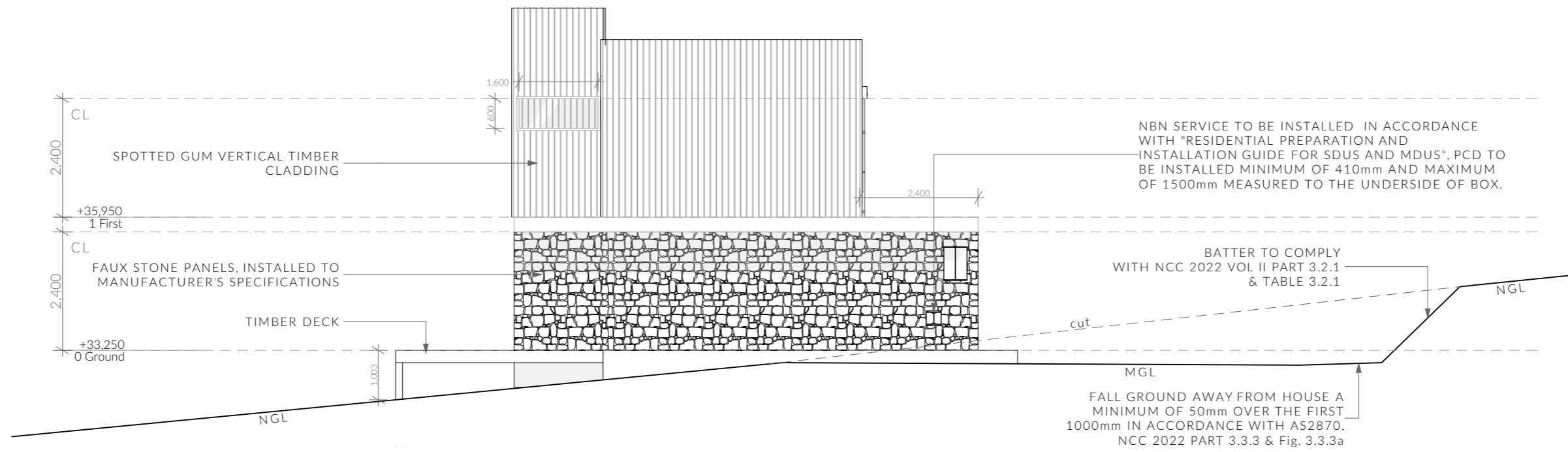
Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N. Except for bedrooms, where the requirement is for heights above 2m.

All stairs to be constructed in accordance with NCC 2022 Vol II Part 11.2.2

Riser: Min 115mm - Max 190mm Going: Min 240mm - Max 355mm Slope (2R+G): Max 550 - Min 700

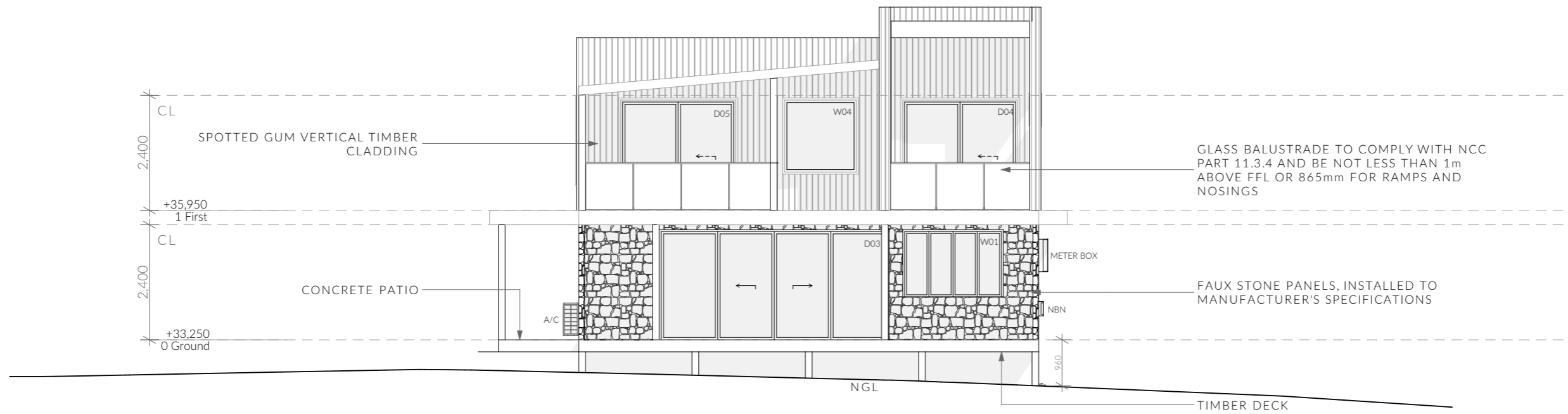
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V1 - South Elevation

1:100



V1 - West Elevation

1:100

NOTE

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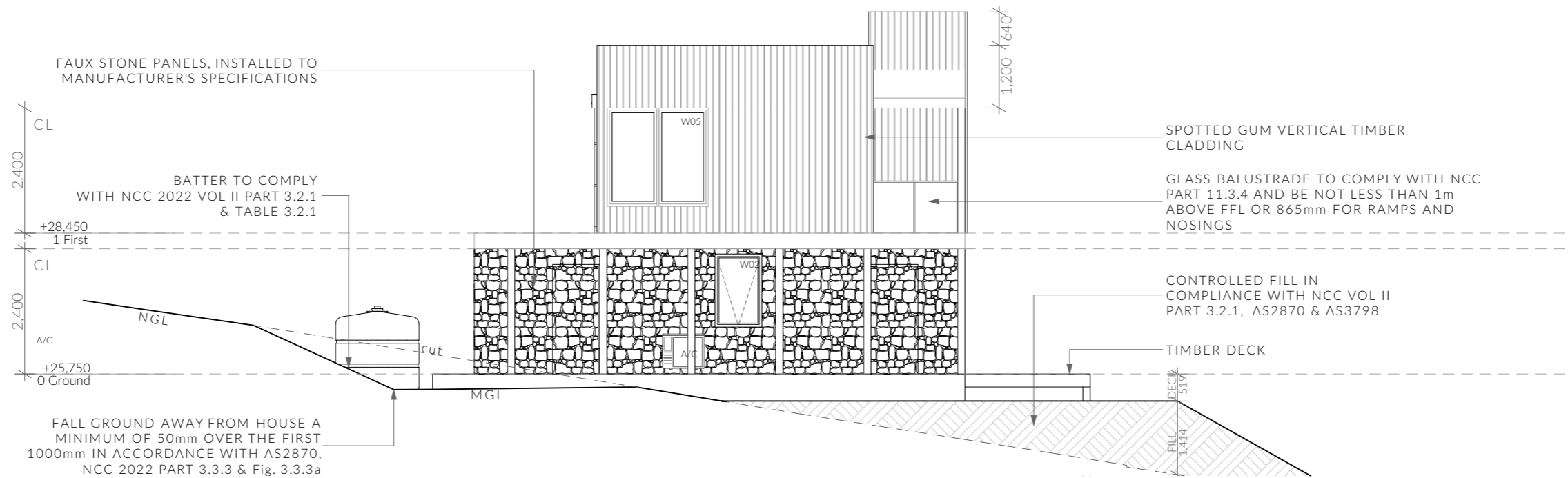
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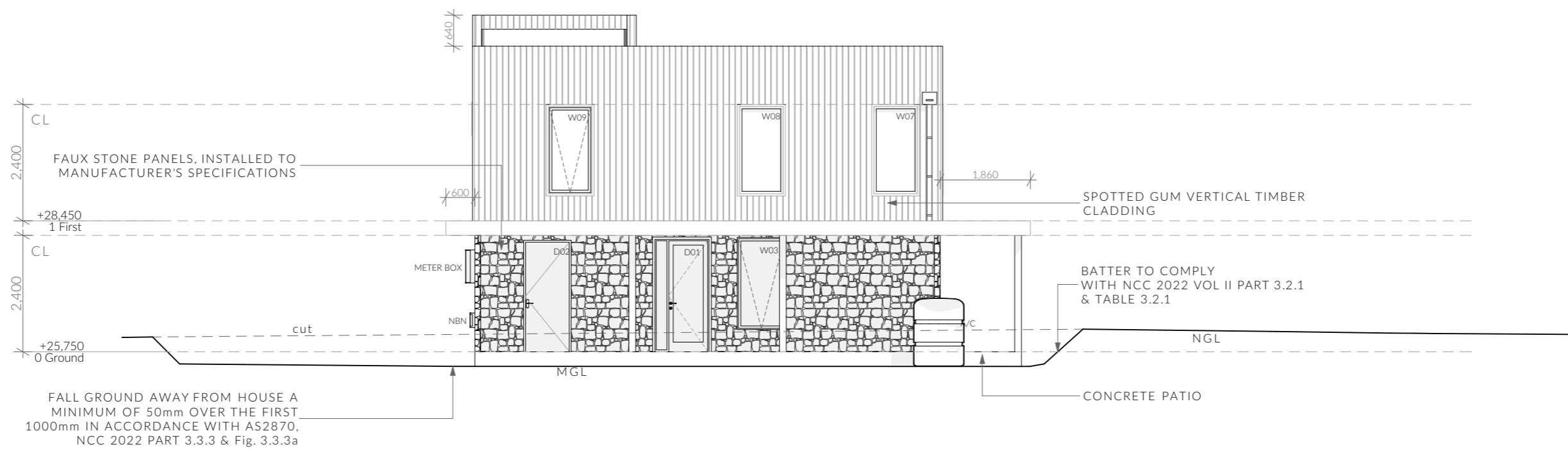
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	<p>Revision: DA - 03 Approved by: JN & MM</p>	<p>Document Set ID: 5207746 Version: 1, Version Date: 28/02/2024</p>	<p>Agenda Attachments - 23 Sabre Place, Sandford Page 9 of 13</p>					



V2 - North Elevation

1:100



V2 - East Elevation

1:100

NOTE

Clearances between cladding and ground shall comply with Clause 7.5.7 of the NCC 2022 and shall be a minimum clearance of: 100mm in low rainfall intensity areas or sandy, well-drained areas; or 50mm above impermeable areas that slope away from the building; or 150mm in any other case.

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	<p>Revision: DA - 03 Approved by: JN & MM</p>							

Attachment 3



Figure 1. Facing southwest from the entrance gate into the property at 23 Sabre Place.



Figure 2. Facing northwest within the cul-de-sac at the end of Sabre Place, toward the accesses for properties neighbouring 23 to the north.



Figure 3. Facing southwest into the property from the cul-de-sac at the end of Sabre Place.



Figure 4. From the northwesternmost point of the subject property, facing northeast along the boundary of 23 and 35 Sabre Place.



Figure 5. From the eastern boundary of the subject property facing west toward South Arm across the water.

7.3 LOCAL PROVISION SCHEDULE AMENDMENT REQUEST PDPSPAMEND-2022/030436 – 10 BINDARA ROAD, TRANMERE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for council, acting as a Planning Authority, to consider the request made for an amendment to the Clarence Local Provisions Schedule (LPS) under section 37 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The draft amendment seeks to change the dual zoning on 10 Bindara Road, Tranmere to wholly locate the property within the General Residential Zone.

RELATION TO PLANNING PROVISIONS

The property is located within the Low Density Residential Zone and General Residential Zone. It is also subject to the Parking and Sustainable Transport, Natural Assets, Bushfire-Prone Areas, Landslip Hazard, Safeguarding of Airports codes, and a Site Specific Qualification.

Section 37 of LUPAA provides for Council to consider a request to amend the Clarence Local Provision Schedule (LPS).

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision 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 2000* and the Local Government (Meeting Procedures) Regulations 2015.

In determining this matter, the Planning Authority must consider whether it is satisfied that the draft amendment meets the LPS criteria under Section 34 of LUPAA. Council is required to make a decision in relation to this matter within the statutory period which has been extended and expires on 13 May 2024.

CONSULTATION

Unless directed otherwise by the Tasmanian Planning Commission, if Council agrees to a request to prepare a draft amendment to the LPS it will then be subject to public exhibition and open for public comment for a period of 28 days in accordance with statutory requirements.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That, pursuant to Section 38(1) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the requested amendment of the Clarence Local Provisions Schedule (PDPSPAMEND-2022/030436) meets the LPS criteria and, pursuant to Section 38(2) of the Act, agrees to prepare a draft amendment to rezone the entire lot Volume 181629 Folio 87, known as 10 Bindara Road, Tranmere to General Residential Zone.

- B. That, pursuant to Section 40F(2) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority certifies that the draft amendment meets the requirements of the Act including the LPS criteria and, pursuant to Section 40F(4) of the Act, provides a copy of the draft amendment and the certificate.
- C. That pursuant to Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority publishes an exhibition notice of the draft amendment and, pursuant to Section 40H of the Act, places the draft amendment on public exhibition for a period of 28 days.
- D. 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

- 1.1. The lot with dual zoning was created as part of a combined scheme amendment (to the Clarence Planning scheme 2007) and permit application (Amendment A-2012/12 and Permit SD-2012/63), approved by the Commission on 6 June 2012.
- 1.2. During the Commission hearings, the lack of alignment between the proposed rezoning and approved subdivision plan was discussed, resulting in Condition 2 of the permit requiring amended plans that, *inter alia*, required the lots realigned to conform to the zone boundaries.
- 1.3. In 2014, a minor amendment to the permit deleted Condition 2 from Permit SD-2010/63, on the basis of the amended plans which noted “...[we] have endeavoured to align the lot boundaries as near as possible to the zone boundary however due to the curvilinear nature of the boundary there are some minor variations”. It was intended to address any anomaly in the transition to the Clarence Interim Planning Scheme 2015, although this did not occur. It is also noted that this matter was not raised in the transition to the Tasmanian Planning Scheme – Clarence in 2020.

2. PROPOSAL IN DETAIL

The proposal is to rezone approximately 1256m² of land, currently zoned Low Density Residential Zone, to General Residential Zone to provide consistent zoning across the entire lot.

3. STATUTORY IMPLICATIONS

3.1. The subject site is located within the General Residential Zone and Low Density Residential Zone under the Scheme and subject to the following codes:

- C2.0 – Parking and Sustainable Transport Code,
- C7.0 – Natural Assets Code,
- C13.0 – Bushfire-Prone Areas Code,
- C15.0 – Landslip Hazard Code,
- C16.0 – Safeguarding or Airports Code, and
- Site Specific Qualification – 936 Oceana Drive, Tranmere.

3.2. Council’s assessment of this proposal must be in accordance with Part 3B - Amendments of LPSs of LUPAA, which references the LPS criteria outlined in Section 34 of LUPAA, including consideration of the objectives of Schedule 1 of LUPAA, State policies, Tasmanian Planning Policies and the Southern Tasmanian Regional Land Use Strategy (STRLUS).

3.3. If the planning authority considers that the proposal does not meet the requirements of Section 34 (LPS Criteria) of the Act, then the draft amendment may be modified so that it meets the requirements or may be refused.

3.4. If the planning authority agrees to the request to amend the LPS, it must prepare a draft amendment and certify that it meets the requirements of LUPAA, including the LPS criteria, and provide copies of the documentation to the Commission. The proposal is then placed on public exhibition and representations received for a period of 28 days. Following public exhibition, council must then consider the merits of any representations received and their impact on the draft amendment and provide a report to the Commission. The Commission will hold a public hearing on the matter and make a determination.

- 3.5.** There is no appeal process available to request for amendment if the Planning Authority refuses the initial request. The applicant may ask the Commission to review the process leading to the decision, but not the merits of that decision.

4. PROPOSAL IN DETAIL

4.1. The site

The subject site is located above Oceana Drive, on a sweeping bend of Bindara Road, as shown in Figure 1. The site is 1931m² in total, with approximately 676m² being zoned General Residential and 1256m² being zoned Low Density Residential. The property is also subject to an embankment easement along the northern boundary.

Surrounding land is zoned General Residential to the south, west, and north-west, with Low Density Residential to the north and east. The dual zone applying to the site can be clearly seen bisecting the lot running north-west to south-east.

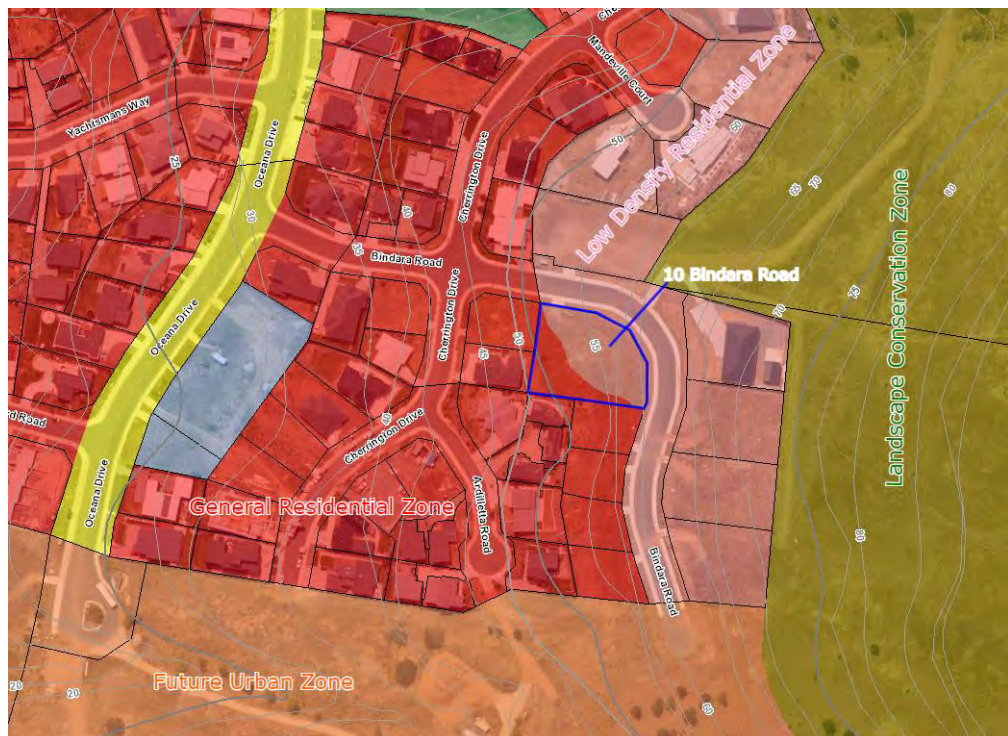


Figure 1 Aerial image of subject site - outlined in blue, showing existing land zoning (Source LIST map)

The site is located at the southern end of the existing Tranmere urban development. Surrounding land is predominantly developed with single and multiple dwellings to the south and west. The larger lots to the north and east are developed with single dwellings. There are also two Local Business Zone lots, in addition to Open Space Zone lots located within walking distance to the site, namely 160m to the north-west, and 400m to the west along the shoreline.

The overlays to the codes identified above each apply to the entirety of the subject site.

4.2. Infrastructure Provision

The subject site is within the TasWater full-service area for water and sewerage infrastructure. Council stormwater infrastructure is located in the adjoining lot to the south and within Bindara Road. There is existing local TasNetworks infrastructure located within Bindara Road to the north-west.

An access to the site is provided in the north-western corner of the lot.

There are no significant constraints to the site from an infrastructure perspective.

5. PLANNING SCHEME IMPLICATIONS

5.1. The proposed amendment only seeks to change the portion of the site currently zoned Low Density Residential to General Residential; all other applicable provisions of the LPS are to remain the same.

5.2. However, this change to zoning will mean that the applicable provisions of the scheme, particularly in relation to potential uses and density of development, will change, as detailed below.

- Multiple dwellings change from being a discretionary use to being a permitted use.
- Multiple dwelling density changes from 1 dwelling per 1500m² to 1 dwelling per 325m².
- Minimum lot sizes change from 1500m² to 450m².

5.3. From this comparison, it can be seen that the intent of the Low Density Residential Zone is to provide for less dense residential development, and in this area had a strategic intent of creating a buffer between residential land and non-residential land further to the east. It is considered that the resultant urban form has achieved this through Bindara Road itself and the larger Low Density Residential zoned lots to the east and north of the subject site. It is clear that the existing split zoning on the subject site contributes only marginally in this regard.

5.4. From a likely development perspective, it is noted that, while multiple dwellings are permitted in the General Residential Zone, they are discretionary in the Low Density Residential Zone and that changing the site will increase the potential for more dense development, particularly for multiple dwellings. It is further noted that the General Residential Zone includes additional provisions intended to ensure residential amenity is provided to the occupant, including for example, private open space, sunlight to private open space, width of garages and carports for dwellings, privacy for dwellings, waste storage for multiple dwellings, and lot orientation provisions that have no equivalent in the Low Density Residential Zone. This is considered an acknowledgement of the intended denser urban form of the General Residential Zone.

5.5. Appropriateness of the General Residential Zone

The applicant states that the proposed rezoning would align the zone with the existing use and development on adjoining land. Further, the existing split zoning of the site complicates and limits the development potential of this large, fully serviced lot within the urban growth boundary.

In considering the appropriateness of the entire site to be zoned General Residential, the zone application guidelines for the General Residential Zone within the Tasmanian Planning Commission's *Guideline No. 1 – Local Provision Schedule (LPS): zone and code application* (Guideline 1) are relevant as outlined below.

Zone Application Guideline	Comment
<p><i>“GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</i></p> <p><i>(a) are not targeted for higher densities (see Inner Residential Zone); and</i></p> <p><i>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.</i></p>	<p>This criterion is met as the site is:</p> <ul style="list-style-type: none"> • not targeted for higher densities; and • is connected to a reticulated water supply service and a reticulated sewerage system.
<p><i>GRZ 2 The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:</i></p> <p><i>(a) within the General Residential Zone in an interim planning scheme;</i></p> <p><i>(b) within an equivalent zone under a section 29 planning scheme; or</i></p> <p><i>(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and</i></p> <p><i>(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,</i></p>	<p>This criterion is not applicable as the subject site is within an existing residential urban development.</p>
<p><i>GRZ 3 The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e., threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.”</i></p>	<p>This criterion is met as it is considered that the natural values and hazard spatial overlays relevant to the site do not represent high development constraints because:</p> <ul style="list-style-type: none"> • the priority vegetation code only applies in the General Residential Zone for an application for subdivision (Clause C7.2.1 (xii)). It is also noted that the site is clear of mature native vegetation.

Zone Application Guideline	Comment
	<ul style="list-style-type: none"> • the Bushfire-Prone Areas Code is only applicable to the subdivision of land, or for a vulnerable or hazardous use [Clause C13.2.1 (a) and (b)] and would have been considered at the time that the lot was created. Any site specific requirements will be considered at the building stage of any future approved development. • the landslip code shows the site as within the Low Risk category. There are several exemptions to the application of this code at the planning stage (clause C15.4.1) as it is considered that development within the Low Risk category is generally able to be managed at the building stage. • the highest elevation of the land is at the eastern frontage, at approximately 61m AHD. The Obstacle Limitation Surface (OLS) layer applicable to the site is 147m AHD. The acceptable solution building height for the General Residential Zone is 8.5m. Accordingly, it is considered that future development of the site would be exempt from the Safeguarding of Airports Code in accordance with Clause C16.2. • The site is sufficiently large and has sufficient road frontage to potentially accommodate further subdivision or development of multiple dwellings and the applicable scheme provisions adequately manage and account for the potential issues arising from more dense development.

Accordingly, given that the site is flanked by properties zoned General Residential, it is considered that there is no basis for why this site should be constrained differently from the adjoining properties and that any residential amenity can be satisfactorily protected through the application of the applicable standards of the General Residential Zone.

It is noted that any future subdivision development would need to demonstrate how it would overcome/deal with potential access sight distance and the steep embankment constraints at the eastern frontage. But this could be managed via the planning application assessment and inclusion of relevant permit conditions. Accordingly, future development potential facilitated by the proposed amendment has not raised any unmanageable concerns.

6. ASSESSMENT AGAINST LEGISLATIVE REQUIREMENTS

6.1. LPS Criteria

Section 34 of LUPAA states:

- “(2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*
- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) is in accordance with section 32; and*
 - (c) furthers the objectives set out in Schedule 1; and*
 - (d) is consistent with each State policy; and*
 - (da) satisfies the relevant criteria in relation to the TPPs; and*
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*
- (2A) A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if –*
- (a) where the SPPs and the relevant regional land use strategy have not been reviewed under section 30T(1) or section section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument is consistent with the TPPs, as in force before the relevant planning instrument is made; and*

- (b) *whether or not the SPPs and the applicable regional land use strategy have been reviewed under section 30T(1) or section section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3) , as to the manner in which the TPPs are to be implemented into the LPSs.*
- (3) *An amendment of an LPS, or a draft amendment of an LPS, is taken to meet the LPS criteria if the amendment of the LPS, or the draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.”*

Importantly, as the current LPS is taken as to having met the LPS criteria as assessed through the transition to the Tasmanian Planning Scheme – Clarence, subsection (3) requires the planning authority to assess if the proposed amendment will cause the LPS to cease to meet this criteria.

6.2. Assessment against LPS Criteria

Assessment against relevant legislative requirements is contained in the discussion below.

- (a) ***contains all the provisions that the SPP’s specify must be contained in the LPS***

The proposed amendment seeks to modify the Clarence LPS zone map to change the application of the Low Density Residential Zone from a portion of the land to another zone (General Residential Zone) which is already used in the LPS.

The proposed amendment does not introduce any additional provisions which may conflict with the State Planning Provisions.

Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

(b) be in accordance with Section 32

Section 32 specifies the content of the LPS. The proposed amendment relates to existing zone classifications only within the established structure of the planning scheme.

Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

(c) furthers the objectives set out in Schedule 1

Assessment of the amendment against the Schedule 1 objectives of the Resource Management and Planning System of Tasmania (RMPS), is provided in the following table.

Objective	Response
<i>“The objectives of the resource management and planning system of Tasmania are:</i>	
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The proposed rezoning is considered a logical extension of the existing General Residential Zone on the site and adjoining land to the west and south.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The draft amendment resolves an unintended scheme provision anomaly, which was not corrected during the recent Scheme transitions. It will provide for fair, orderly development of the land by providing consistent provisions on the site.
<i>(c) to encourage public involvement in resource management and planning; and</i>	If the amendment is certified, the application will be advertised for public comment. Any representations received will be considered by the Planning Authority and reported to the Commission, who may hold public hearings into the representations. Future use and development of the area will be subject to the Scheme provisions with any discretionary use and development to be publicly notified.

<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	By providing for uniform provisions across the site, greater certainty is provided to facilitate use and development appropriate to the General Residential Zone.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.”</i>	The proposal was referred to both TasWater and TasNetworks who have indicated no objection to the draft amendment.

Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

(d) is consistent with each State policy

Assessment of the proposed amendment against the State Policies is as follows.

- **State Policy on the Protection of Agricultural Land 2009**

This policy is not applicable as the land is not zoned Rural or Agriculture.

- **State Coastal Policy 1996**

The proposed amendment is considered consistent with this policy for the following reasons:

- The subject site is located approximately 400m from the coast and hence the policy applies.
- The site is located within a residential suburb that is already developed and therefore features limited natural or cultural values, except along the shore. Here, a foreshore reserve provides additional protection through the application of Open Space zoning and hazard overlays that control future development on the coast.
- It is considered that the proposed rezoning of the subject site will not create any adverse impacts on natural or cultural values, but rather provide for sustainable use and development of urban land.

- Any future development would be assessed against the Tasmanian Planning Scheme – Clarence, which has been assessed as being consistent with all State Policies.

- **State Policy on Water Quality Management 1997**

The proposed amendment is considered consistent with this policy for the following reasons:

- The site is located within a residential suburb that is already developed and serviced by sealed roads and public stormwater infrastructure. Accordingly, water quality is being managed by the Urban Drainage Authority.
- Any future development on the site will be considered in context of council's Stormwater Management in New Developments Procedure, which is aligned with the state policy.
- Any future development would be assessed against the Tasmanian Planning Scheme – Clarence, which has been assessed as being consistent with all State Policies.

- **National Environment Protection Measures (NEPMs)**

The proposed amendment is considered consistent with measures (taken as State Policies) for the following reasons:

- It is anticipated that the land once rezoned will be developed for residential purposes or allowable uses, that would not require consideration against NEPMs.
- If non-residential or discretionary uses were proposed, it is considered that the Use Standards within the General Residential Zone would provide appropriate controls on the intensity of uses to maintain residential amenity.
- It is considered likely such uses would not be likely to, or have the potential to, cause significant environment harm and are unlikely to require administration by the Environmental Protection Authority.

- Any future development would be assessed against the Tasmanian Planning Scheme – Clarence, which has been assessed as compliant with all State Policies.

Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

(da) satisfies the relevant criteria in relation to the TPPs

Not Applicable - there are currently no Tasmanian Planning Policies in effect.

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

Given the limited spatial extent and location of the subject site within an existing urban area, it is considered that the proposed amendment is generally aligned with, consistent with or neutral with the relevant strategic directions of the Southern Tasmanian Regional Land Use Strategy (STRLUS), which are:

- SD19: Settlement and Residential Development;
- SD 8: Managing Risks and Hazards; and
- SD12: Physical Infrastructure.

An assessment of the proposal against the relevant regional policies is provided below.

STRLUS Regional Policies	Comment
Settlement and Residential Development (SRD)	
<p><i>“SRD 1.5 - Ensure land zoned residential is developed at a minimum of 15 dwellings per hectare (net density).</i></p>	<p>The proposed rezoning of the entire lot to General Residential enables fully serviced land for development at higher densities.</p> <p>General Residential Zone will enable the site, subject to scheme provisions and permit assessment, to potentially be developed at higher densities than the existing situation.</p>

STRLUS Regional Policies	Comment
	It is considered that this level of intensification is appropriate and would contribute to achieving residential densities close to the target of 15 dwellings per hectare. Previous analyses undertaken by council have identified that the historic subdivision design and subsequent development in Tranmere has delivered on average a net density of only nine dwellings per hectare
<i>SRD 2.1 - Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.</i>	The proposed rezoning facilitates infill growth within the existing urban area of Clarence.
Managing Risks and Hazards (MRH)	
<i>MRH 1.4 - Include provisions in the planning scheme for use and development in bushfire prone areas based upon best practice bushfire risk mitigation and management.</i>	The subject site is fully located within the Bushfire-Prone Areas code overlay which is unaffected by the proposed LPS amendment.
<i>MRH 1.5 - Allow new development (at either the rezoning or development application stage) in bushfire prone areas only where any necessary vegetation clearance for bushfire risk reduction is in accordance with the policies on biodiversity and native vegetation</i>	Therefore, any future development, including subdivision, will need to demonstrate compliance with the Code provisions. The site is clear of native vegetation, and it is considered that any future development will be in accordance with policies on biodiversity and native vegetation.
<i>MRH 3.2 - Require the design and layout of development to be responsive to the underlying risk of land instability.</i>	The subject site is fully located within the Landslip Hazard – Low Risk overlay, which remains unaffected by the proposed LPS amendment.
<i>MRH 3.3 - Allow use and development in areas at risk of land instability only where risk is managed so that it does not cause an undue risk to occupants or users of the site, their property or to the public.</i>	Therefore, any future development, including subdivision, will need to demonstrate compliance with the Code provisions.

Physical Infrastructure (PI)	
<i>PI 1.1 - Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.”</i>	It is considered that the proposed rezoning, by providing for increased development intensity, is aligned with maximising use of existing infrastructure capacity.

The proposed amendment does not propose a change to an extent that would alter this consistency. Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

- (f) has regard to the strategic plan, prepared under Section 66 of the Local Government Act 1993, that applies to the land to which the relevant planning instrument relates***

The LPS was considered generally consistent with the City of Clarence Strategic Plan 2021-2031 with the overarching goals for a people friendly city, a well-planned liveable city, a prosperous and creative city, and an environmentally responsible city. There are no specific local policies or strategies that are relevant to this proposal.

The proposed amendment does not propose a change to an extent that would alter this consistency. Accordingly, the proposed amendment is considered to meet the LPS criteria in this regard.

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

Not applicable, the subject site is not adjacent to any other municipal area.

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

Not applicable, there is no land within the Clarence area that is subject to the *Gas Safety Act 2019*.

7. EXTERNAL REFERRALS

7.1. The proposal was referred to TasNetworks - no objections to the proposed rezoning were provided.

7.2. The proposal was referred to TasWater - no objections to the proposed rezoning were provided and TasWater advised that there is no intention to make any formal comments or participate in any Commission hearings.

7.3. The application did not require referral to any other agencies.

8. EXTERNAL IMPACTS

No significant impacts.

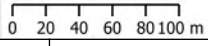
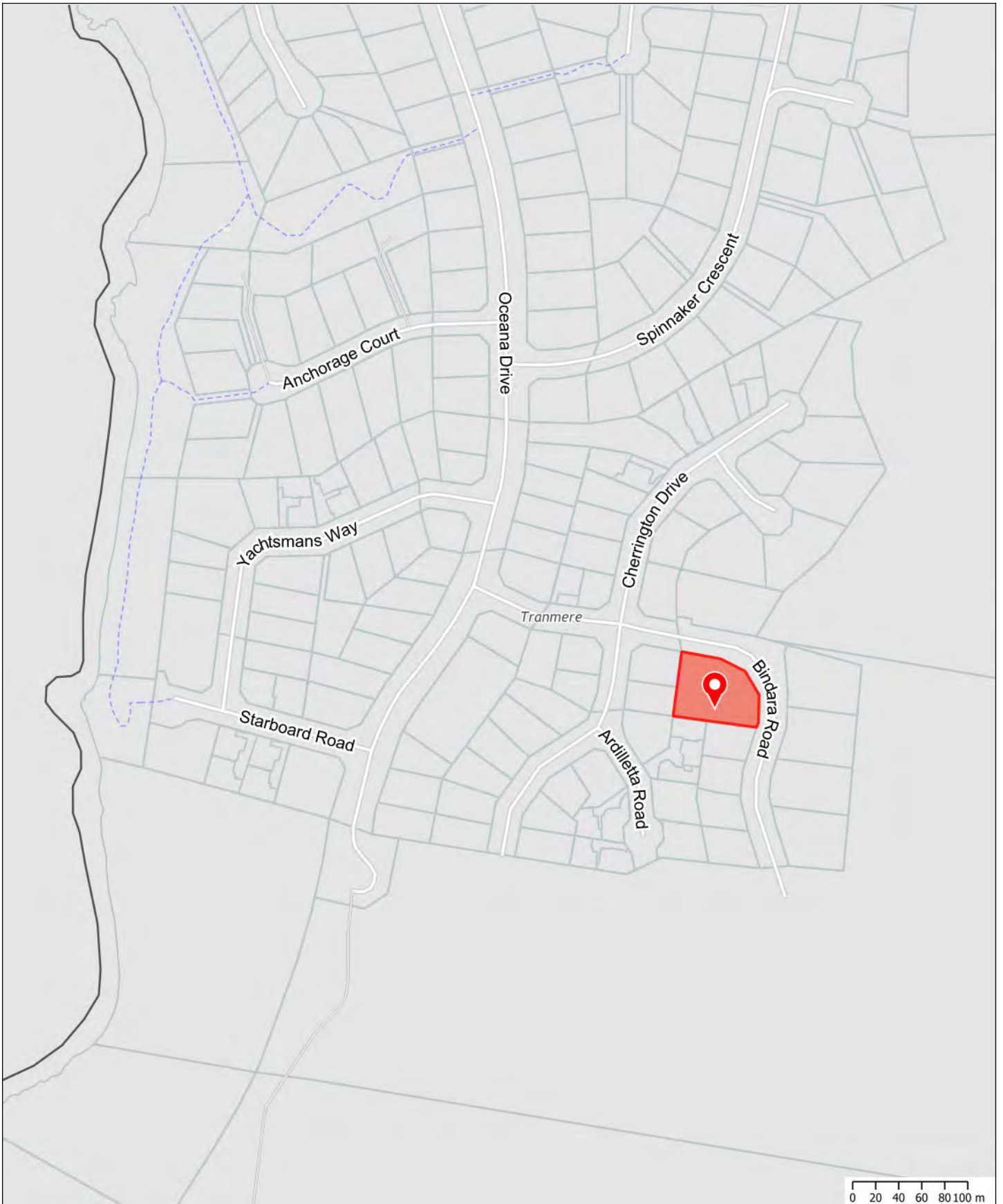
9. CONCLUSION

It is considered that the proposed amendment is appropriate and meets the relevant provisions of the Act. Accordingly, the proposed amendment is recommended for support.

Attachments: 1. Location Plan (1)
2. Proposed Draft Instrument of Certification (1)
3. Site Photos (3)

Daniel Marr
HEAD OF CITY PLANNING

Attachment 1

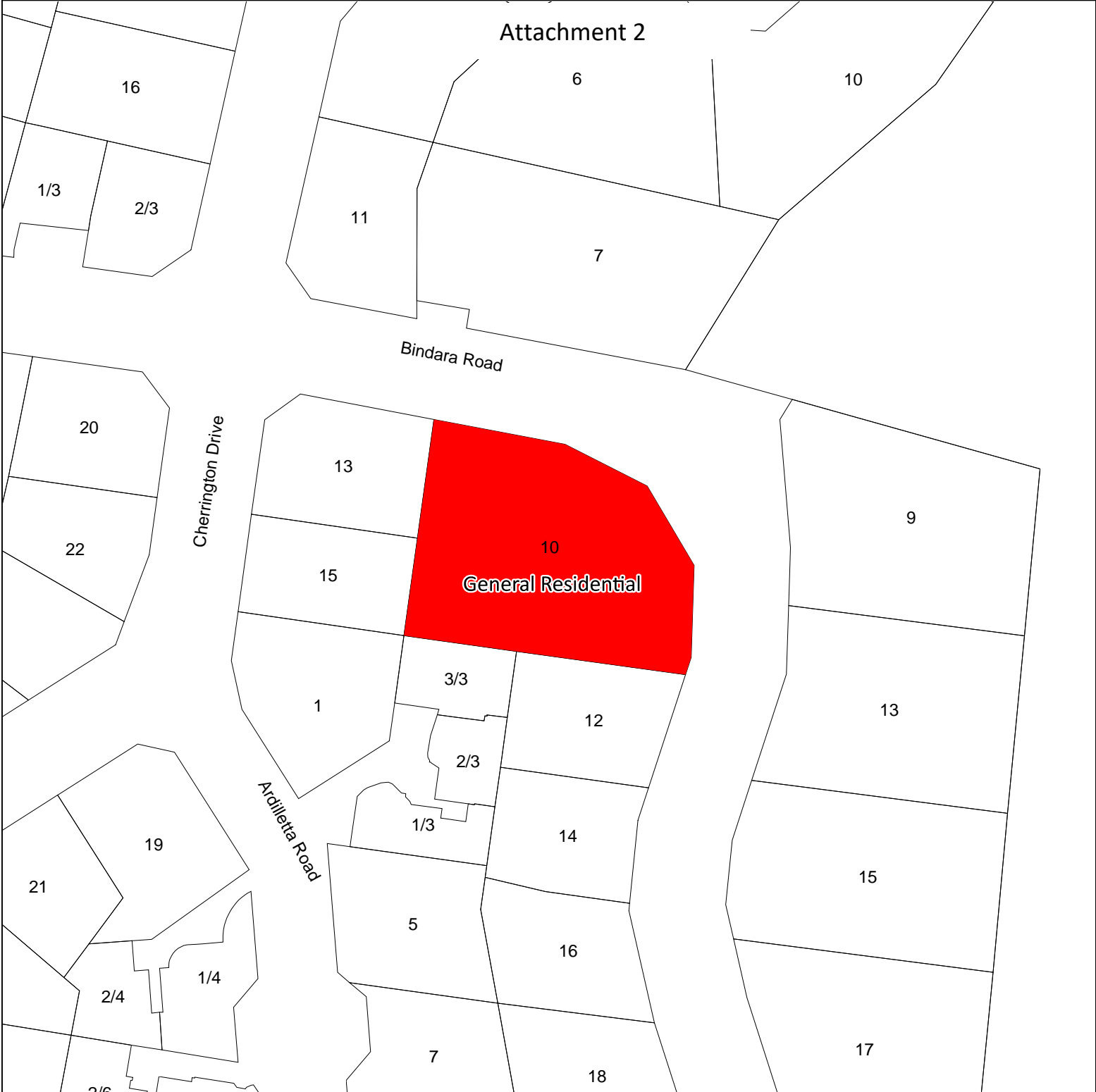


This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

23/04/2024

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**AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING
PDPSPAMEND-2022/030436**

To amend the Tasmanian Planning Scheme - Clarence Local Provision Map by rezoning a 1262 m2 portion of 10 Bindara Road, Tranmere from Low-Density Residential Zone to General Residential Zone.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HEREUNTO AFFIXED THIS XXth DAY OF XXXX 20XX, PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE XXth DAY OF XXXX 20XX IN THE PRESENCE OF:

CORPORATE SECRETARY

Scale 1:1,000 (at A4)

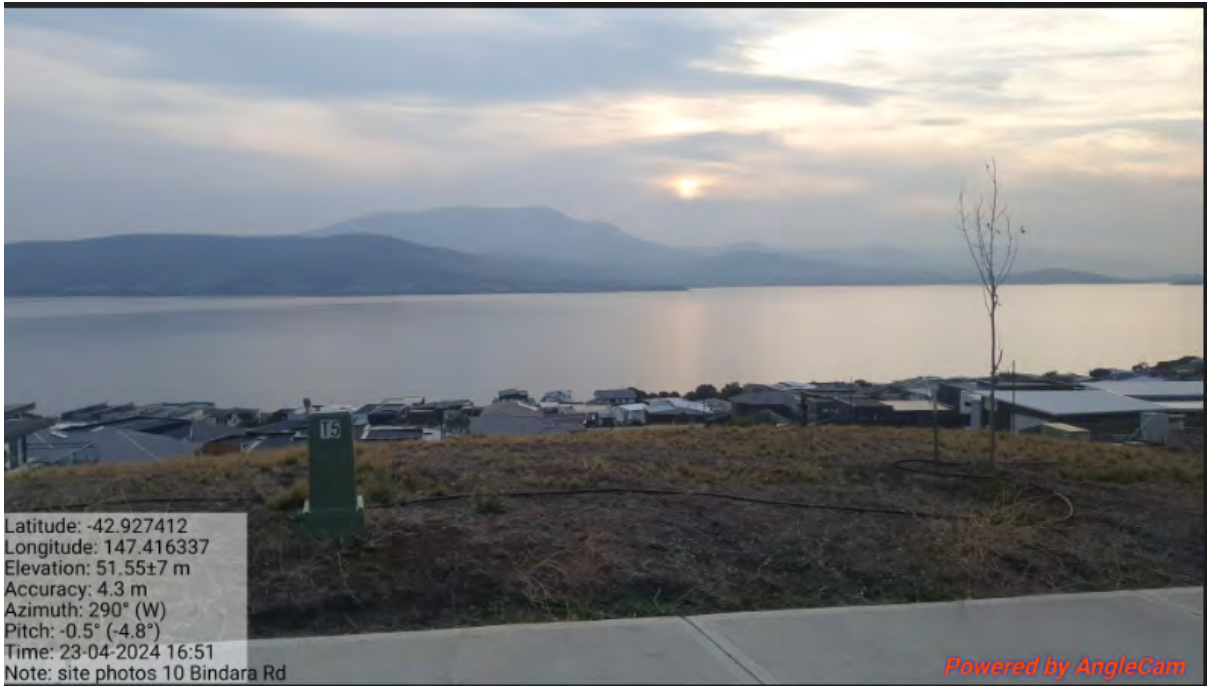
Attachment 3



10 Bindara Road, cross over and access – looking south-east



10 Bindara Road, from opposite side of the street looking south-west



10 Bindara Road, at eastern frontage, looking west.



10 Bindara Road, at eastern frontage, looking north-west.



10 Bindara Road, from the southwest corner of the lot, looking east.



10 Bindara Road, from the southwest corner of the lot, looking north back towards the access.

7.4 PLANNING APPLICATION PDPLANPMTD-2023/038723 – 312A TRANMERE ROAD, TRANMERE - 16 LOT SUBDIVISION PLUS BALANCE, INCLUDING NEW ROADWAY, FOOTWAY AND PUBLIC OPEN SPACE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 16 Lot Subdivision plus balance, including a new road, footway and Public Open Space at 312A Tranmere Road, Tranmere.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and Landscape Conservation and subject to the Road and Railway Assets Code, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Landslip Hazard Code, Natural Assets Code, and Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory period which has been extended by agreement and expires on 8 May 2024.

CONSULTATION

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

- Stormwater management, and
- Footway design.

RECOMMENDATION:

A. That the Planning Application for a 16 Lot Subdivision plus balance, including new Roadway, Footway and Public Open Space at 312A Tranmere Road, Tranmere (Cl Ref PDPLANPMTD-2023/038723) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP2 – STAGING [Add “Stage 1 – Lots 110 to 114 (5 lots) and 502 (Open space); Stage 2 – Lots 115,116 and 121 to 124 (6 lots) and 501 (Footway); and Stage 3 – Lots 117 to 120 (4 lots).”]

3. Lot 502 is to be taken as Public Open Space in accordance with Section 116 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and is to be notated accordingly. Once transferred, there is no retained right to the developer for future access. Any future roadway or vehicular access over the lot, or portion of the lot, will require separate consent and approval processes at that time for subdivision, disposal and an amendment of the sealed plan to change the notation on the lot, under their respective legislation, at that time.
4. GEN POS2 – POS STAGING.
5. PROP 3 – TRANSFER (Replace “public access way” with “footway”).
6. LAND 5 – SUBDIVISION LANDSCAPING (After “road reserves” add “footway” and replace “Council’s Head of Infrastructure and Natural Assets” with “Council’s Chief Executive Officer or Delegate”).
7. ENG M8A – SERVICE EASEMENTS.
8. ENG M8 – EASEMENTS (Replace “Council’s relevant/delegated officer.” with “Council’s Chief Executive Officer or Delegate”).
9. ENG M2 – DESIGNS SD (After “stormwater drainage” add “and other services relocation and upgrade; concrete footpath and stairs including necessary handrailing within the Footway” and replace “Council’s Head of Infrastructure and Natural Assets” with “Council’s Chief Executive Officer or Delegate”).
10. ENG A1 – NEW CROSSOVER [Delete “or TSD-R03 (Rural)”].
11. ENG S1 – INFRASTRUCTURE REPAIR.
12. ENG M5 – EROSION CONTROL (Replace “and approved by Council’s Head of Infrastructure and Natural Assets prior to the commencement of works” with “review by Council’s Chief Executive Officer or Delegate when lodging the “Start of Works Notice” to council or prior to the approval of engineering plans. All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan”).
13. ENG M4 – POS ACCESS (Replace “Council’s relevant/delegated officer.” with “Council’s Chief Executive Officer or Delegate”).
14. ENG M9 – FILLING OF LAND.
15. ENG R2 – URBAN ROAD.

16. ENG S4 – STORMWATER CONNECTION (Replace “the commencement of the use/prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works” with “the sealing of the plans”)
17. An updated Stormwater report including the post development scenario for the flood modelling, must be provided with the engineering plans and approved by Council’s Chief Executive Officer or Delegate prior to the issue of the engineering approval.
18. ENG M7 – WEED MANAGEMENT PLAN (Replace “Council’s Head of Infrastructure and Natural Assets” with “Council’s Chief Executive Officer or Delegate”).
19. Prior to the sealing of the final plan of survey, the recommendations in the 312A Tranmere Estate Flood Hazard and Stormwater Report prepared by Anna Wilson dated 18 December 2023 must be implemented to the satisfaction of Council’s Chief Executive Officer or Delegate. A report certifying compliance with the recommendations made within the Flood Hazard and Stormwater Report must be provided to the satisfaction of Council’s Chief Executive Officer or Delegate prior to sealing of the final plan of survey.
20. ENG S10 – UNDERGROUND SERVICES (Replace “Council’s Head of Infrastructure and Natural Assets” with “Council’s Chief Executive Officer or Delegate”).
21. The development must meet all required Conditions of Approval specified by TasWater notice dated 5 April 2024 (TWDA 2023/01293-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 as part of engineering plans assessment.
- 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

A number of subdivision applications on the subject property have been approved by Council previously, including an 11-lot subdivision (SD-2013/7) and a 75-lot subdivision (SD-2009/29). The most recent approval was for a 13-lot subdivision approved on 16 October 2017 under Planning Permit SD-2017/10.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential and Landscape Conservation 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 8.0 – General Residential Zones,
 - Clause 22.0 – Landscape Conservation Zones,
 - Clause C3.0 – Road and Railway Assets Code,

- Clause C7.0 – Natural Assets Code,
- Clause C12.0 – Flood-Prone Areas Hazard Code,
- Clause C13.0 – Bushfire-Prone Areas Code,
- Clause C15.0 – Landslip Hazard Code, and
- Clause C16.0 – Safeguarding of Airports Code.

2.4. Council’s assessment of this proposal must 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 part of a 29.02-hectare irregular shaped balance lot which spans Oceana Drive. The residential subdivision is contained within the approximately 1.6ha of land located to the west of Oceana Drive, with the larger portion located to the east and contains the proposed open space lot providing an extension of the walkway atop Droughty Point. Access to the residential lots will be provided via Tranquil Place and the site is surrounded by existing residential development to the north, west and south. The site is predominately cleared of native vegetation.

3.2. The Proposal

The application is made for a 16-lot subdivision plus balance lot, including a new roadway, and two footways, one of which is claimed as an agreed contribution to public open space that may otherwise be sought through cash-in-lieu.

The subdivision was proposed in three stages as follows:

Stage 1 – Lots 110 to 114 (5 lots),

Stage 2 – Lots 115,116 and 121 to 124 (6 lots) and 501 (footway), and

Stage 3 – Lots 117 to 120 (4 lots) and 502 (footway).

The proposed lots would range in size from 477m² to 2525m² and would have access via a new road extended from Tranquil place. The proposed development constitutes the final stages of the Tranquil Place subdivision.

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 Safeguarding of Airports Code. The proposed development is below the AHD height specified for the site and as such is exempt from the Code as per clause 16.4.1.

The Bushfire-Prone Areas Code does not apply to this development because none of the proposed lots will be located within the Bushfire-Prone Areas overlay.

The Landslip Hazard Code applies to a small portion of the site where the proposed subdivision occurs. This area is classified as a low landslip hazard, and because no significant works are proposed the subdivision is exempt from assessment under this Code.

The proposal meets the Scheme’s applicable Acceptable Solutions of the General Residential Zone, Landscaping Conservation Zone, Road and Railway Assets Code, Natural Assets Code and the Flood-Prone Areas Hazard Code with the exception of the following.

General Residential Zone

- **Clause 8.6.1 - Lot Design (A1)** – the proposal cannot meet the Acceptable Solution as the proposed building areas for some lots do not meet the setback requirements prescribed under the acceptable solution.

The proposal must be assessed against Performance Criteria (P1) of Clause 8.6.1 as follows.

Clause	Performance Criteria	Assessment
8.6.1 P1	<i>“Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</i>	<p>The proposed subdivision is assessed as complying with the performance criteria for the following reasons.</p> <p>The proposed development includes subdivision of 16 lots. The subdivision plans include 10m x 15m building area with a 4.5m front and a 4m rear setback on each lot. Notwithstanding this, Lots 110, 112, 115, 116, 117, 119, 122, 123 and 124 have the building areas proposed with a side setback less than 1.5m.</p>

		It is noted that the acceptable solution allows for each lot to have up to a 9m length within 1.5m of the side boundary. A number of proposed building areas could be rotated to entirely fit. However, this is not proposed, and the assessment is provided against the following performance criteria:
	<i>(a) the relevant requirements for development of buildings on the lots;</i>	Each lot is considered to have sufficient useable area for the intended residential use. All lots are greater than the 450m ² minimum lot size for the zone and are capable of accommodating future residential dwellings.
	<i>(b) the intended location of buildings on the lots</i>	Each lot includes a 10m x 15m building envelope identifying the intended location of the buildings.
	<i>(c) the topography of the site;</i>	The site's topography is quite steep falling from the east to the west. The proposed subdivision layout responds well to the topographical constraints that are present.
	<i>(d) the presence of any natural hazards;</i>	The site has regard to natural hazards present including landslip and flooding, which have been mitigated through design.
	<i>(e) adequate provision of private open space; and</i>	All sites have sufficient area to provide adequate private open space for future dwellings.
	<i>(f) the pattern of development existing on established properties in the area."</i>	The subdivision is consistent with the established character in the area.

- **Clause 8.6.1 - Lot Design (A2)** – the proposal cannot meet the Acceptable Solution as Lot 111 has a frontage of 6m, which is below the 12m minimum frontage width allowable under the acceptable solution.

The proposal must be assessed against Performance Criteria (P2) of Clause 8.6.1 as follows.

Clause	Performance Criteria	Assessment
8.6.1 P2	<i>“Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</i>	The proposed subdivision complies with the performance criteria for the following reasons. Lot 111 is an internal lot. It is provided with a 6m frontage to Tranquil Place which narrows to a 3.6m access strip. This configuration is considered sufficient for the intended use of future residential development on the 908m ² lot.
	<i>(a) the width of frontage proposed, if any;</i>	The proposed 6m frontage is suitable for the use.
	<i>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</i>	A right of carriage way is not proposed for Lot 111.
	<i>(c) the topography of the site;</i>	The subdivision layout responds well to the sloping topography.
	<i>(d) the functionality and useability of the frontage;</i>	With a properly formed vehicle crossover, the frontage is considered functional and useable.
	<i>(e) the ability to manoeuvre vehicles on the site; and</i>	The site has adequate area to ensure that vehicles can manoeuvre in a suitable manner.
	<i>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.”</i>	The proposed layout is consistent with the established residential character within the area, which contains several other similarly configured internal lots with access strips.

- **Clause 8.6.1 – Lot Design (A4)** – the proposal cannot meet the Acceptable Solution as some of the proposed lots are not oriented between 30 degrees west of true north and 30 degrees east of true north.

The proposal is assessed against Performance Criteria (P4) of Clause 8.6.1 as follows.

Clause	Performance Criteria	Assessment
8.6.1 P4	<i>“Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</i>	The proposed subdivision complies with the performance criteria for the following reasons. Lots 111, 113, 115, 116, 117, 121, 122, 123 and 124 do not provide the lot orientation prescribed in the Acceptable Solution. Notwithstanding this, the site has a mostly north-west facing slope, which enables greater access to sunlight than a flat site or a site with a southerly facing slope. It is considered that the lots will have adequate solar access as:
	<i>(a) the size, shape and orientation of the lots;</i>	The lots noted above are reasonably generous in size and the width and depth of the lots provides adequate area for future residential development. The slope of the land relative to the proposed location of each of these lots, allows a good opportunity for solar access and multiple design options for future residential development.
	<i>(b) the topography of the site;</i>	The layout reasonably responds to the sloping topography of the site.
	<i>(c) the extent of overshadowing from adjoining properties;</i>	The adjoining properties are either down slope of the proposed subdivision or reasonably separated so as to not overly overshadow the proposed lots.
	<i>(d) any development on the site;</i>	The site is currently vacant.

	<i>(e) the location of roads and access to lots; and</i>	The location of roads has influenced the layout of the subdivision. Particularly the site is bound by Oceana Drive to the east and no vehicular connection is proposed onto this road. Access to the proposed lots is to be by the extension of Tranquil Place.
	<i>(f) the existing pattern of subdivision in the area.”</i>	The subdivision layout is consistent with the residential character of the area.

- **Clause 8.6.2 – Roads (A1)** – the proposal cannot meet the Acceptable Solution as the subdivision includes a new road.

The proposal must be assessed against Performance Criteria (P1) of Clause 8.6.2 as follows.

Clause	Performance Criteria	Assessment
8.6.1 P2	<i>“The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</i>	The proposed subdivision includes a new road and a pedestrian footway. The proposal is assessed as complying with the performance criteria, for the following reasons.
	<i>(a) any road network plan adopted by the council;</i>	The proposed road design has been discussed with Council engineers and the proposed road is taken to be a logical completion of Tranquil Place.
	<i>(b) the existing and proposed road hierarchy;</i>	The proposed road is consistent with the existing road hierarchy as it avoids direct vehicular access to Oceana Drive.
	<i>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</i>	The proposal includes the provision of pedestrian link from Tranquil Place to Oceana Drive allowing for connectivity to future development on the eastern side of Oceana Drive.

	<i>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</i>	As detailed above the proposal includes connections into surrounding road infrastructure including footpaths for pedestrian and cycling and public transport networks.
	<i>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</i>	The proposal represents infill development of residential land. The proposed extension of Tranquil Place to link up to higher order roads provides adequate connection to the wider transport network.
	<i>(f) access to public transport;</i>	The site will have access to public transport.
	<i>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</i>	Footpaths are provided for on both sides of the proposed road and are to be built to the urban standard, providing for the safe movement of pedestrians, cyclists and public transport.
	<i>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;</i>	The proposal includes pedestrian and cyclist linkages. However, such bicycle infrastructure is not required because the proposed road is not a new arterial or collector road.
	<i>(i) the topography of the site; and</i>	The proposed subdivision layout responds to the sloping topography of the site.
	<i>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.”</i>	The balance lot sits adjacent to the proposed subdivision site and is not subject to this application other than the proposed footway (Lot 502). Given the balance lot’s size, it is likely to be developed in the future. The proposed subdivision will not have any impact on subdivision potential of the balance lot.

Natural Assets Code

- **Clause 7.7.1 - Subdivision within a waterway and coastal protection area or a future coastal refugia area – A1** – the proposal cannot meet the Acceptable Solutions as it involves works within the waterway and coastal protection area.

The proposal must be assessed against Performance Criteria (P1) of Clause 7.7.1 as follows.

Clause	Performance Criteria	Assessment
C7.7.1 P1	<i>“Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:</i>	The overlay applies across the northern portion of the site. It is understood that the layout has been designed to consider this waterway feature. The layout additionally accommodates and informs the flood hazard risk through the provision of a 5m wide stormwater drainage easement. The proposal is assessed as complying with the performance criteria, for the following reasons.
	<i>(a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and</i>	The location of the proposed drainage easement and required stormwater infrastructure will allow scope for future development (building areas) to be facilitated outside of the watercourse, while also removing flood hazard risk to that area of the site and downstream, including for adjoining properties.
	<i>(b) future development likely to be facilitated by the subdivision.”</i>	As above.

Flood-Prone Areas Hazard Code

- **Clause 12.6.1 – Buildings and works within a flood-prone hazard area – A1** – the proposal cannot meet the Acceptable Solutions as the development involves subdivision works within the flood path.

The proposal is assessed against Performance Criteria (P1) of Clause 12.6.1 as follows.

Clause	Performance Criteria	Assessment
C12.6.1 P1	<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>The proposal is supported by a Flood Hazard and Stormwater report which provides recommendations on how stormwater and flood risks can be managed through the proposed development in response to the Scheme requirements. The report concludes that the development can achieve and maintain a tolerable risk of flood for the future residential use.</p> <p>The proposal is assessed as complying with the performance criteria, for the following reasons.</p>
	<i>(a) the type, form, scale and intended duration of the development;</i>	<p>The proposed development is for a 16-lot subdivision, which is considered minimal in comparison to the surrounding existing developments. The intended type of development is to be residential, consistent with the nature of development within the area. The flood report provided states that the proposed development, if constructed in accordance with the recommendations contained within the report, will not only mitigate risk now but will reduce the risk of private works impacting on future flood risk.</p>
	<i>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</i>	<p>The Flood and Stormwater reports confirm that the level of risk will remain consistent within the life of the development and the recommendations if implemented, will ensure that measures put in place will accommodate any unanticipated surges.</p>
	<i>(c) any advice from a State authority, regulated entity or a council; and</i>	<p>Council engineers have reviewed the report and concur with the recommendations contained within the report.</p>

	<i>(d) the advice contained in a flood hazard report.</i>	As mentioned above, a Flood Hazard and Stormwater report was provided with this application and reviewed by Council's engineers who are satisfied with the recommendations provided within the report. The report will form part of the permit conditions and endorsed documents.
P2	<i>A flood hazard report also demonstrates that the building and works:</i>	See assessment below:
	<i>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</i>	The flood report provided by the applicant states that there is no increase in the level of risk within the site, on adjoining land and surrounding infrastructure.
	<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>	The proposed development is confirmed by Council engineers as being capable of achieving tolerable risk without further mitigation measures, provided the recommendations are followed.

Flood-Prone Areas Hazard Code

- **Clause 12.7.1 - Subdivision within a flood-prone hazard area – A1 –** the proposal cannot meet the Acceptable Solution given there are lots within the plan of subdivision which have building areas located within the flood-prone hazard area overlay.

The proposal must be assessed against Performance Criteria (P1) of Clause 12.7.1 as follows.

Clause	Performance Criteria	Assessment
C12.7.1 P1	<i>"Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</i>	The proposal is assessed as complying with the performance criteria, for the following reasons.

	<i>(a) any increase in risk from flood for adjacent land;</i>	The application is supported by the Flood Hazard and Stormwater Report which states the proposed development and associated stormwater recommendation will ensure that development occurs in a manner that reduces the downstream impacts of stormwater by up to ten times what is currently experienced under the existing scenario.
	<i>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</i>	The Flood Hazard and Stormwater Report concludes that there would be no increase in reliance upon public infrastructure, in that provision has been made for stormwater infrastructure to accommodate the increased demand.
	<i>(c) the need to minimise future remediation works;</i>	The development will not create a need for flood reduction or protection measures beyond the site boundaries.
	<i>(d) any loss or substantial compromise by flood of access to the lot, on or off site;</i>	The Flood Hazard and Stormwater Report provided confirms that the proposed flood management works will in fact relocate the flood risk zone away from the building areas, therefore allowing adequate space on each lot for a future development and access.
	<i>(e) the need to locate building areas outside the flood-prone hazard area;</i>	Council’s engineers are satisfied that each of the proposed lots can be developed to minimise risk associated with flooding, and that future development would, on a site-by-site basis, be required to address the relevant provisions of the code. The tests of these performance criteria are therefore, considered to be met by the proposal.
	<i>(f) any advice from a State authority, regulated entity or a council; and</i>	Council’s development engineers are satisfied that the conclusions and recommendations contained within the report are acceptable, and the proposed works would have a tolerable risk.

	<p><i>(g) the advice contained in a flood hazard report.”</i></p>	<p>The Report includes the following recommendations.</p> <ul style="list-style-type: none"> • A 900mm diameter pipe be linked between the Oceana Drive culvert and the Carella Street Culvert. • An overland flow path to large events to be created along the overland flow path, limiting total flow width to 5m wide and maximum 400mm deep. This flow path to be protected by a 5m wide easement. • Cut off drains to be created at base of embankments to direct flows into the central overland flow path. • The Flood-prone Areas Hazard Code to apply to lots as per the post development model in the Stormwater and Flood Hazard Report and that this report to be incorporated into any future planning application for lots affected by the Flood-prone Areas Hazard Code. <p>The requirements of the report are recommended as permit conditions.</p>
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5. REPRESENTATION ISSUES

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

5.1. Stormwater Management

One of the representations has raised concerns regarding the impacts of stormwater runoff, commenting on the need for the provision of appropriate stormwater infrastructure to adequately cater to the increased volume of runoff from future development.

- **Comment**

The application is supported by an in-depth stormwater assessment and modelling which is supported by Council engineers. From the report and modelling there is no evidence that the properties downstream, including the units at 358 Carella Street, will be impacted adversely.

An assessment of the detailed engineering designs will be required at a later stage and is to be conditioned on the permit. This process will ensure the stormwater management is fit for purpose.

5.2. Footway

One representation raised concerns regarding the proposed footway from Oceana Drive to Tranquil Place. Specifically, the representor is concerned this area will invite antisocial behaviour, including encouraging graffiti and litter. The representor also raised concerns regarding privacy and security.

- **Comment**

The footway will be transferred to Council ownership and will be maintained as such. The wide and straight design of the proposed footway minimises the opportunity for anti-social behaviour and provides legible connection through the proposed subdivision in an area where vehicular access is not suited. That said, anti-social behaviour is not a relevant planning matter and cannot have determining weight.

6. EXTERNAL REFERRALS

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

The application was referred to TasNetworks, who are satisfied that the development is not likely to adversely affect TasNetworks' operations.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council’s adopted Strategic Plan or any other relevant Council policy. Developer contributions are required to comply with the following Council policy:

Public Open Space Policy

The primary purpose of Council’s Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate Public Open Space (POS) to serve the needs of the existing and future population in Clarence. The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

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

- Clarence Tracks and Trails Strategy 2012,
- Positive Aging Plan 2012-2016,
- Clarence Coast and Bushland Strategy (August 2011),
- Community Health and Wellbeing Plan 2013-2018, and
- Draft Sport and Active Recreation Strategy.

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

The subject site is zoned General Residential, will form an extension of an existing urban area, and will be afforded the highest level of access to both local and regional recreational opportunities. It is considered that the development resulting from an approval of this application will, or is likely to, increase residential density creating further demand on Council’s POS network and associated facilities.

Section 116 of the *Local Government (Building and Miscellaneous Provision Act 1993* (LGBMP) allows for Council to require up to 5% of the entire site to be taken as POS.

However, it is considered appropriate to limit the percentage calculation of land contribution to newly created lots only, therefore demonstrating a true representation of the increased demand for POS generated by the proposal. As such, the percentage of POS required for this proposal, will not include the balance lot, footway and road lots.

Lot 501 is required to be constructed with a footway joining the existing and proposed footpaths on the roads. Opportunity for street trees is also considered as part of the landscaping plan.

Lot 502 to the east of the site, is proposed as a footway to link to the walkway to the north of the site. It is considered that this should be dedicated as Public Open Space to ensure that it is of a size and nature to not trigger compensation and be fit for purpose. Future development of the balance lot will enable consideration of additional land.

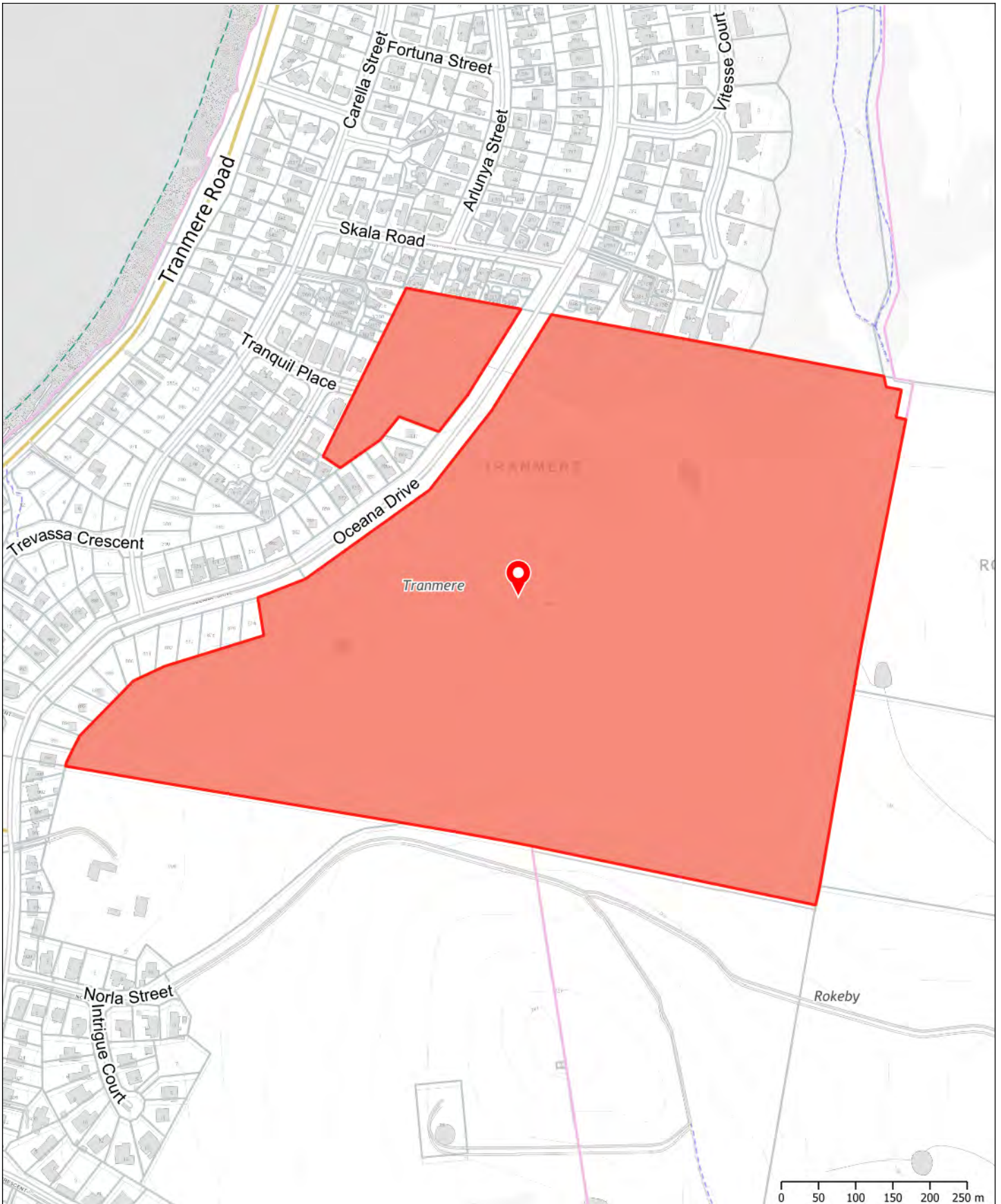
However, in accordance with normal Council requirements, this land should be dedicated as part of Stage 1 as there are no dependencies which warrant it being in a later stage. The proposal plans seek to “retain a right” for the developers for a future road access over this area. As the process of dedication as Public Open Space, or even as a public way, requires Council to accept the land as public land, such a right cannot be retained, as the management of public land is subject to other legislation. A suitable condition can achieve the above.

9. CONCLUSION

The proposal is for a 16-lot residential subdivision, which is considered to meet the requirements of the Scheme and is recommended for approval.

- Attachments:
1. Location Plan (1)
 2. Proposal Plan (17)
 3. Flood Hazard and Stormwater Report (47)
 4. Site Photo (3)

Daniel Marr
HEAD OF CITY PLANNING



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.

24/04/2024

1:7000



- LOT BOUNDARY
- - - EMBANKMENT EASEMENT
- - - BANK TOP
- - - BANK BOTTOM
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- - - GRATED PIT
- - - HEADWALL
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- - - CULVERT 900
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- TITLE PEG
- NAIL
- POLE WITH LIGHT
- TELSTRA PIT
- STOP VALVE
- FIRE PLUG
- SIDE ENTRY PIT
- STORMWATER MANHOLE
- SEWER MANHOLE



TRANQUIL PLACE

OCEANA DRIVE

201
27.36ha
(see INSET)

LOT 502 TO BE TRANSFERRED TO COUNCIL DEVELOPER OR SUBSEQUENT DEVELOPERS TO RETAIN RIGHT TO PASS A ROAD AND SERVICES ACROSS LOT 502.

STAGING

- STAGE 1 - LOTS 110 to 114 (5 blocks)
- STAGE 2 - LOTS 115, 116 & 121 to 124 (6 blocks) & 501 (footway)
- STAGE 3 - LOTS 117 to 120 (4 blocks) & 502 (Open Space)

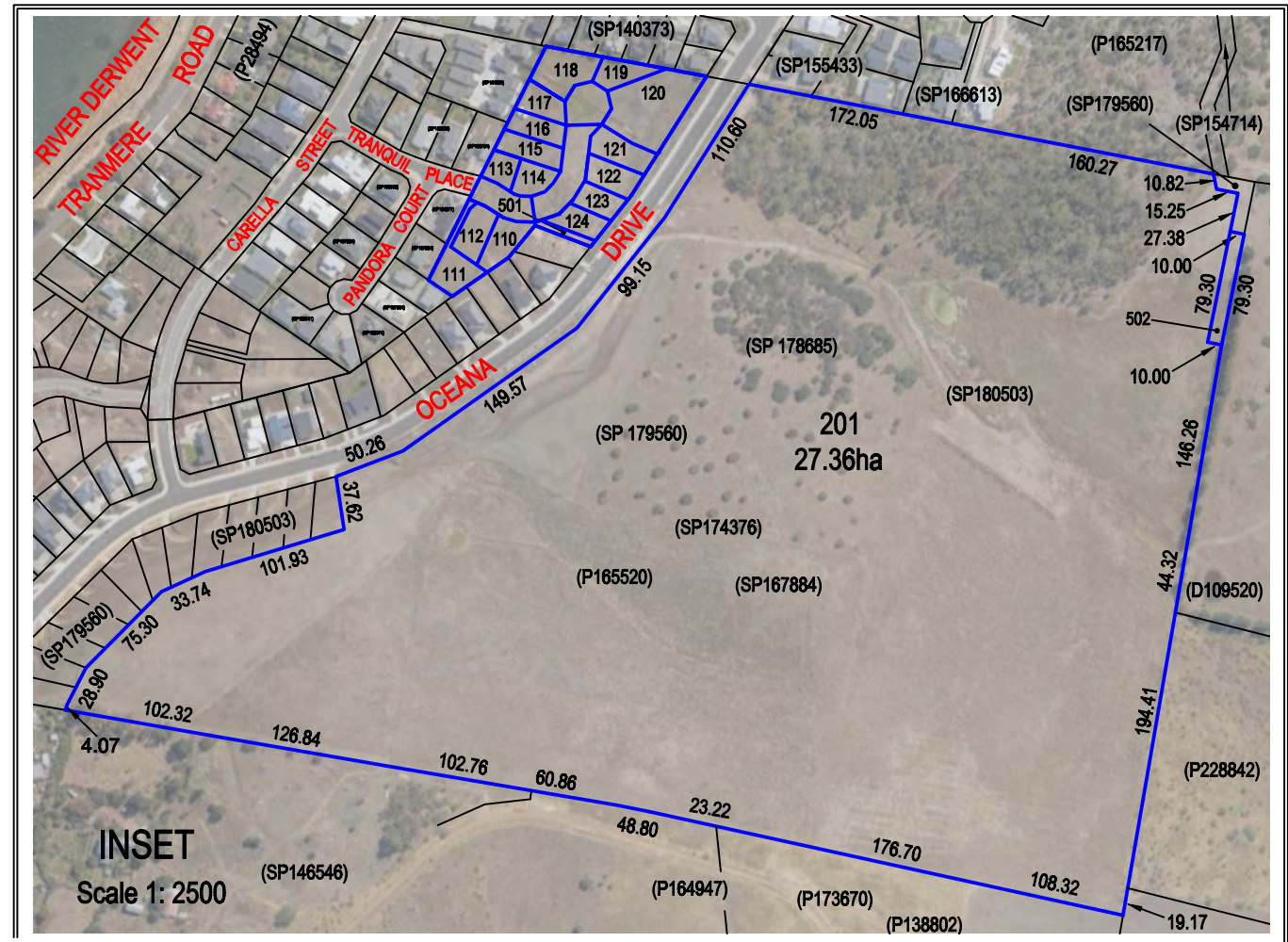
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Date of Survey : MAY 2020



AMENDMENTS		
No.	Revision/Issue	Date
H	HITCHINGS SPURR FLOOD MAPPING ADDED LOTS 121 & 122 ADJUSTED	15-12-2023
I	LOTS COMBINED AND ADJUSTED WALKWAY ADJUSTED TO 8m WIDE	15-01-2024
J	MINOR CHANGES	28-02-2024
		20-3-2024



Unit G04 40 Mollie Street,
HOBART TAS 7000
P 03 6118 2030
E admin@learyandcox.com

Project Name and Address
**312A TRANMERE RD
TRANMERE
TAS 7018**

Drawing Title
PROPOSED SUBDIVISION

Client
**G LUCKMAN
C.T. 183275 - 201**

SCALE
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Contour Interval
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Date
23-03-2023

SHEET
1 of 5

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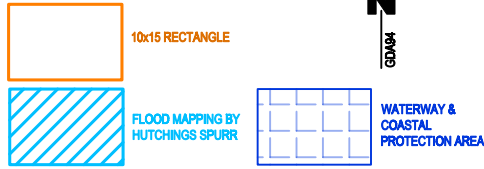
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TRANQUIL PLACE



LOT 502 TO BE TRANSFERRED TO COUNCIL DEVELOPER OR SUBSEQUENT DEVELOPERS TO RETAIN RIGHT TO PASS A ROAD AND SERVICES ACROSS LOT 502.

STAGING

- STAGE 1 - LOTS 110 to 114 (5 blocks)
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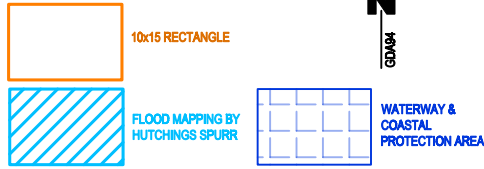
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SHEET 2 of 5		AutoCAD Ref 940310 Rev D	
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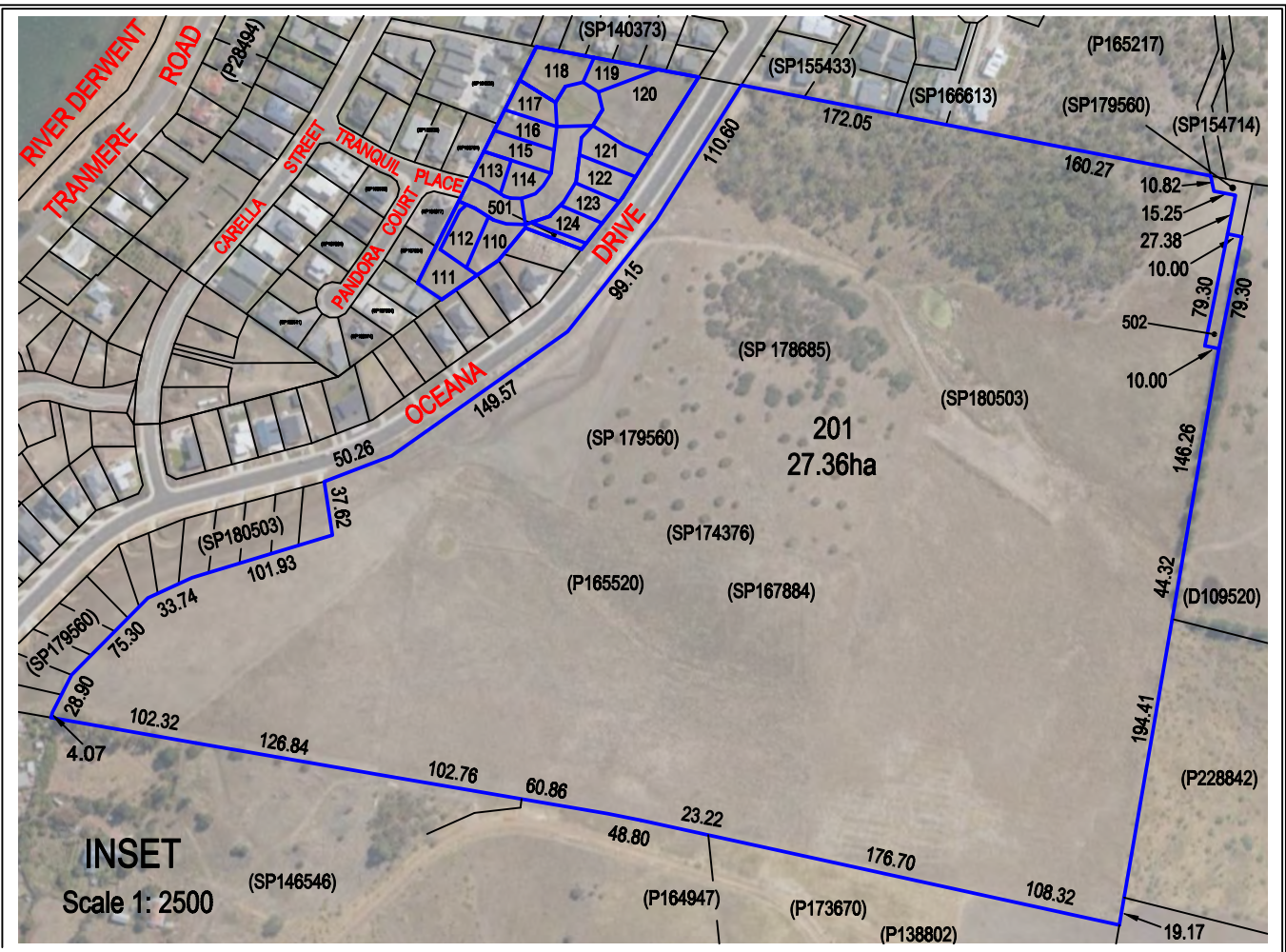
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CHKD
TC

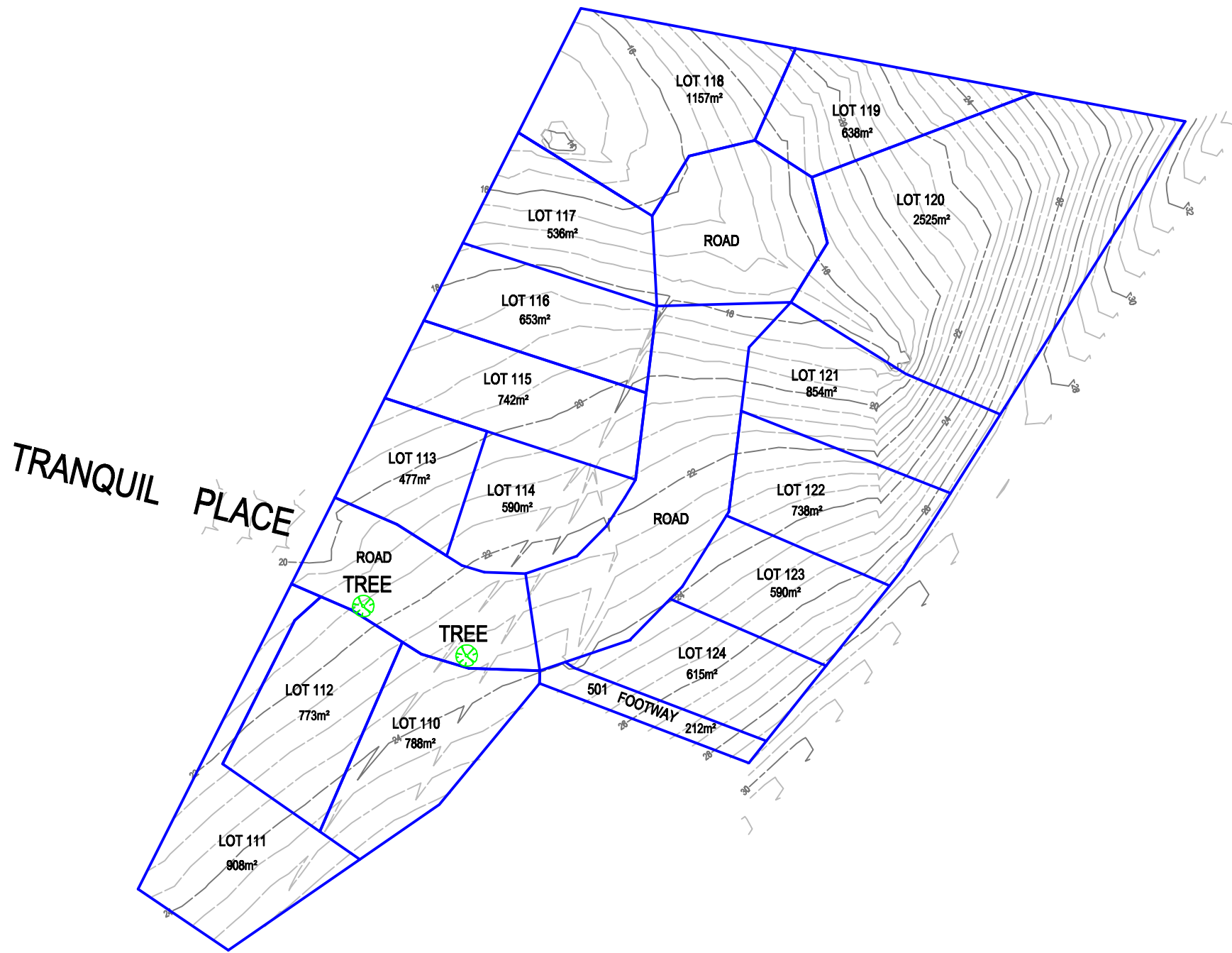
FILE REF:
9403

Geocivil Ref
940301

AutoCAD Ref
940310 Rev D

DATUM
GDA 94

Vert:
AHD



IMPORTANT NOTE:

This plan was prepared as a proposed subdivision to accompany a subdivision application to the Clarence City Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

While all reasonable effort has been made to locate all visible above ground services, there may be other services which were not located during the field survey. The title boundaries as shown on this plan were not marked at the time of the survey and have been determined by existing title dimensions and occupation (where available) only and not by field survey, and as a result are considered approximate only. This plan should not be used for building to boundary, or to prescribed set-backs, without further survey.

Prior to any demolition, excavation, final design or construction on this site, a full site inspection should be completed by the relevant engineers. All survey data is 3D. The level (z-value) of any specific feature can be interrogated with a suitable CAD package. Spot heights of all features, including pipe inverts, are included in the model space but are not displayed on the PDF. Spot heights are organised into appropriate layers, and can be displayed as required. At the time of this survey, C.T.176222/101 was owned by CAROLYN MARGARET, LUCKMAN, PAUL LAMONT, LUCKMAN, JANICE MARY LUCKMAN, GREGORY ALAN LUCKMAN

Date of Survey : MAY 2020

AMENDMENTS				Unit G04 40 Mollie Street, HOBART TAS 7000 P 03 6118 2030 E admin@learyandcox.com	Project Name and Address		Drawing Title		SCALE 	Contour Interval		FILE REF:	
No.	Revision/Issue	Date			312A TRANMERE RD TRANMERE TAS 7018		PROPOSED SUBDIVISION LANDSCAPE PLAN			0.50 m		9403	
H	HITCHINGS SPURR FLOOD MAPPING ADDED LOTS 121 & 122 ADJUSTED	15-12-2023	Client G LUCKMAN C.T. 183275 - 201		THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF LEARY & COX, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED.		Date		SHEET		AutoCAD Ref		
I	LOTS COMBINED AND ADJUSTED WALKWAY ADJUSTED TO 8m WIDE	15-01-2024					23-03-2023		4 of 5		940301		
J	MINOR CHANGES	28-02-2024					DRAWN		KS, LO		GDA 94		
		20-3-2024					CHKD		TC		AHD		



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Date of Survey : MAY 2020

AMENDMENTS		
No.	Revision/Issue	Date
H	HUTCHINGS SPURR FLOOD MAPPING ADDED LOTS 121 & 122 ADJUSTED	15-12-2023
I	LOTS COMBINED AND ADJUSTED WALKWAY ADJUSTED TO 8m WIDE	15-01-2024
J	MINOR CHANGES	28-02-2024
		20-3-2024

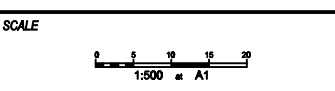


Unit G04 40 Mollie Street,
HOBART TAS 7000
P 03 6118 2030
E admin@learyandcox.com

Project Name and Address
**312A TRANMERE RD
TRANMERE
TAS 7018**

Drawing Title
**PROPOSED SUBDIVISION
RECTANGLE SLOPE AND OFFSETS**

Client
**G LUCKMAN
C.T. 183275 - 201**



Contour Interval
0.50 m

Date
23-03-2023

FILE REF:
9403

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SHEET	5 of 5	Horz:	GDA 94
DRAWN	KS, LO	Vert:	AHD
CHKD	TC	DATUM	



201
27.36ha
(see INSET)

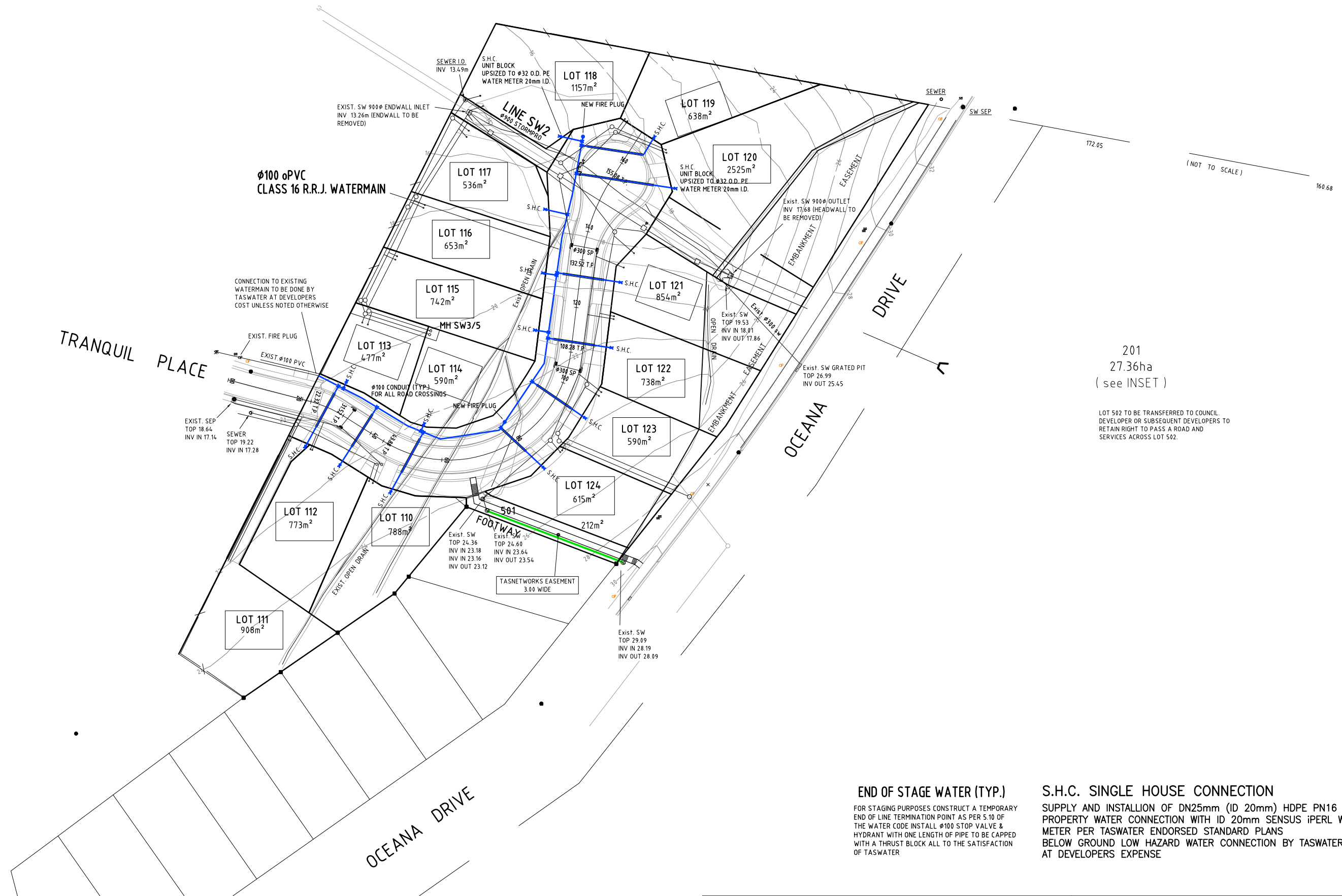
LOT 502 TO BE TRANSFERRED TO COUNCIL DEVELOPER OR SUBSEQUENT DEVELOPERS TO RETAIN RIGHT TO PASS A ROAD AND SERVICES ACROSS LOT 502.

EXTEND DRIVEWAY AND SERVICES TO LOT PROPER

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No.	AMENDMENT	DATE	DRG No.
A	ISSUED TO COUNCIL DA	19.02.2024	
B	REVISED AS PER RFI	15.03.2024	
REFERENCE			

HUTCHINGS SPURR PTY. LTD. CONSULTING ENGINEERS 23 ANTILL STREET, HOBART, 7000. A.C.N. 009508525 PHONE (03) 6223 5020 FAX (03) 6223 5347	^ STRUCTURAL ^ CIVIL ^ MUNICIPAL ^ MECHANICAL ^ MARINE ^ ELECTRICAL
SCALE 1:500 (A1) DRAWN B. STANFORD DATE FEB '23 APPROVED	DRAWING No. 21281/102 (B) REVISION No. OF SHEETS



201
27.36ha
(see INSET)

LOT 502 TO BE TRANSFERRED TO COUNCIL DEVELOPER OR SUBSEQUENT DEVELOPERS TO RETAIN RIGHT TO PASS A ROAD AND SERVICES ACROSS LOT 502.

END OF STAGE WATER (TYP.)

FOR STAGING PURPOSES CONSTRUCT A TEMPORARY END OF LINE TERMINATION POINT AS PER 5.10 OF THE WATER CODE INSTALL φ100 STOP VALVE & HYDRANT WITH ONE LENGTH OF PIPE TO BE CAPPED WITH A THRUST BLOCK ALL TO THE SATISFACTION OF TASWATER

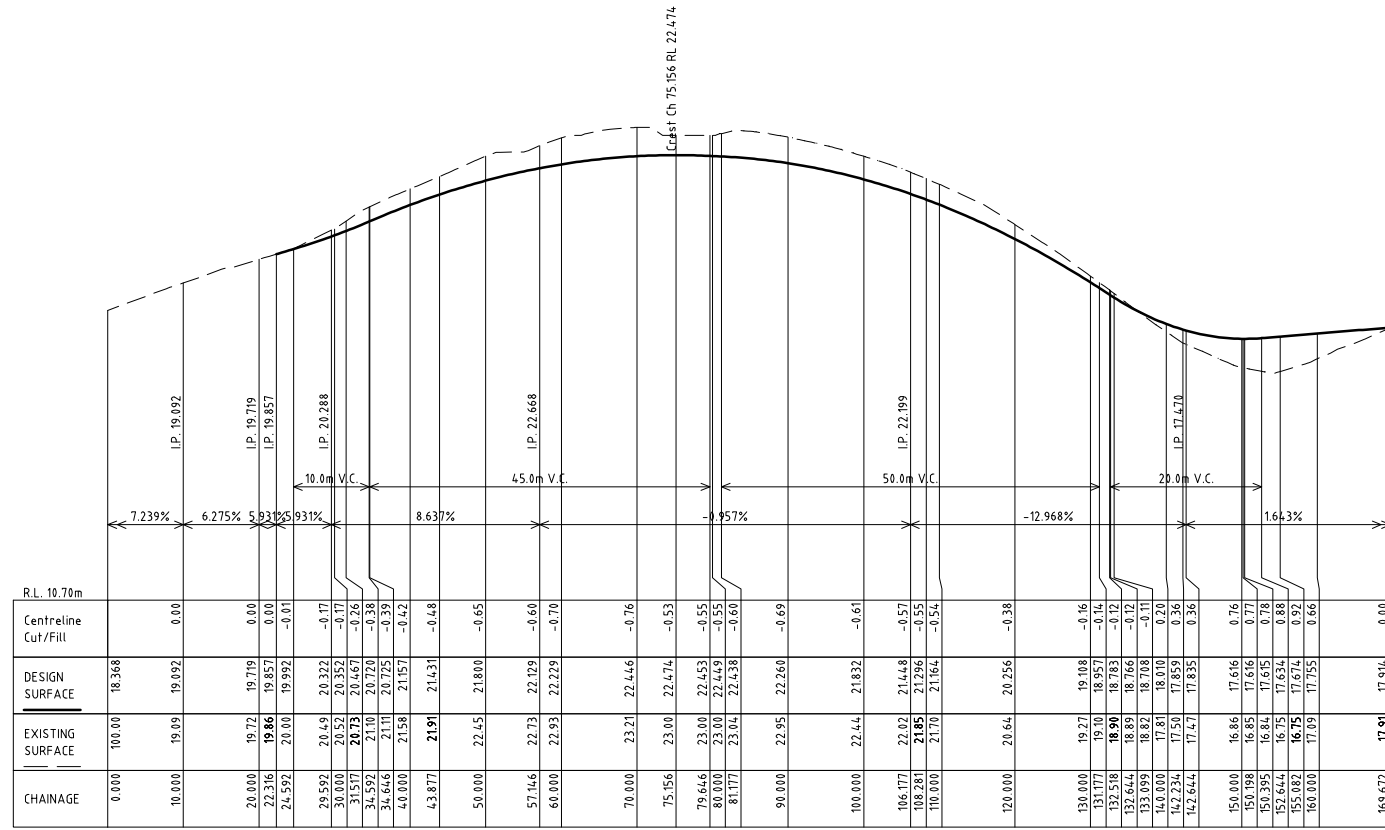
S.H.C. SINGLE HOUSE CONNECTION

SUPPLY AND INSTALLION OF DN25mm (ID 20mm) HDPE PN16 SDR11 PROPERTY WATER CONNECTION WITH ID 20mm SENSUS iPERL WATER METER PER TASWATER ENDORSED STANDARD PLANS BELOW GROUND LOW HAZARD WATER CONNECTION BY TASWATER AT DEVELOPERS EXPENSE

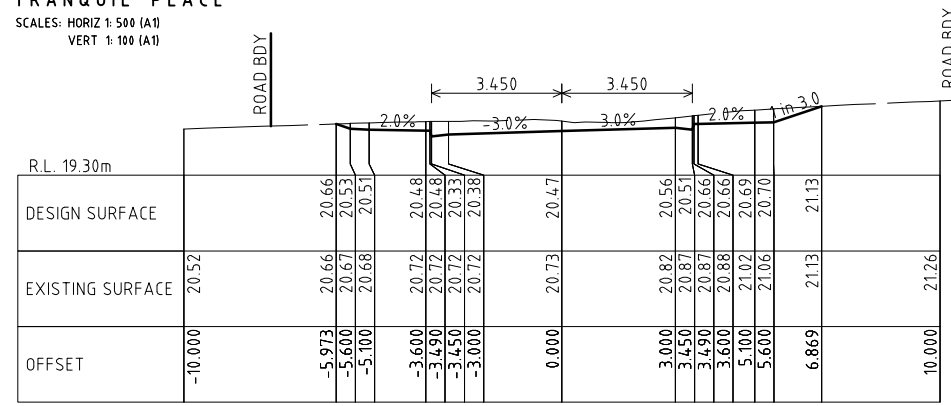
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No.	AMENDMENT	DATE	DRG No.
A	ISSUED TO COUNCIL DA	19.02.2024	
			REFERENCE

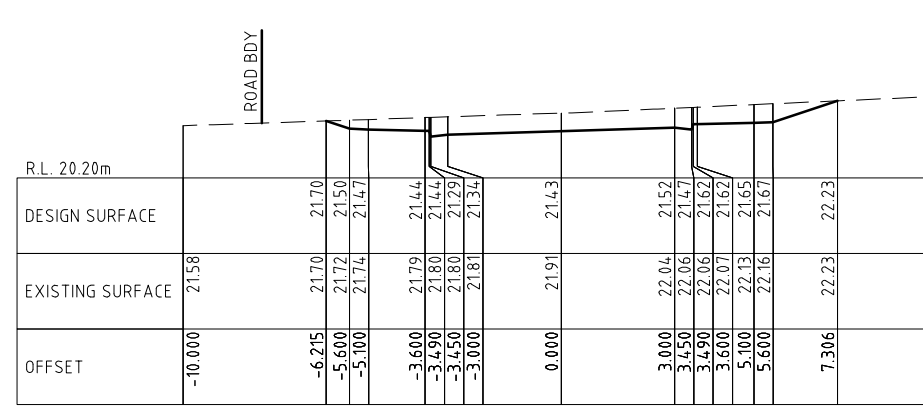
HUTCHINGS SPURR PTY. LTD. CONSULTING ENGINEERS 23 ANTILL STREET, HOBART, 7000. A.C.N. 009508525 PHONE (03) 6223 5020 FAX (03) 6223 5347		* STRUCTURAL * CIVIL * MUNICIPAL * MECHANICAL * MARINE * ELECTRICAL
312A TRANMERE ROAD, TRANMERE TRANMERE ESTATE - STAGE 10 WATER RETICULATION PLAN		DRAWING No. 21281/103 (A) REVISION
SCALE 1:500 (A1) DRAWN B. STANFORD DATE FEB '23 APPROVED	No. OF SHEETS	



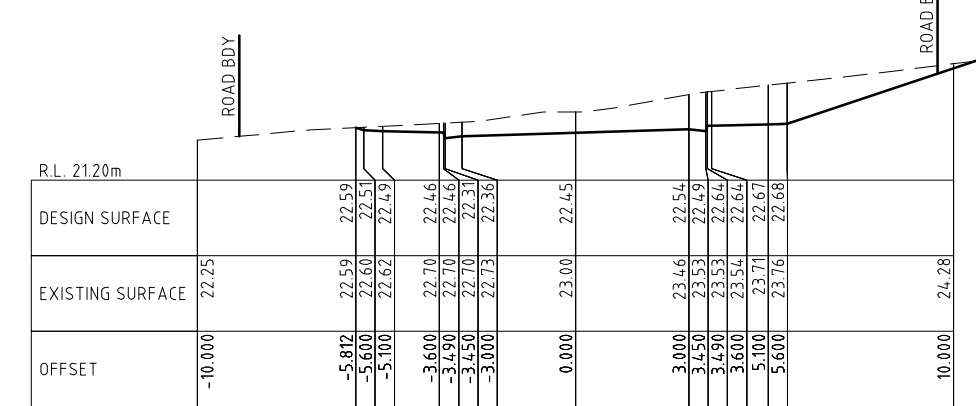
LONGITUDINAL SECTION
TRANQUIL PLACE
 SCALES: HORIZ 1:500 (A1)
 VERT 1:100 (A1)



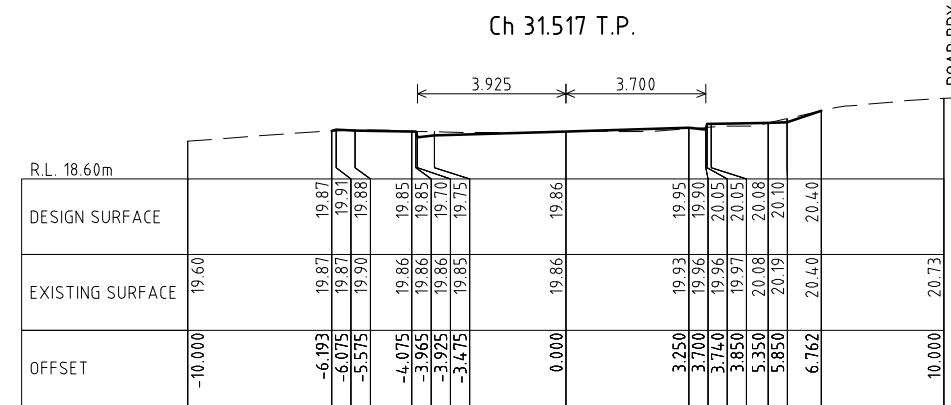
Ch 31.517 T.P.



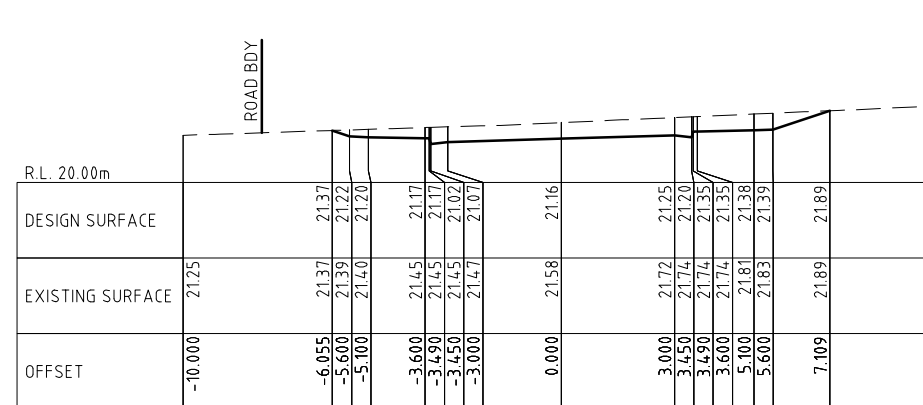
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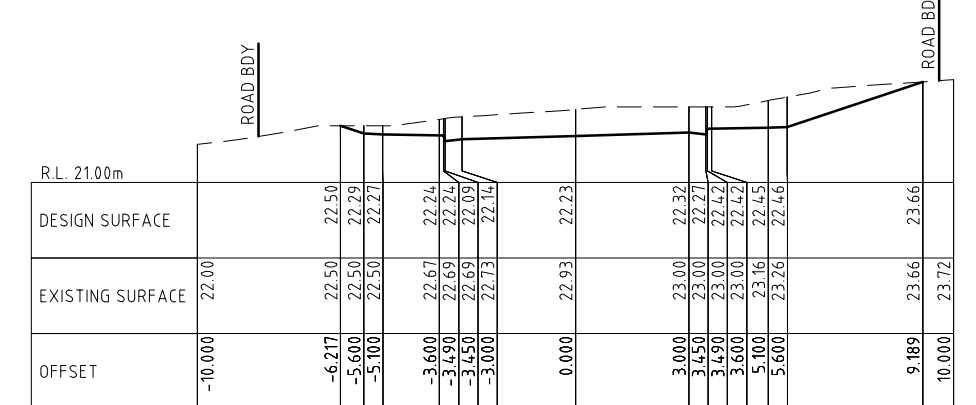
Ch 80.000



Ch 22.316 T.P.



Ch 40.000



Ch 60.000

CROSS SECTIONS
TRANQUIL COSTS
 SCALES: 1:100 (A1)

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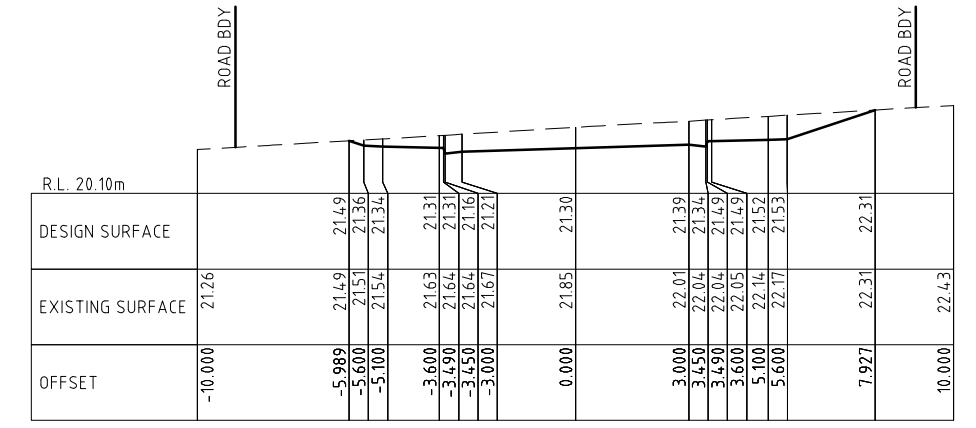
* STRUCTURAL
 * CIVIL
 * MUNICIPAL
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 * MARINE
 * ELECTRICAL

No.	AMENDMENT	DATE	DRG No.	REFERENCE
A	ISSUED TO COUNCIL DA	19.02.2024		

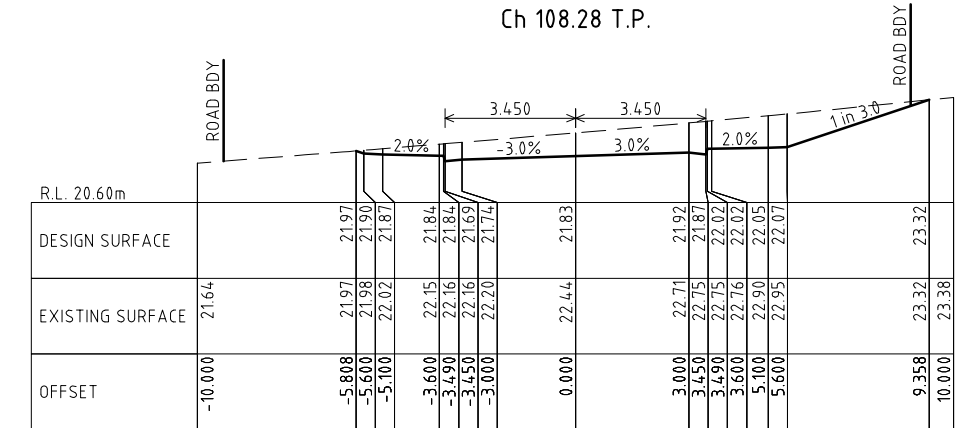
312A TRANMERE ROAD, TRANMERE
 TRANMERE ESTATE - STAGE 10
 TRANQUIL PLACE LONG & CROSS SECTIONS

SCALE AS SHOWN
 DRAWN B. STANFORD DATE FEB '24
 APPROVED

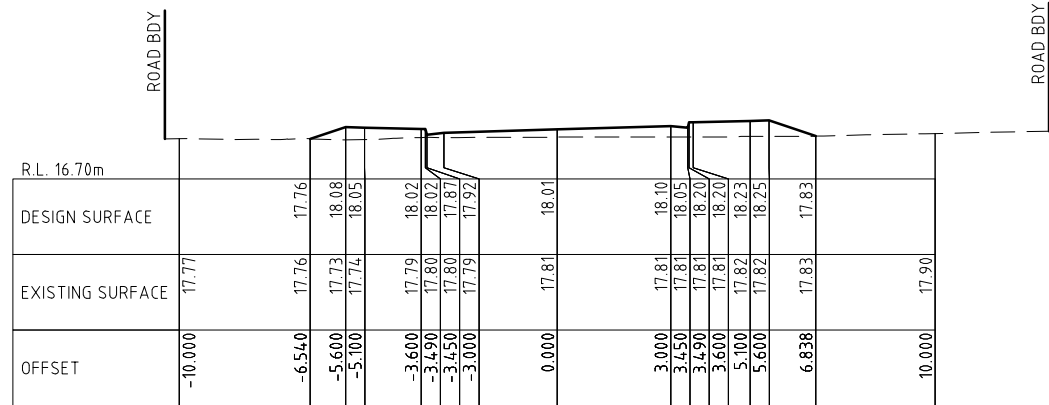
DRAWING No. **21281/104** (A)
 REVISION
 No. OF SHEETS



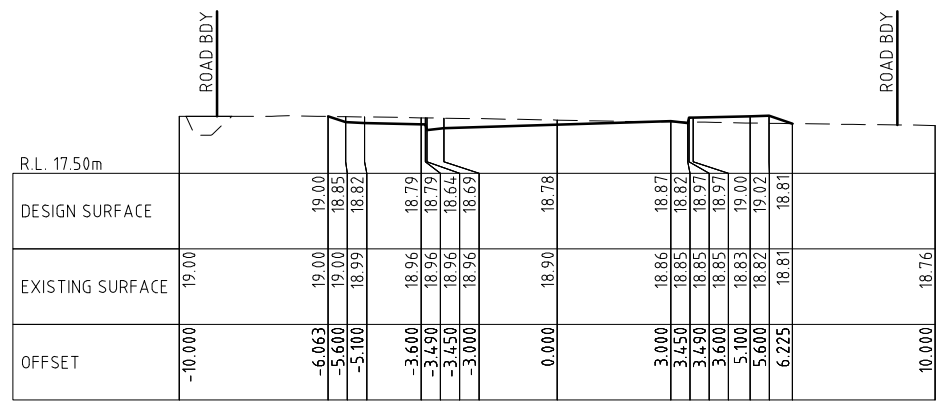
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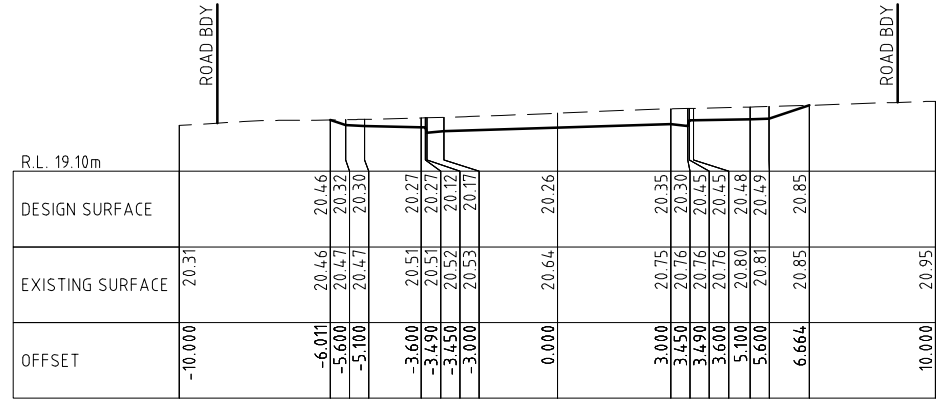
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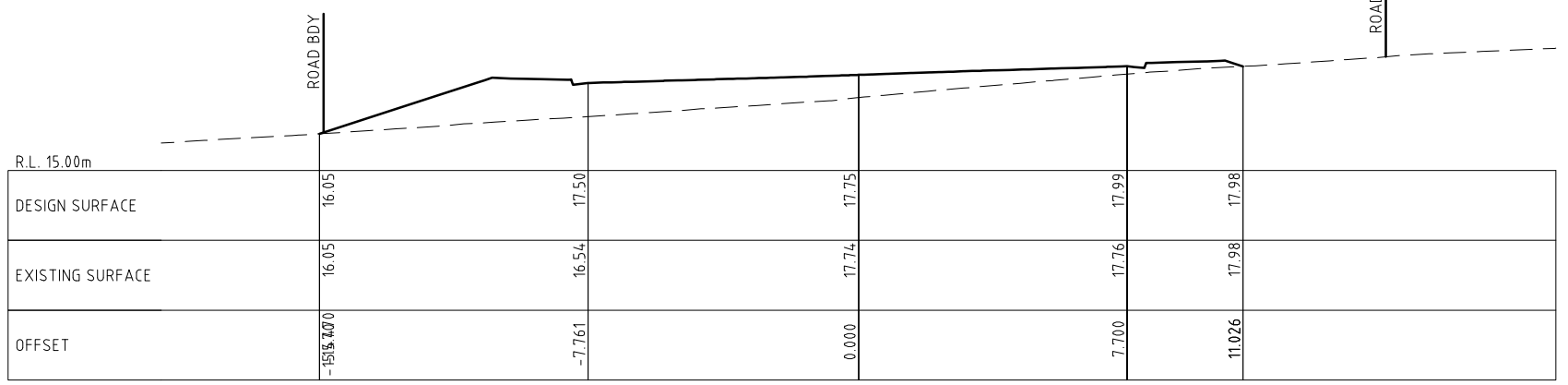
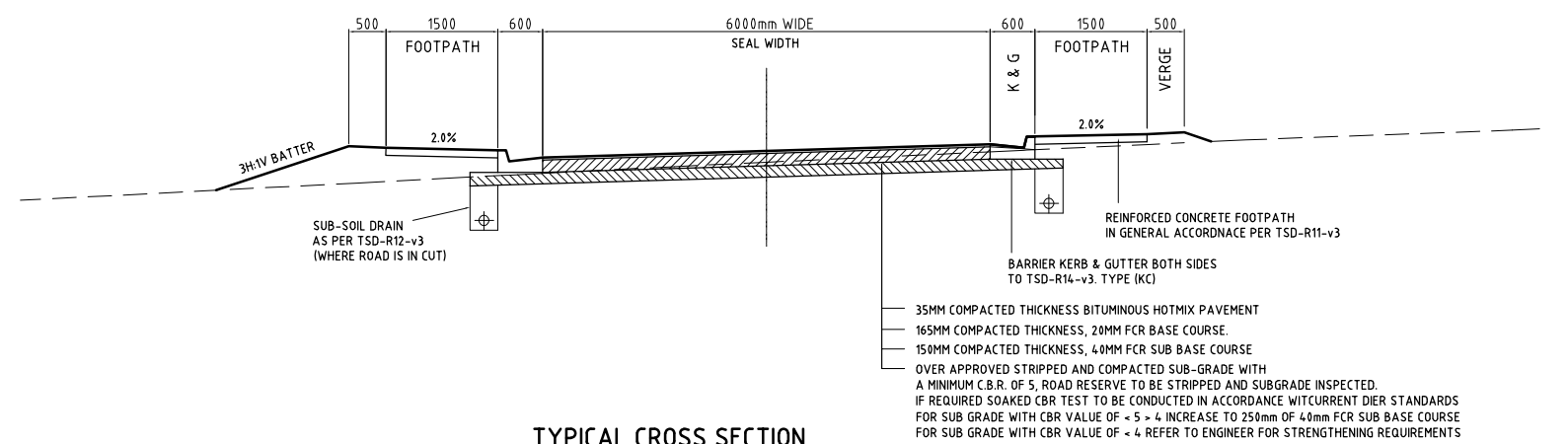
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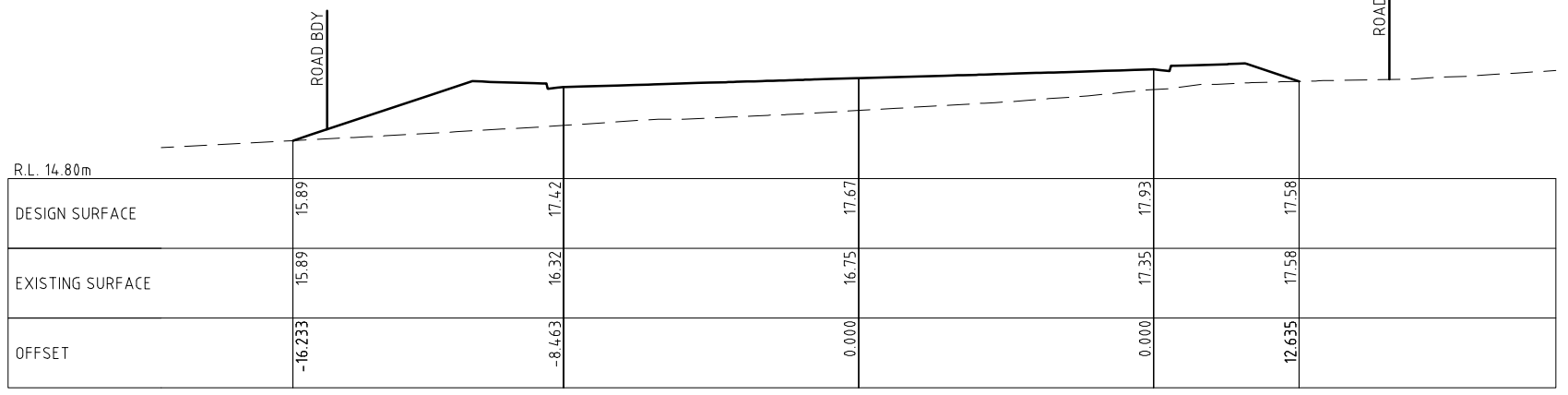
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Ch 120.000



Ch 160.000

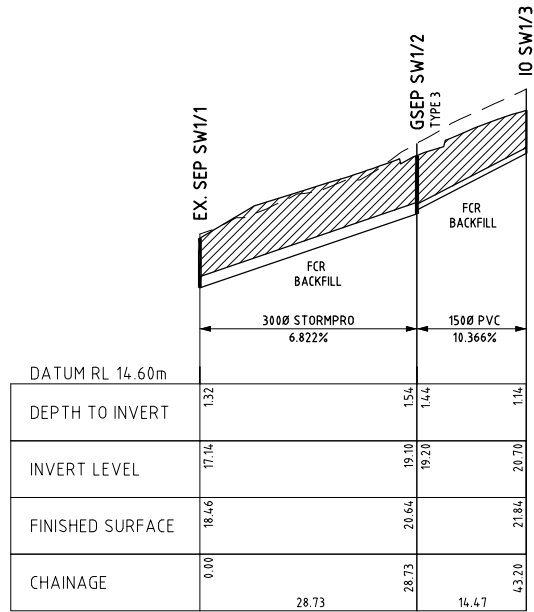


Ch 155.082 T.P.

CROSS SECTIONS
TRANQUIL PLACE
SCALES: 1:100 (A1)

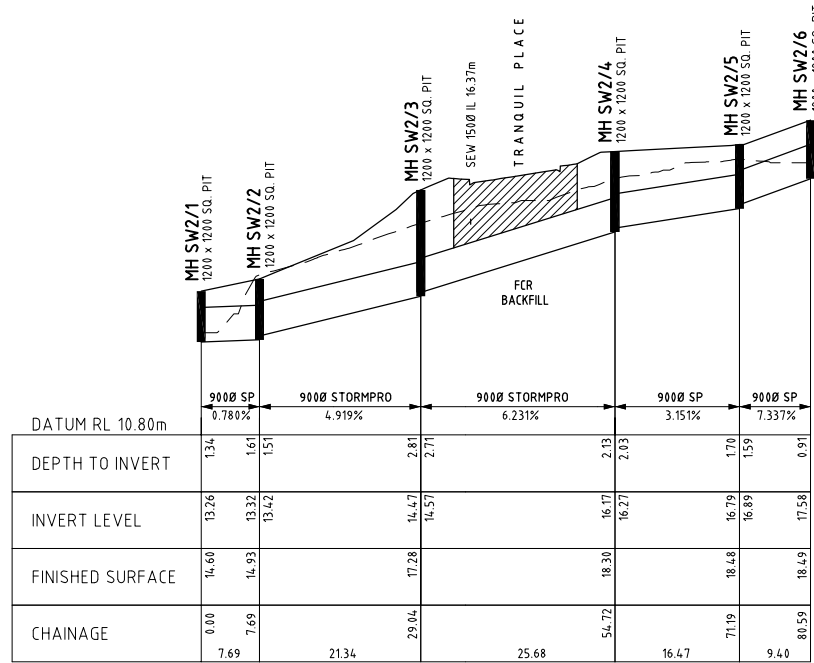
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No.	AMENDMENT	DATE	DRG No.	REFERENCE
A	ISSUED TO COUNCIL DA	19.02.2024		
312A TRANMERE ROAD, TRANMERE TRANMERE ESTATE - STAGE 10 TRANQUIL PLACE CROSS SECTIONS 2				DRAWING No. 21281/105 (A) REVISION
SCALE AS SHOWN DRAWN B. STANFORD DATE FEB '23 APPROVED				No. OF SHEETS



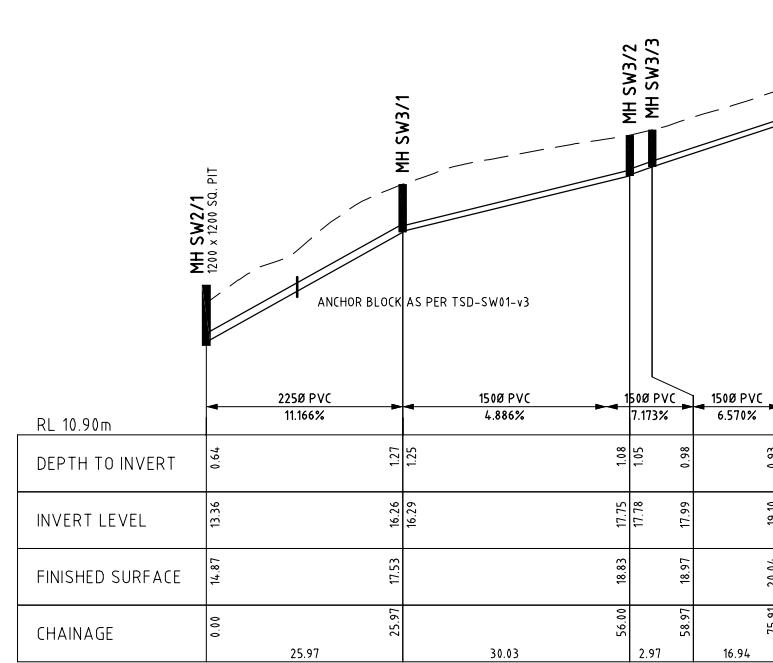
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SCALES HOR 1:500 VER 1:100



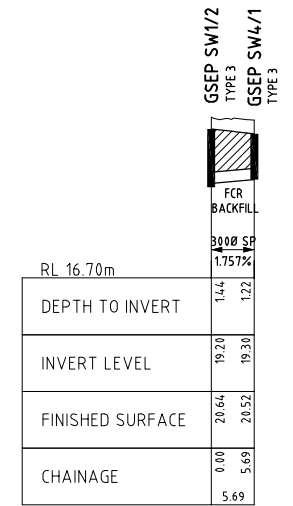
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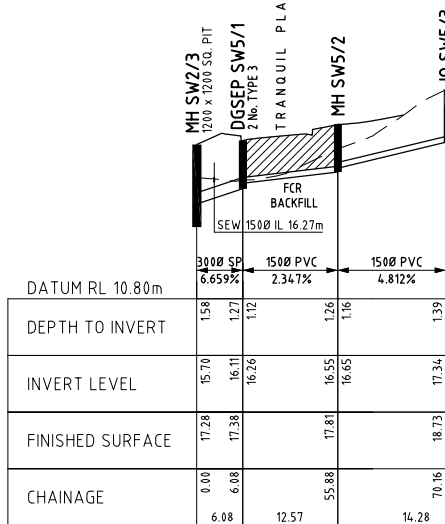
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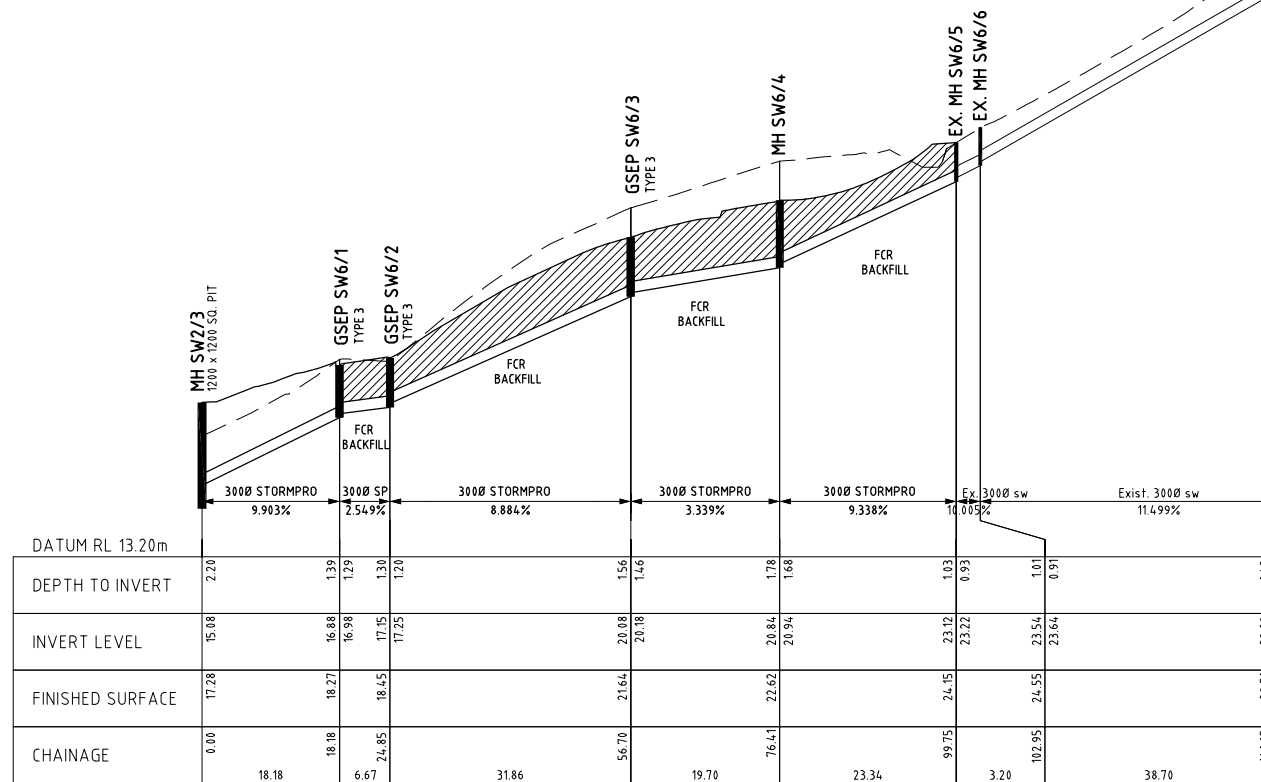
Line SW4

SCALES HOR 1:500 VER 1:100



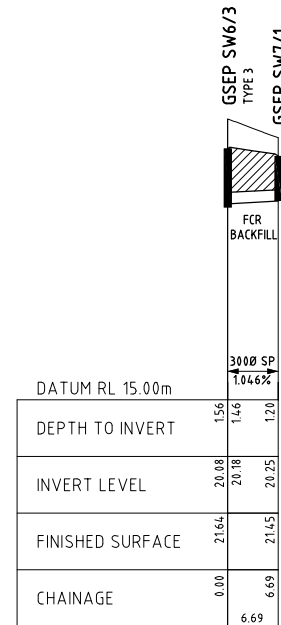
Line SW5

SCALES HOR 1:500 VER 1:100



Line SW6

SCALES HOR 1:500 VER 1:100



Line SW7

SCALES HOR 1:500 VER 1:100

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* MARINE
* ELECTRICAL

No.	AMENDMENT	DATE	DRG No.	REFERENCE
A	ISSUED TO TAWSATER	19.02.2024		

312A TRANMERE ROAD, TRANMERE
TRANMERE ESTATE - STAGE 10
STORMWATER LONG SECTIONS

SCALE AS SHOWN
DRAWN B. STANFORD DATE FEB '23
APPROVED

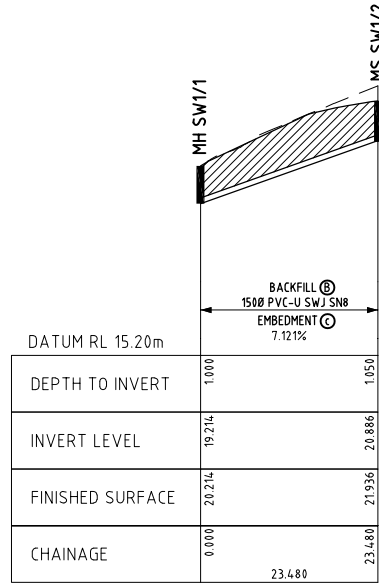
DRAWING No. REVISION
21281/106 (A)
No. OF SHEETS

BACKFILL MATERIALS

BACKFILL MATERIAL (A) = AS PER TABLE 201-B, STD. DRG. MRWA-W-201
 BACKFILL MATERIAL (B) = AS PER TABLE 201-A, STD. DRG. MRWA-W-201

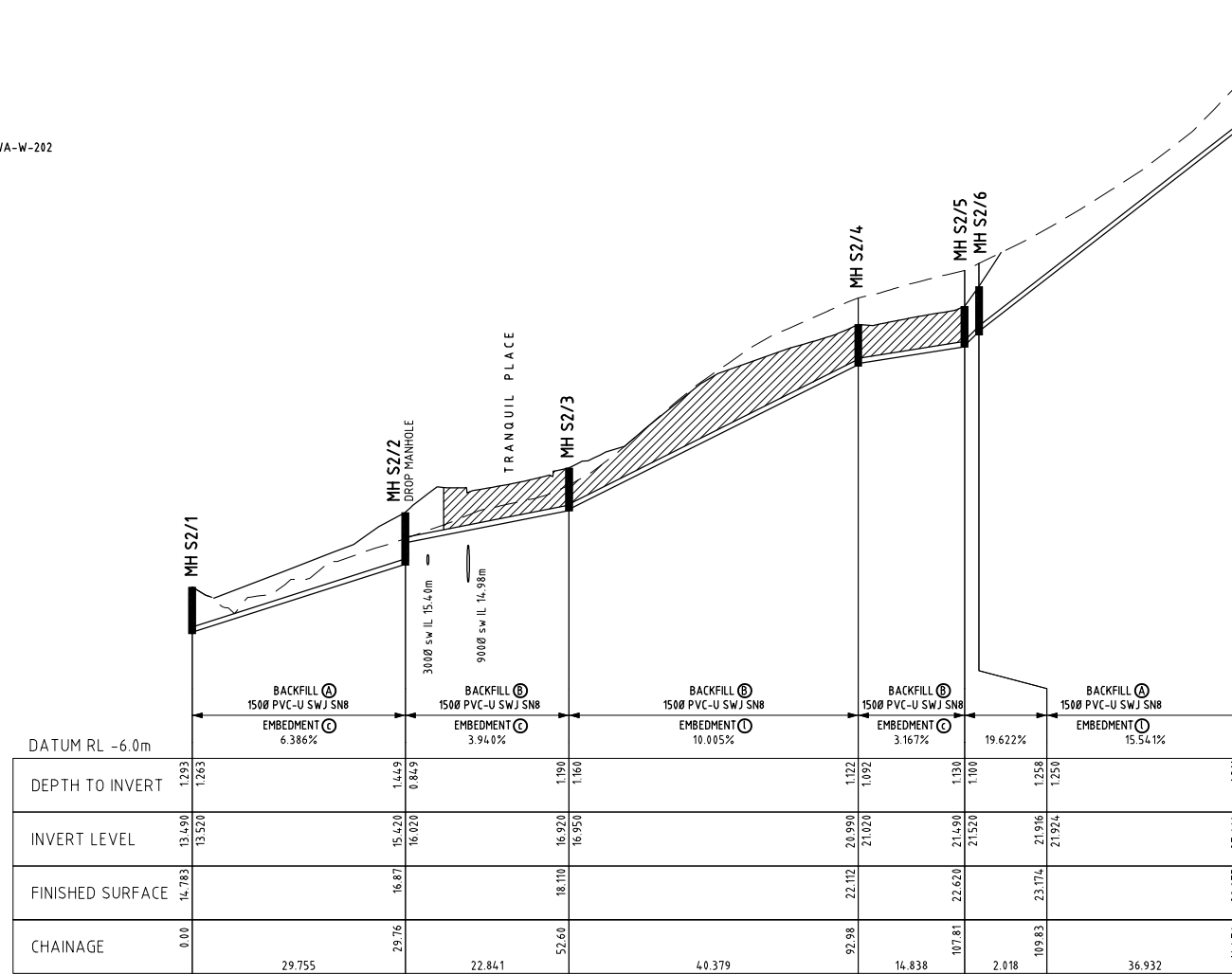
EMBEDMENT MATERIALS

EMBEDMENT MATERIAL (C) = 7mm FCR AS PER TABLE 202-B, STD. DRG. MRWA-W-202
 EMBEDMENT MATERIAL (D) = 20mm CEMENT TREATED CLASS 3 FCR. AS PER TABLE 202-B, STD. DRG. MRWA-W-202



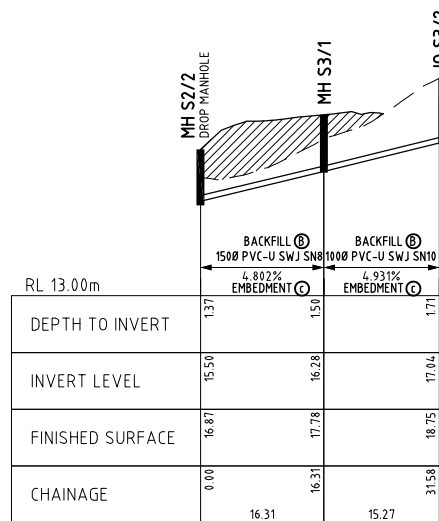
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SCALES HOR 1:500 VER 1:100



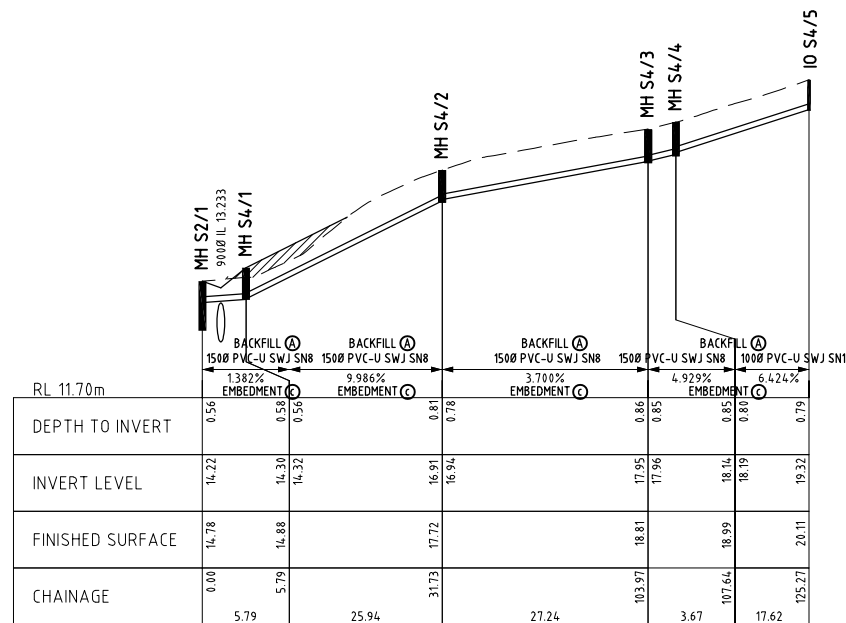
Line S2

SCALES HOR 1:500 VER 1:100



Line S3

SCALES HOR 1:500 VER 1:100



Line S4

SCALES HOR 1:500 VER 1:100

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CONSULTING ENGINEERS
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No.	AMENDMENT	DATE	DRG No.	REFERENCE
A	ISSUED TO TAWSATER	19.02.2024		

312A TRANMERE ROAD, TRANMERE
 TRANMERE ESTATE - STAGE 10
 SEWER LONG SECTIONS

SCALE AS SHOWN
 DRAWN B. STANFORD DATE FEB '23
 APPROVED

DRAWING No. **21281/107** (A)
 REVISION
 No. OF SHEETS

SWALE works based on stormwater report
 312A Tranmere Estate Flood Hazard and
 Stormwater Report - Anna Wilson 18/12/2023

Recommendations:

- 5m wide by 400mm deep grassed swale within a drainage easement.
- 4m wide x 500mm deep hinged section of fence at 358 Carella Street.
- 4 small plaques be attached to the concrete turnouts to identify the flood risk to residents for the future and discourage any private construction blocking the flow path.

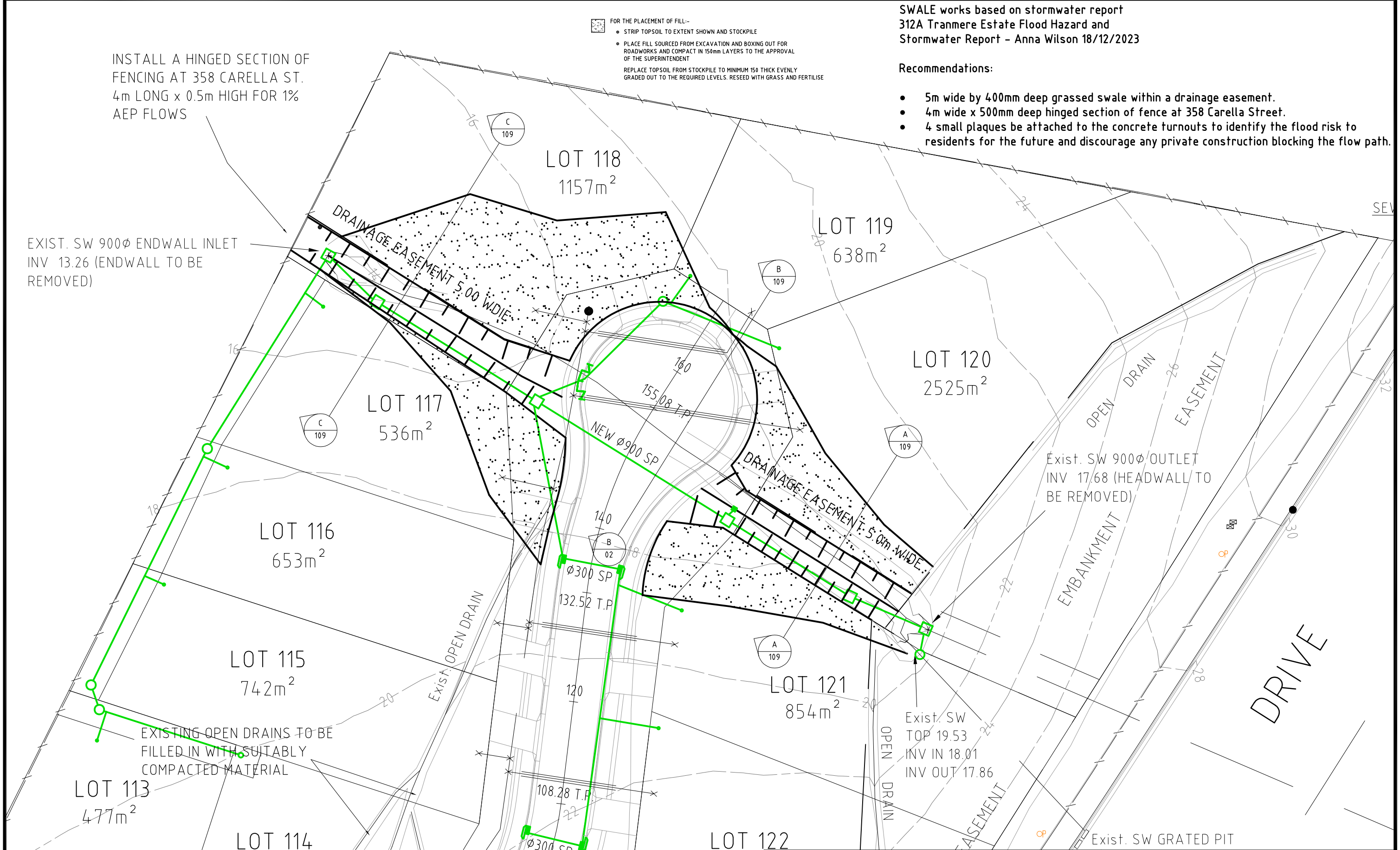
FOR THE PLACEMENT OF FILL:-
 • STRIP TOPSOIL TO EXTENT SHOWN AND STOCKPILE
 • PLACE FILL SOURCED FROM EXCAVATION AND BOXING OUT FOR ROADWORKS AND COMPACT IN 150mm LAYERS TO THE APPROVAL OF THE SUPERINTENDENT
 REPLACE TOPSOIL FROM STOCKPILE TO MINIMUM 150 THICK EVENLY GRADED OUT TO THE REQUIRED LEVELS. RESEED WITH GRASS AND FERTILISE

INSTALL A HINGED SECTION OF FENCING AT 358 CARELLA ST.
 4m LONG x 0.5m HIGH FOR 1% AEP FLOWS

EXIST. SW 900Ø ENDWALL INLET
 INV 13.26 (ENDWALL TO BE REMOVED)

Exist. SW 900Ø OUTLET
 INV 17.68 (HEADWALL TO BE REMOVED)

EXISTING OPEN DRAINS TO BE FILLED IN WITH SUITABLY COMPACTED MATERIAL



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No.	AMENDMENT	DATE	DRG No.
A	ISSUED TO COUNCIL DA	19.02.2024	

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312A TRANMERE ROAD, TRANMERE
 TRANMERE ESTATE - STAGE 10
 STORMWATER SWALE PLAN

SCALE 1:500 (A1)
 DRAWN B. STANFORD DATE FEB '23
 APPROVED

DRAWING No. 21281/108 (A)
 REVISION
 No. OF SHEETS

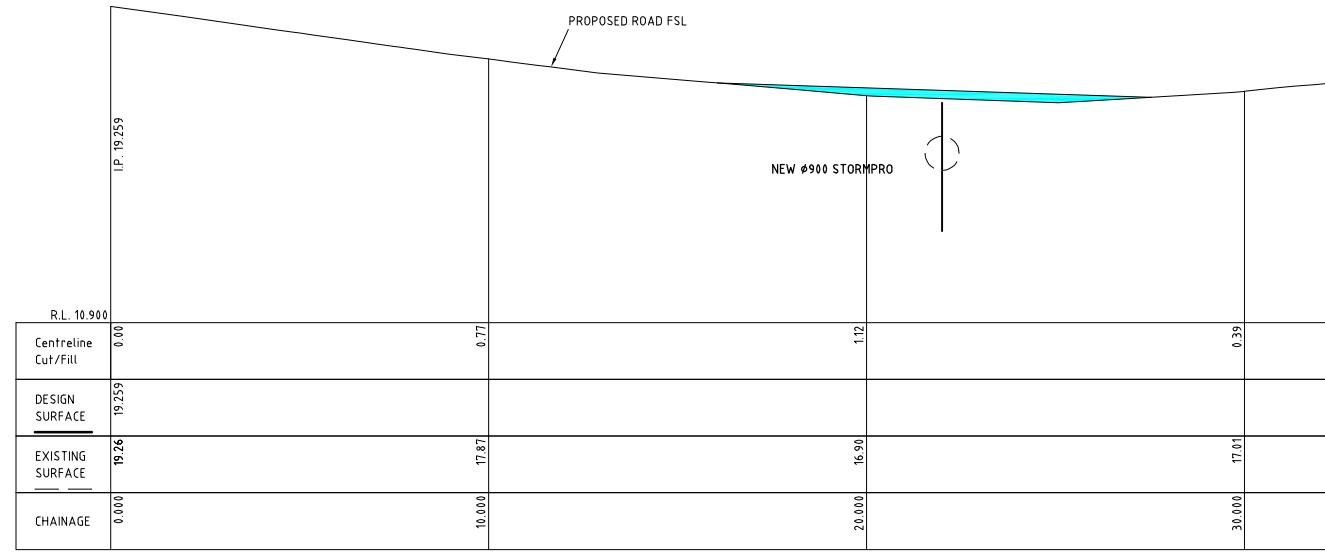
- * STRUCTURAL
- * CIVIL
- * MUNICIPAL
- * MECHANICAL
- * MARINE
- * ELECTRICAL



SWALE works based on stormwater report
 312A Tranmere Estate Flood Hazard and
 Stormwater Report - Anna Wilson 18/12/2023

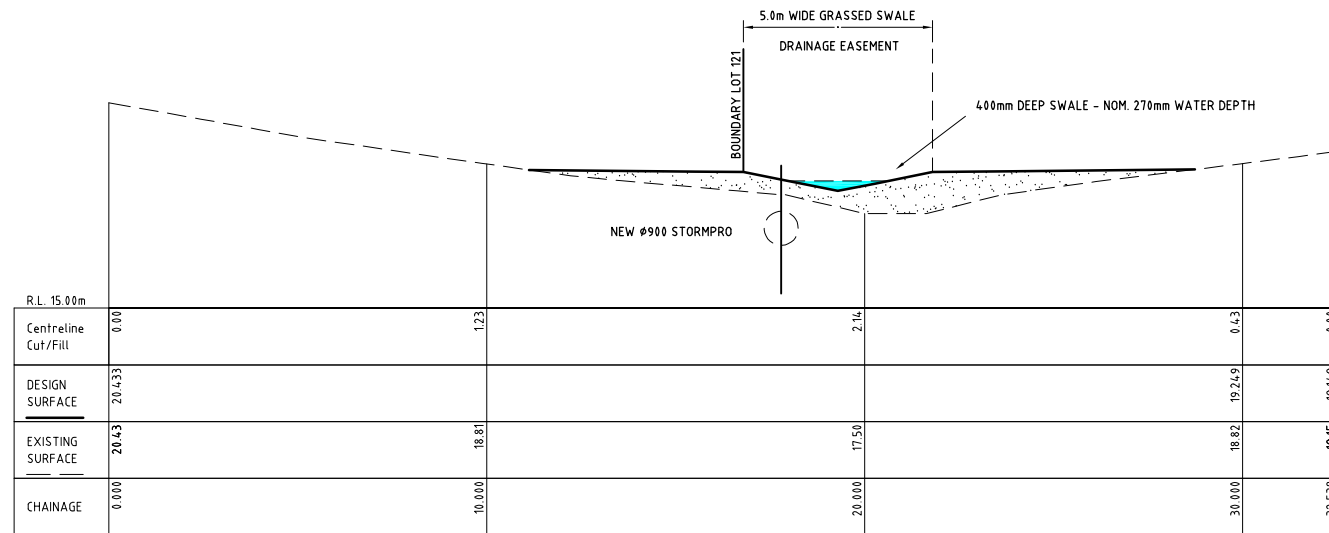
Recommendations:

- 5m wide by 400mm deep grassed swale within a drainage easement.
- 4m wide x 500mm deep hinged section of fence at 358 Carella Street.
- 4 small plaques be attached to the concrete turnouts to identify the flood risk to residents for the future and discourage any private construction blocking the flow path.



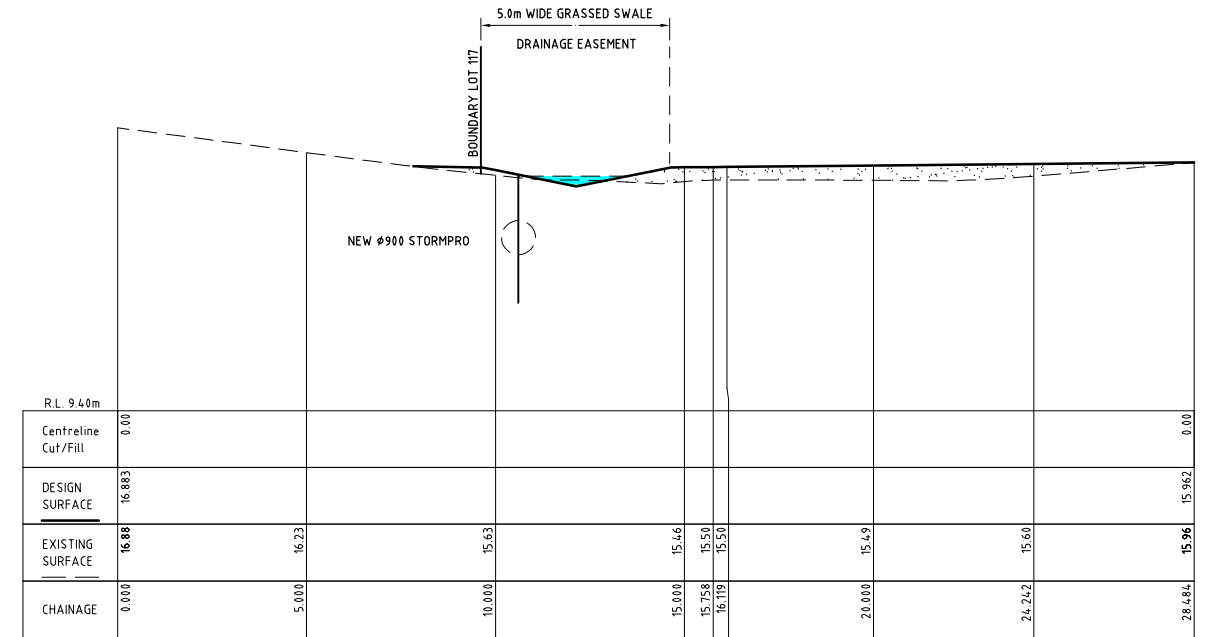
LONGITUDINAL SECTION
 B Ch 0.000 To Ch 32.512
 SCALES: HORIZONTAL 1:100 VERTICAL 1:100

B
 ROAD



LONGITUDINAL SECTION
 A Ch 0.000 To Ch 32.538
 SCALES: HORIZONTAL 1:100 VERTICAL 1:100

A
 UPSTREAM



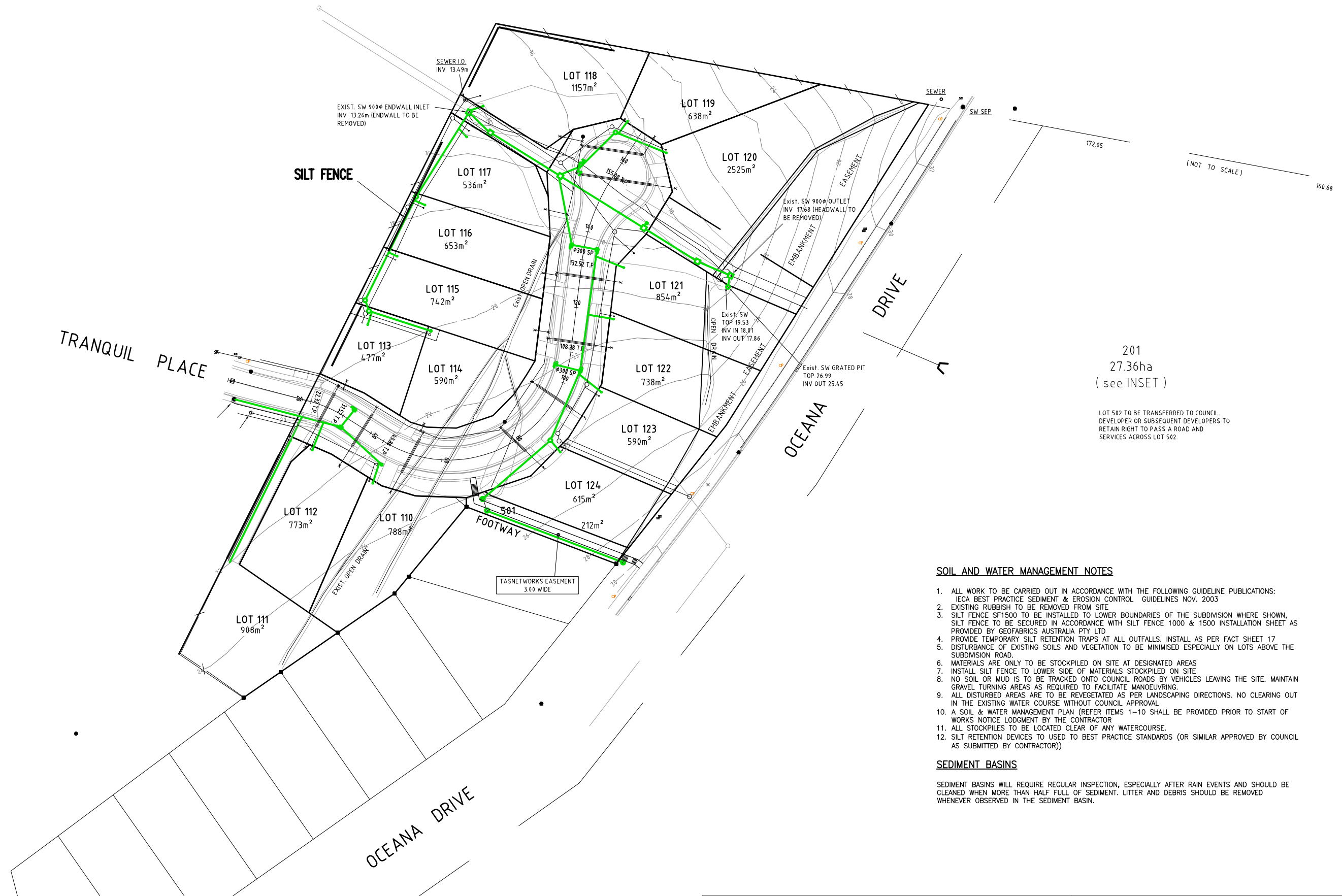
LONGITUDINAL SECTION
 C Ch 0.000 To Ch 28.484
 SCALES: HORIZONTAL 1:100 VERTICAL 1:100

C
 DOWNSTREAM

- FOR THE PLACEMENT OF FILL:-
- STRIP TOPSOIL TO EXTENT SHOWN AND STOCKPILE
 - PLACE FILL SOURCED FROM EXCAVATION AND BOXING OUT FOR ROADWORKS AND COMPACT IN 150mm LAYERS TO THE APPROVAL OF THE SUPERINTENDENT
 - REPLACE TOPSOIL FROM STOCKPILE TO MINIMUM 150 THICK EVENLY GRADED OUT TO THE REQUIRED LEVELS. RESEED WITH GRASS AND FERTILISE

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No.	AMENDMENT	DATE	DRG No.	REFERENCE			
A	ISSUED TO COUNCIL DA	19.02.2024		312A TRANMERE ROAD, TRANMERE TRANMERE ESTATE - STAGE 10 STORMWATER SWALE CROSS SECTIONS			
SCALE 1:500 (A1)				DRAWING No.		REVISION	
DRAWN B. STANFORD DATE FEB '23				21281/109		A	
APPROVED				No. OF SHEETS			



201
27.36ha
(see INSET)

LOT 502 TO BE TRANSFERRED TO COUNCIL DEVELOPER OR SUBSEQUENT DEVELOPERS TO RETAIN RIGHT TO PASS A ROAD AND SERVICES ACROSS LOT 502.

SOIL AND WATER MANAGEMENT NOTES

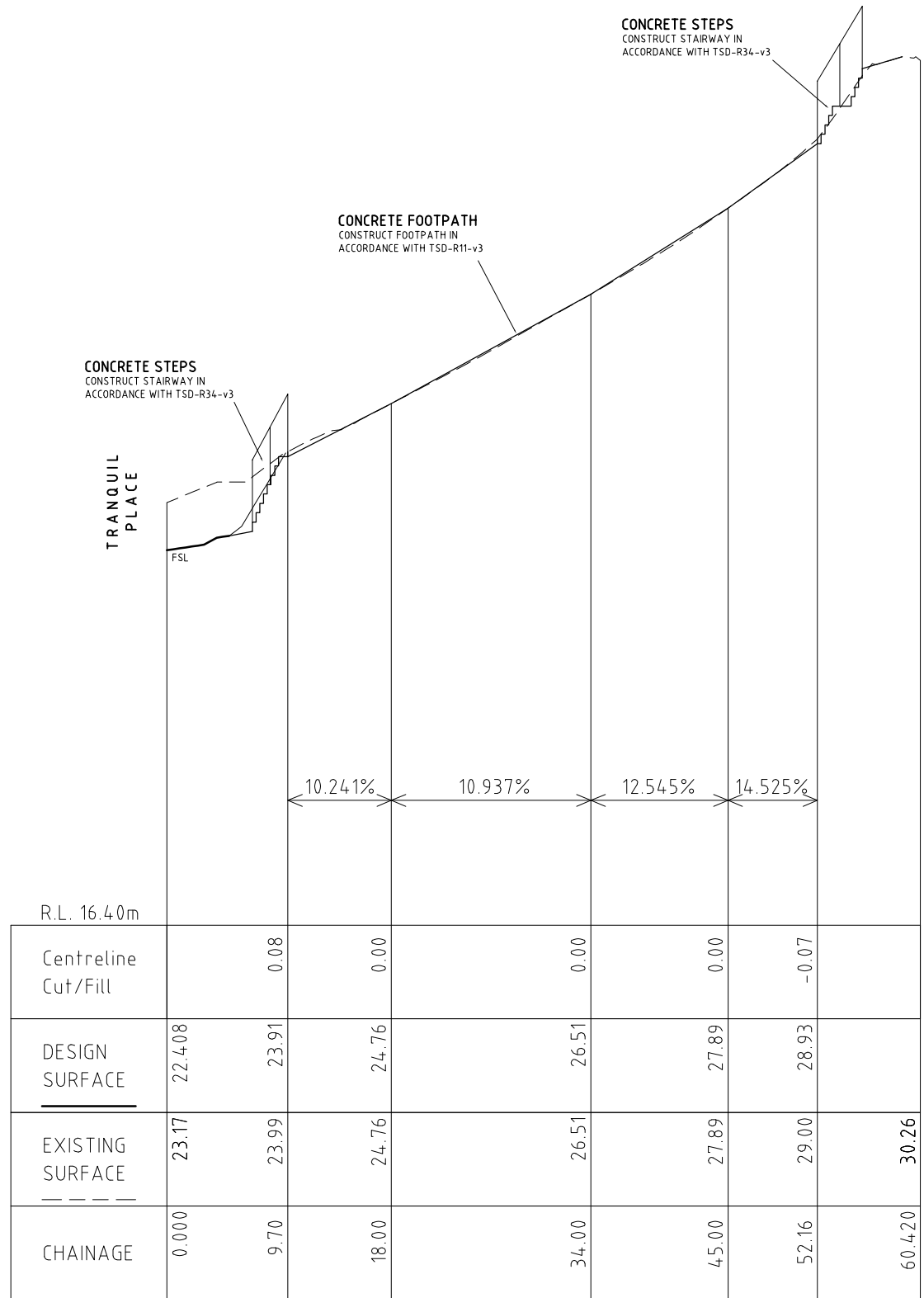
1. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE FOLLOWING GUIDELINE PUBLICATIONS:
IECA BEST PRACTICE SEDIMENT & EROSION CONTROL GUIDELINES NOV. 2003
2. EXISTING RUBBISH TO BE REMOVED FROM SITE
3. SILT FENCE SF1500 TO BE INSTALLED TO LOWER BOUNDARIES OF THE SUBDIVISION WHERE SHOWN, SILT FENCE TO BE SECURED IN ACCORDANCE WITH SILT FENCE 1000 & 1500 INSTALLATION SHEET AS PROVIDED BY GEOFABRICS AUSTRALIA PTY LTD
4. PROVIDE TEMPORARY SILT RETENTION TRAPS AT ALL OUTFALLS. INSTALL AS PER FACT SHEET 17
5. DISTURBANCE OF EXISTING SOILS AND VEGETATION TO BE MINIMISED ESPECIALLY ON LOTS ABOVE THE SUBDIVISION ROAD.
6. MATERIALS ARE ONLY TO BE STOCKPILED ON SITE AT DESIGNATED AREAS
7. INSTALL SILT FENCE TO LOWER SIDE OF MATERIALS STOCKPILED ON SITE
8. NO SOIL OR MUD IS TO BE TRACKED ONTO COUNCIL ROADS BY VEHICLES LEAVING THE SITE. MAINTAIN GRAVEL TURNING AREAS AS REQUIRED TO FACILITATE MANOEUVRING.
9. ALL DISTURBED AREAS ARE TO BE REVEGETATED AS PER LANDSCAPING DIRECTIONS. NO CLEARING OUT IN THE EXISTING WATER COURSE WITHOUT COUNCIL APPROVAL
10. A SOIL & WATER MANAGEMENT PLAN (REFER ITEMS 1-10 SHALL BE PROVIDED PRIOR TO START OF WORKS NOTICE LODGMENT BY THE CONTRACTOR
11. ALL STOCKPILES TO BE LOCATED CLEAR OF ANY WATERCOURSE.
12. SILT RETENTION DEVICES TO USED TO BEST PRACTICE STANDARDS (OR SIMILAR APPROVED BY COUNCIL AS SUBMITTED BY CONTRACTOR))

SEDIMENT BASINS

SEDIMENT BASINS WILL REQUIRE REGULAR INSPECTION, ESPECIALLY AFTER RAIN EVENTS AND SHOULD BE CLEANED WHEN MORE THAN HALF FULL OF SEDIMENT. LITTER AND DEBRIS SHOULD BE REMOVED WHENEVER OBSERVED IN THE SEDIMENT BASIN.

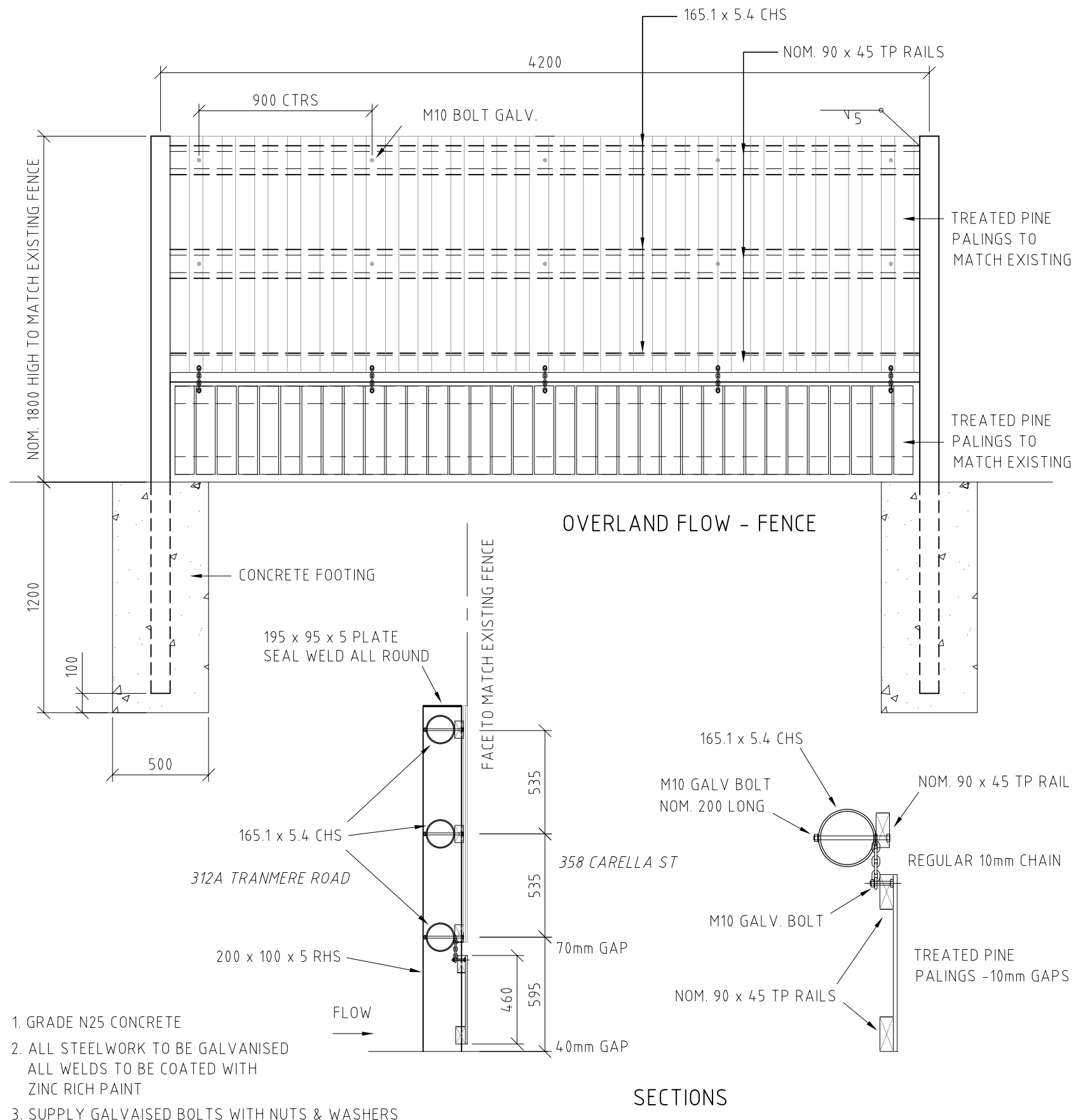
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No.	AMENDMENT	DATE	DRG No.	REFERENCE	312A TRANMERE ROAD, TRANMERE TRANMERE ESTATE - STAGE 10 SOIL AND WATER MANAGEMENT PLAN		
A	ISSUED TO COUNCIL DA	19.02.2024			SCALE	1:500 (A1)	DRAWING No.
					DRAWN	B. STANFORD	DATE
					APPROVED		FEB '23
							REVISION
							21281/110 (A)
							No. OF SHEETS



LONGITUDINAL SECTION
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SCALES: HORIZONTAL 1:500 VERTICAL 1:100

FOOTWAY LONGSECTION

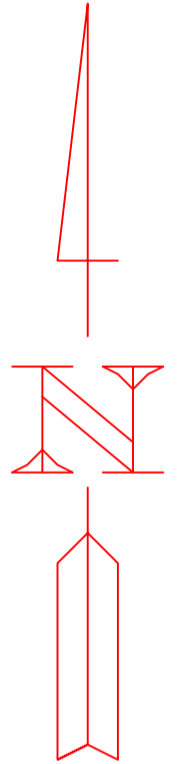
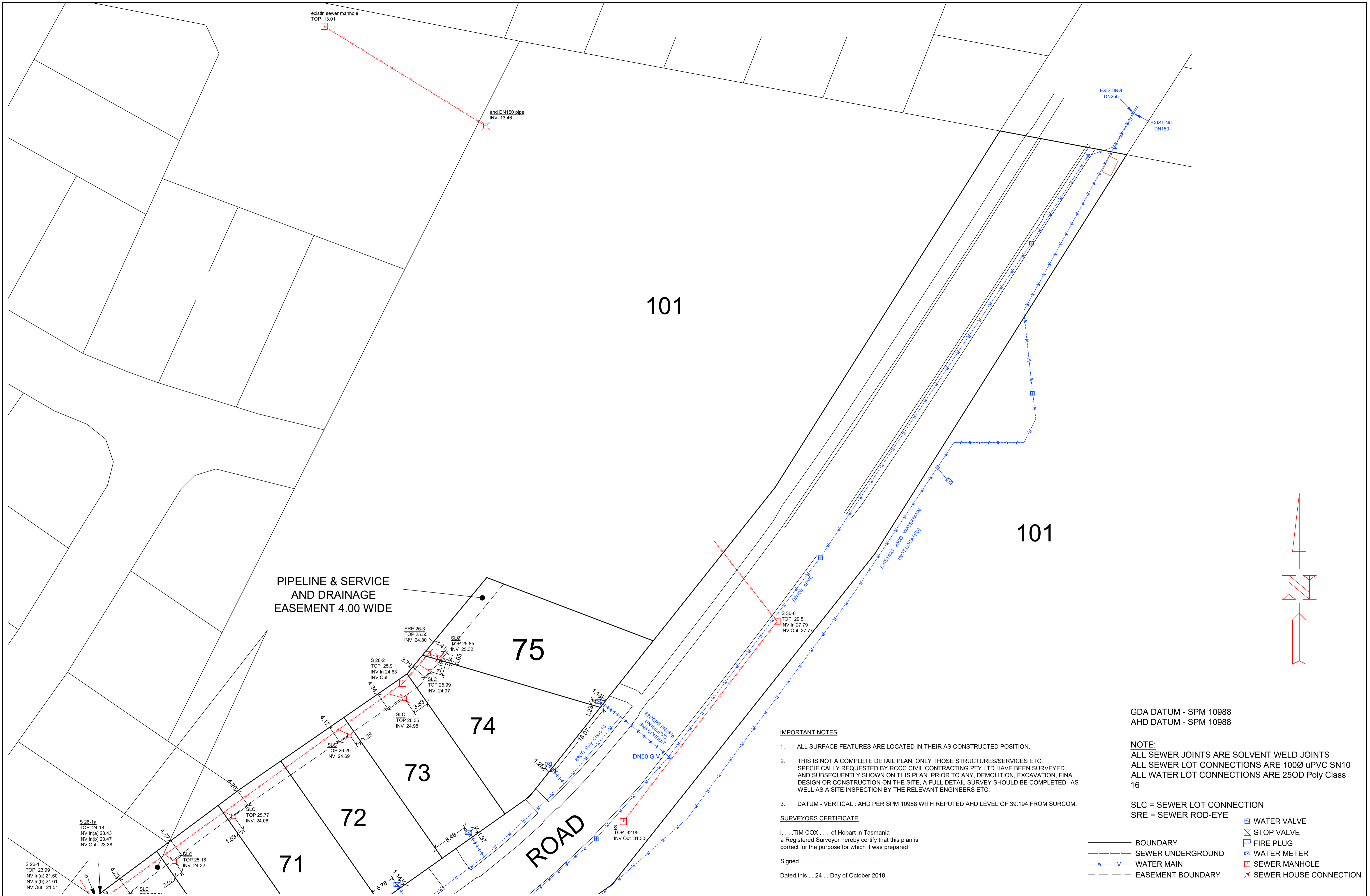


1. GRADE N25 CONCRETE
2. ALL STEELWORK TO BE GALVANISED
ALL WELDS TO BE COATED WITH
ZINC RICH PAINT
3. SUPPLY GALVAISED BOLTS WITH NUTS & WASHERS

SECTIONS

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AMENDMENT		DATE	DRG No.	REFERENCE			
No.				312A TRANMERE ROAD, TRANMERE TRANMERE ESTATE - STAGE 10 FOOTWAY STEPS/PATH & OVERLAND FENCE			
A	ISSUED TO COUNCIL DA	19.02.2024		SCALE 1:500 (A1)			
				DRAWN B. STANFORD DATE FEB '23		DRAWING No. REVISION	
				APPROVED		21281/111 (A)	
						No. OF SHEETS	



IMPORTANT NOTES

1. ALL SURFACE FEATURES ARE LOCATED IN THEIR AS CONSTRUCTED POSITION.
2. THIS IS NOT A COMPLETE DETAIL PLAN, ONLY THOSE STRUCTURES/SERVICES ETC. SPECIFICALLY REQUESTED BY RCCC CIVIL CONTRACTING PTY LTD HAVE BEEN SURVEYED AND SUBSEQUENTLY SHOWN ON THIS PLAN. PRIOR TO ANY, DEMOLITION, EXCAVATION, FINAL DESIGN OR CONSTRUCTION ON THE SITE, A FULL DETAIL SURVEY SHOULD BE COMPLETED AS WELL AS A SITE INSPECTION BY THE RELEVANT ENGINEERS ETC.
3. DATUM - VERTICAL : AHD PER SPM 10988 WITH REPUTED AHD LEVEL OF 39.194 FROM SURCOM.

SURVEYORS CERTIFICATE

I, . . .TIM COX . . . of Hobart in Tasmania a Registered Surveyor hereby certify that this plan is correct for the purpose for which it was prepared

Signed
Dated this . . . 24 . . . Day of October 2018

GDA DATUM - SPM 10988
AHD DATUM - SPM 10988

NOTE:
ALL SEWER JOINTS ARE SOLVENT WELD JOINTS
ALL SEWER LOT CONNECTIONS ARE 100Ø uPVC SN10
ALL WATER LOT CONNECTIONS ARE 250D Poly Class 16

- SLC = SEWER LOT CONNECTION
- SRE = SEWER ROD-EYE
- WATER VALVE
- STOP VALVE
- FIRE PLUG
- WATER METER
- SEWER MANHOLE
- SEWER HOUSE CONNECTION
- BOUNDARY
- SEWER UNDERGROUND
- WATER MAIN
- EASEMENT BOUNDARY

AMENDMENTS		
No.	Revision/Issue	Date



Unit G04 40 Molle Street,
HOBART TAS 7000
P 03 6118 2030
E
admin@learyandcox.com

Project Name and Address
**312A TRANMERE RD
TRANMERE TAS 7018**

Drawing Title
**AS-CONSTRUCTED PLAN
SEWER & WATER**

Client
RCCC Civil Contracting Pty Ltd

SCALE
1:400 at A1
SHEET 2 OF 2

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Date		9403	
24 / 10 / 18		Geocivil Ref	940309
SHEET 1 of 1	AutoCAD Ref	940309	
DRAWN	KS	DATUM	Horz: GDA94 (Grid)
CHKD		Vert:	AHD

312A Tranmere Estate Flood Hazard and Stormwater Report

Version	Author	Model Notes	Date
V1	A.Wilson B.ENG Environmental		5/4/2023
V2	A.Wilson B.Eng Environmental	Updated for Clarence Council RFI request PDPLANPMTD-2023/038723 dated 29/09/23 Model updated with drainage channel moved fully into lot boundary easement. Images, graphs and report updated accordingly. Signature added. Recommendations updated as per Clarence Council RFI request.	18/12/2023
V2.1	A. Wilson B.Eng Environmental	Lot numbers updated to accord with updated plans.	23/02/24



This report has been completed in good faith with the information provided to Anna Wilson. 18/12/2023



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1 Purpose Of Report

2 Executive Summary

The purpose of this report is to address the Preliminary Planning assessment for application PDPLIMPLN-2021/018511(A002) to provide a flood hazard report and stormwater assessment report for Stage 10 at 312A Tranmere Road, Tranmere

This report will consider the consequences of development pertaining to stormwater and flooding. It will consider how stormwater and flood risks will be managed through the development and provide management solutions to meet the requirements of the Clarence City Council Stormwater Management Procedure for New Development, the Tasmanian Planning Scheme and the Urban Drainage Act.

Specifically under the Stormwater Management Procedure for New Development this report ensure that stormwater runoff generated by new developments is of an acceptable quality, does not exacerbate flooding, can be accommodated by the council stormwater system, and will not adversely impact the future capacity of the system.

This report addresses Clarence Councils stormwater treatment requirements and provides recommendations for how they can be managed in this location.

This report should be read in conjunction with Stage 10 312A Tranmere Road plans.

This report pertains to the area of 312A Tranmere Road Tranmere the west of Oceana Drive. A 17 lot subdivision has been proposed for this location accessing from Tranquil place as Stage 10.

This report addresses stormwater management for the proposed development and includes the flood report and the stormwater quality report for the site.

The proposed development lot is intercepted by an overland flow path that runs from an east to west through the development. On the east side the flow path is constricted by an existing 900mm dia concrete pipe under Oceana Drive. Clarence Council flood modelling shows that this pipe restricts flow in a 1% event and causes some build up of flow on the upstream side of the culvert.

The western outfall of the lot is into an area of unit development at 358 Corella St. There are a number of units in the direct flow path (although there is some space possibly allocated as a flow path) through these units. There is an existing 900mm dia culvert that takes the flow through to the ocean outfall. Clarence Council flood mapping – and our flood modelling shows that these units have an existing overland flow path through the units.

This report was undertaken on the assumption that the proposed development could not increase downstream flooding risk.

The modelling demonstrated that installing a culvert to connect the exiting 900mm culvert under Oceana Drive to the existing 900 dia culvert in Corella



Street and connecting the proposed development to this piped network significantly reduces the flooding to the downstream properties. This connection improves the hydraulic efficiency of the system thus reducing the overland flow able to flow into properties so downstream therefore flooding is significantly reduced. Adding detention in this scenario is not the recommended action for this development as;

1. the reduction in risk to downstream properties is managed by installation of the proposed pipe and;
2. detention low flows would be coincident with the highest flow rate from the upper catchment, increasing overall flood risk.

This report addresses the requirements for stormwater quality treatment and makes recommendations for treatment. However it would also be a preferable outcome to have the cost of treatment contributed to Council to enable Council to install appropriate treatment prior to the ocean outfall.



2.0 Report Recommendations

Recommendation Ref No.	Area of interest	Recommendation	Notes
1.	Major network	The 900 dia pipe be linked between the Oceana Dive culvert and the Carella Drive Culvert.	This line becomes part of the developments stormwater system. There is no open inlet grate at the Carella St culvert inlet.
2.	Major network	An overland flow path to large events to be created along the overland flow path, limiting total flow width to 5m wide and maximum 400mm deep. This flow path to be protected by a 5m wide easement.	The size of the overland flow path to be reduced through the cul de sac head. Cul de sac head to be designed to carry the required flow rate as per the attached plans.
3.	Major network	Cut off drains to be created at base of embankments to direct flows into the central overland flow path.	As per plans.
4.	Major network	4 small plaques be attached to the concrete turnouts to identify the flood risk to residents for the future and discourage any private construction blocking the flow path.	This option is recommended to ensure that the existence of the overland flow path is clear to future residents. Council may choose to not require this if they consider the existence of the easement sufficient. Please condition Councils preferred course of action.
5.	Major network	Council to require that the boundary fence between this development and 358 Carella St is made permeable for a 4m wide and 500mm high section within the easement.	Creating a permeable section of fence within the flow easement will ensure that the flow is directed into the safest location (the driveways) between the units at 358 Carella St.
6.	Major network	The developer provides this flood report as part of the purchase contract to land purchasers of lots 117, 118, 120 and 121.	If development occurs in flood prone area affected lots outside of the easement and development is less than that modelled as part of this report (60% impervious are per lot) then this flood report should apply to lots affected by the flood code. (The preferred outcome is that the flood code is amended once works are undertaken to reflect the topography and flood path changes established by the post development model and the works undertaken. The next option would be to attach this report to the property data and be available for use with any development on lots affected by the outdated flood overlay. Council will hold this report against the properties and make it available to future owners through a 337 or similar process, this will ensure unnecessary duplication of reporting is minimized.)
7.	Minor Network	The 5% network is accepted as designed.	The 5% network linking the Carella St culvert with the Oceana Drive culvert significantly reduces the existing overland flow in this event however some overland flow is still experienced. This is discussed further in section Minor Network Modelling Results and Recommendations
8.	Quality Targets	Council accepts \$48 900 as a contribution to high priority treatment areas.	See: Stormwater Quality and Treatment



3 Flood Report – 312A Tranmere Rd Stage 10 Tranmere Estate development

3.0 Flood Hazard Report Requirements

A Flood Hazard Report, prepared in accordance with section C12.0 Flood Prone Areas Hazard Code must demonstrate the following:

Report to demonstrate that works

- (a) *Do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and*
- (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.*

Any specific hazard reduction or protection measure recommended in the report are to be incorporated in the engineering design drawings.

Code 12.0 Flood Prone Hazard Code.

The purpose of the Flood-Prone Areas Hazard Code is:

C12.1.1

To ensure that use or development subject to risk from flood is appropriately located and managed, so that:

- (a) *people, property and infrastructure are not exposed to an unacceptable level of risk;*
- (b) *future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and*
- (c) *it does not increase the risk from flood to other land or public infrastructure.*

C12.1.2

To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

means a report prepared by a suitably qualified person for a site, that must include:

- (a) *details of, and be signed by, the person who prepared or verified the report;*
- (b) *confirmation that the person has the appropriate qualifications and expertise;*
- (c) *confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and*



- (d) *conclusions based on consideration of the proposed use or development:*
- (i) *as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;*
 - (ii) *as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:*
 - a. *the nature, intensity and duration of the use;*
 - b. *the type, form and duration of any development;*
 - c. *the likely change in the level of risk across the intended life of the use or development;*
 - d. *the ability to adapt to a change in the level of risk;*
 - e. *the ability to maintain access to utilities and services;*
 - f. *the need for flood reduction or protection measures beyond the boundary of the site;*
 - g. *any flood management plan in place for the site and/or adjacent land; and*
 - h. *any advice relating to the ongoing management of the use or development; and*
 - (iii) *any matter specifically required by Performance Criteria in this code.*



3.1 Flood Report Requirements

This flood report has been prepared in accordance with requirements from the Clarence City Council Stormwater Management Procedures for New Development, the Tasmanian Planning Scheme, the Urban Drainage Act and the Tasmanian Stormwater Policy Guidance and Standards for Development.

Is the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;

Flood modelling has demonstrated that the site and adjacent land downstream currently experiences overland flows. The developed flood model case study shows that the proposed development significantly reduces the incidences of flooding and minimises any existing flood risk compared to the undeveloped scenario.

and

Can the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:

a. the nature, intensity and duration of the use;

Yes. Following the flood modelling and recommendations of this flood report the development can achieve and maintain a tolerable risk of flood for residential use.

The development will not cause any dwellings to be constructed within the managed flood zone which will be protect by a stormwater easement.

The level of risk to surrounding land is reduced by the construction of this development thus the level of risk impacting on this development and surrounding properties is considered tolerable for the life of the development.

b. the type, form and duration of any development;

Yes. The development can achieve and maintain a tolerable risk of flood for the life of the development given the form that has been recommended in this report and associated plans. The recommendations provided will not only mitigate risk now but will reduce the risks of private works impacting upon future flood risk.

The form of overland flow path recommended is designed to ensure ongoing maintenance is straight forward for property owners with the swale being minimal depth and the batters being of a mowable grade. This, along with permanent signage on the kerbs outside the affected lots, and the protection of easement over the overland flow path ensure the most likely ongoing maintenance compliance.

And

c. the likely change in the level of risk across the intended life of the use or development;

The level of risk will be consistent across the life of the development. Increases in impermeable areas within the development will have minimal impact on the modelled flow rates.

Future upstream development will slight increase the impact of flooding in this location. This will not impact on the development as the flow rate is currently restricted by the Oceana Drive culvert.



Upstream development will therefore not increase the flow rate through the development, it will only extend the duration of the flow peak providing no greater risk to residents. A flood management report and recommendations will be required for any upstream development.

Climate change increases have been factored into the model at the RCP 8.5 rate. If the climate change factor changes in the future a factor of safety is built into the system by allowing space within the easement and swale to undertake works to create greater capacity in the overland flow path if required.

d. the ability to adapt to a change in the level of risk

The 5m wide easement provides some ability to adapt to future flow rates. If flow rates under climate change scenarios change significantly from what has been modelled the overland flow path has the ability to be deepened to allow for greater flow volumes.

e. the ability to maintain access to utilities and services

There are no utilities or services in this location that will be impacted by flood. Access to the overland flow path and stormwater drains are protected by a proposed easement.

f. the need for flood reduction or protection measures beyond the boundary of the site;

This development does not create a need for flood reduction or protection measures beyond the site boundary.

g. any flood management plan in place for the site and/or adjacent land; and

The flood management recommendations for this development reduce the existing flood risk to downstream properties. The adjacent properties currently experience overland flow in large events according to our model and the Clarence Council flood model. The amount of flow and depth of flow through these properties is reduced by the proposed works. Neighbouring properties will still experience overland flow in large events but the scale of the risk is reduced under the proposed development scenario.

h. any advice relating to the ongoing management of the use or development

Ongoing management recommendations for this development is for Council to ensure the flood easement is kept clear of significant blockages and to replace the plaque on the kerb if it goes missing.



3.3 Development Standards for Subdivisions.

This section addresses the Tasmanian Planning Scheme – State Planning Provisions C7.7 and C12.7 Development standards for Subdivision as it pertains to the proposed development.

C7.7

C7.7.1 Development Standards for Subdivision within a waterway and coastal protection area		
Objective		
That: (a) Works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and (b) Future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.		
Acceptable Solutions		
A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: [one of these needs to be met]		
(a)	Be for the creation of separate lots for existing buildings	Not applicable
(b)	Be required for public use by the Crown, a council, or a State authority	Not applicable.
(c)	Be required for the provision of Utilities	Not applicable
(d)	Be for the consolidation of a lot.	Not applicable
(e)	Not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.	Not applicable
The development does not meet the acceptable solution A1 for clause C7.7.1		
Performance Criteria		
P1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area (WCPA) or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:		
(a)	The need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area. and	In this location the WCPA is disturbed at both ends of the short reach through the development and is entirely a rainfall triggered flow path on grass. The WCPA zone contains no waterway values, riparian environment or natural assets. Given the interrupted connections upstream and downstream attempting to create a thriving riparian environment within the WCPA is not possible in



		this location. The development has minimal impact on natural assets due to the lack of natural assets in this location thus in this case the land will serve the community more effectively as housing lots.
(b)	Future development likely to be facilitated by the subdivision.	The proposed works will allow an extra 7 lots to be created that would otherwise have access restricted by the WCPA. If protected this area would form a small island of waterway zone surrounded by development and unable to effectively link with either the upstream waterway functions or downstream as an environmental link to the ocean outfall. Flora, fauna and riparian development would be permanently stunted by the upstream and downstream limitations on the site and its small footprint. Climate change and upstream development have been factored into the modelled flood extent..
The proposed development can meet the P1 performance criteria for clause C7.7.1		



C12.7

C12.7.1 Subdivision within a flood prone hazard area		
Objective		
That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.		
Acceptable Solutions		
A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:		
(a)	be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area;	Not applicable
(b)	be for the creation of separate lots for existing buildings;	Not applicable.
(c)	be required for public use by the Crown, a council or a State authority; or	Not applicable
(d)	be required for the provision of Utilities,	Not applicable
The development does not meet the acceptable solution A1 for clause C12.7.1		

Performance Criteria		
P1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:		
(a)	any increase in risk from flood for adjacent land;	Modelling has demonstrated that the proposed works decrease the risk to surrounding properties from flood.
(b)	the level of risk to use or development arising from an increased reliance on public infrastructure; the need to minimise future remediation works; any loss or substantial compromise by flood of access to the lot, on or off site; the need to locate building areas outside the flood-prone hazard area; any advice from a State authority, regulated entity or a council; and the advice contained in a flood hazard report.	Each lot has achieved a building area and vehicle access outside of the modelled flood-prone hazard area. Lots 120, 117 and 118 have building zones and /or accesses within the existing flood zone however modelling has shown that the proposed flood management works relocate the flood risk zone away from the building zones and into a managed swale drain. The works and modelled flood zone leave adequate space on each lot for a building zone and access. The proposed works are straightforward and unlikely to require significant ongoing maintenance to be effective.



		The level of risk to proposed lots has been minimized to a tolerable extent.
The development does meet the acceptable solution A1 for clause C12.7.1		



4 Assessment Approach

The RFI criteria has been assessed utilising Infoworks ICM a 1D -2D hydraulic model to assess the hydraulic ramifications of development on the site and by using stormupdated JohnConnor software to assess the stormwater quality. Pre and post development hydraulic models have been created to quantify the differences and provide practical solutions. These have been incorporated in the development design.

Both models assume full development of the site but do not consider future upstream development as the impact of upstream development is throttled by the Oceana Drive culvert.

Both models consider upstream catchment areas, the downstream network and climate change at ARR recommended rates for the zone (16.2%).

Detailed analysis of all models was undertaken to provide recommendations.



5 Existing Site and Catchment Detail

5.0 Site Detail

The site is a greenfield site surrounded on the west north and south by development and on the east by Oceana Drive. The eastern side contains the Oceana Drive road embankment and the 900mm dia outfall from under Oceana Drive.

The site is intersected by the overland flow paths from this outfall flowing east to west and ending at a headwall on the western boundary into a 900mm dia pipe connected to the stormwater network.

The site is bisected by the waterway and coastal protection overlay as shown in the image below and by the flood overlay, both of which overlay the existing flow path. The flood overlay has been generated by Clarence Council flood modelling.

The existing flow path is ephemeral and is disconnected from natural stream values. It is entirely undergrounded both upstream by the Oceana Drive embankment and downstream by the unit development at 358 Carella St.



Figure 1 Development site – showing the waterway and coastal protection area, the flood code overlays and the existing 900mm culverts. LISTMap.



5.1 Pre Development Catchment Details

The site is a greenfield grassed site generally falling to the central drainage line.

Tranmere Predeveloped Details				
Area ha	1.59	ha	15900	m ²
Top elevation m	29	m		
Base elevation m	14.5	m		
Flow path distance m	137	m		
Grade m/m	0.106	m/m	10.58	%
Existing condition	grass 100% impervious		15900	m ²
Mannings n grass	0.035			

Table 1 Catchment details

The predevelopment main area of interest is the flow path bisecting the lot. Predevelopment this flow path, as shown in the Clarence Council flood model results, has three conditions to consider:

1. Upstream constriction. The flow coming into the development is limited by the upstream constriction of the drainage channel by the 900 dia culvert under the highway. This culvert and associated road embankment constrict flow and provide some unintentional upstream detention.
2. Overland flow path through centre of site
3. Culvert inlet at northwest corner of site and overland flow path downstream of site.

The implication of these three conditions will be examined throughout the report.



5.2 Geology

The predominant soil on the site and in the catchment is Kurosol - light brown in the below image.

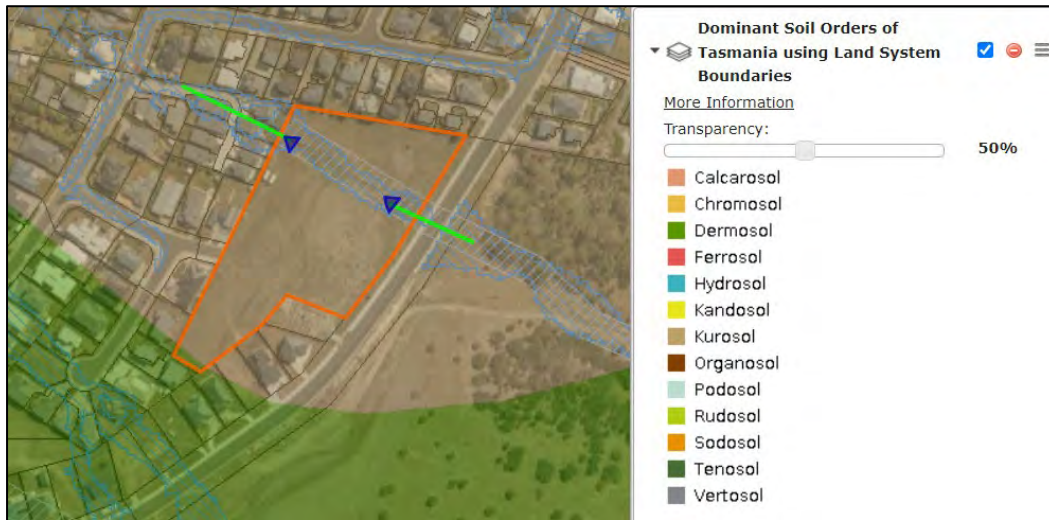


Figure 2 Dominant Soil Orders of Tasmania using Land System Boundaries. Source LISTMap.

Using the unpublished Hydrologic Soils Group Mapping Tasmania document (Kidd, 2019) these soils are classed as:

Soil Type	Great Soil Group	Hydrologic Group Class	Stormwater design parameters
<i>Kurdosol</i> (light in image)	Many podzolic soils and soloths	D	For stormwater design purposes, it is assumed that the Antecedent Moisture Condition is "Rather wet" (refer to ARR 2016, Table 5.3.11) and the Horton Maximum (Initial) Infiltration Rate is 33.7 mm/hr , the Minimum (Final) Infiltration Rate is 6 mm/hr and the Shape Factor/Decay Rate k is 2 /hour (refer ARR 2016, Table 5.3.12).

Table 2 Soils classification - Hydrologic Soils Mapping Tasmania (Kidd, 2019).



5.3 Clarence Council Stormwater Management and Flood Modelling Results.

This area is noted in the Clarence City Council Tranmere Stormwater System Management Plan October 2019 (Engeny , 2019) as a “hotspot”.

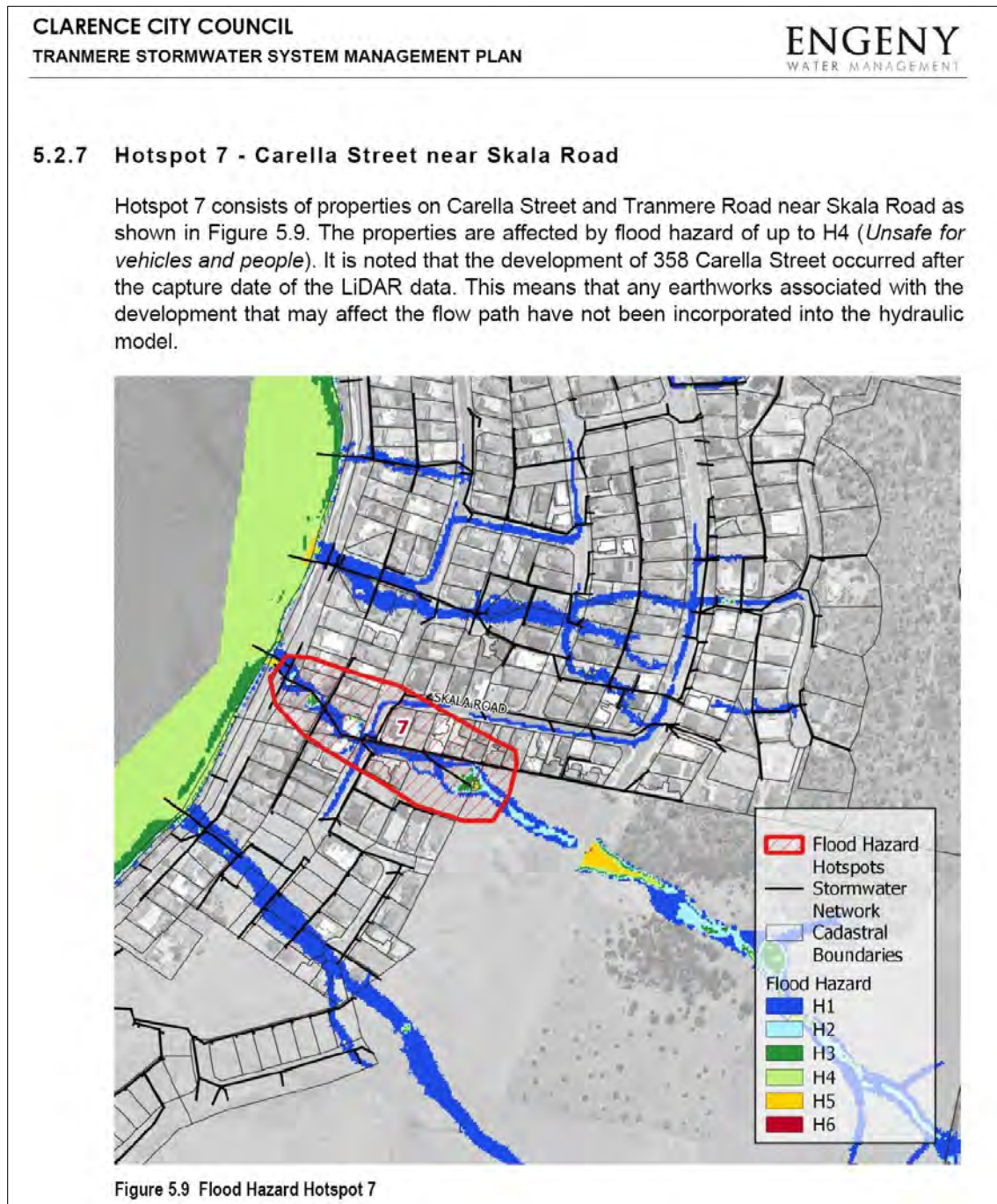


Figure 3 Engeny Stormwater System Management Plan Hotspot 7 details

The report has associated recommendations for management:



8.8 Hotspot 7 - Carella Street near Skala Road

8.8.1 Identification of Potential Management Options

One (1) potential management option has been identified for Hotspot 7 as shown in Figure 8.8.

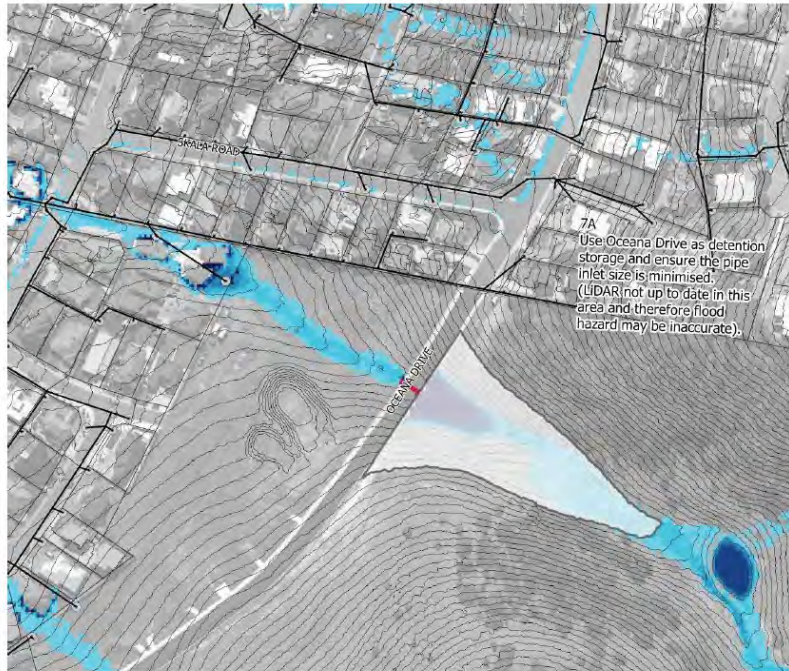


Figure 8.8 Hotspot 7 Potential Management Options

8.8.2 Evaluation of Potential Management Options

Option 7A

Option 7A consists of using the Oceana Drive road embankment as detention storage to protect properties on Carella Street. The diameters of the pipes under Ocean Drive and under 358 Carella Street are both currently 900 mm. The Oceana Drive pipe under hydraulic head (due to upstream storage) can result in peak flows exceeding the capacity of the downstream pipe. A reduction in the inlet diameter upstream of Oceana Drive (e.g. orifice plate) will attenuate peak flows to be conveyed by the downstream pipe.

It is recommended that the Hotspot 7 drainage system is further investigated at a later stage when updated topography information is available for the key affected properties.

Figure 4 Engeny Stormwater System Management Plan Fig 8.8 Hotspot management option 7A

This report shows that there is some concerning overland flow through the Carella St properties. Whilst the report states that the Lidar was captured prior to the development of the units at 358 Carella St it appears that the flow is diverted by the units so it appears as though the Lidar is consistent with the aerial photography and the current situation.

The recommendation is to limit the flows downstream by the use of the Oceana Drive culvert and embankment as a detention basin.

Note on recommendation Option 7A:

This stormwater and flood report has identified that whilst the flow through the Oceana Drive culvert is under head and therefore exceeds the capacity of the Carella Drive culvert, the issue that more significantly affects the amount of overland flow through Carella Drive and downstream to the ocean is the inlet capacity of the Carella Drive Culvert. The inlet arrangements will never capture the full flow once the stormwater is out of the culvert environment and will be inefficient at returning the water flows into the system at the same rates. This causes water to overflow around the inlet and overflow through downstream properties.



6 Flood Model Results

The flood model has been developed to compare and assess the predevelopment and post development results impacts. The impacts have been assessed for the major network / overland flow impacts for a 1% plus climate change event and the impacts in a 5% plus climate change event on the minor network and any overland for that may occur in this event.

Flow rates and depths of flow were assessed as was flood hazard.

Hazard was modelled using the Australian Disaster Resilience Handbook Collection Flood Hazard Guideline (Australian Institute for Disaster Resilience, 2017) as depth * velocity and the results plotted against the flood hazard curve colours for the maximum flow in the critical 1% event.

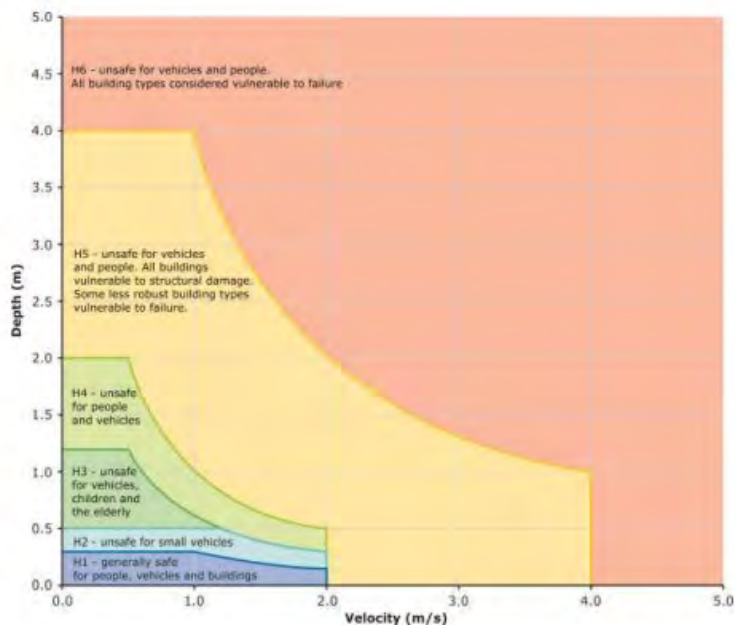


Figure 5 General flood hazard vulnerability curves from the Australian Institute for Disaster Resilience 2017.



6.0 Predevelopment Results and Impacts

The existing 1% plus climate change (cc) flood risk has been modelled in the Clarence Council Tranmere Stormwater Management Plan 2019 by Engeny.

This model shows flows going overland downstream from 312A Tranmere Drive and is consistent with our model. The critical event at this location is a 6hr flood event. SST 1%_6hr_2 was the event selected through the ensemble modelling as the critical event. The depths show between the two models, our ICM model and the Engeny report indicate good correlation for the flood map.

Clearly in an undeveloped scenario there are two areas of concern.

1. The site itself is impacted by the overland flow path as shown here and in the flood code overlay.
2. Downstream properties are impacted. Overland flow impacts extend to the ocean outfall.

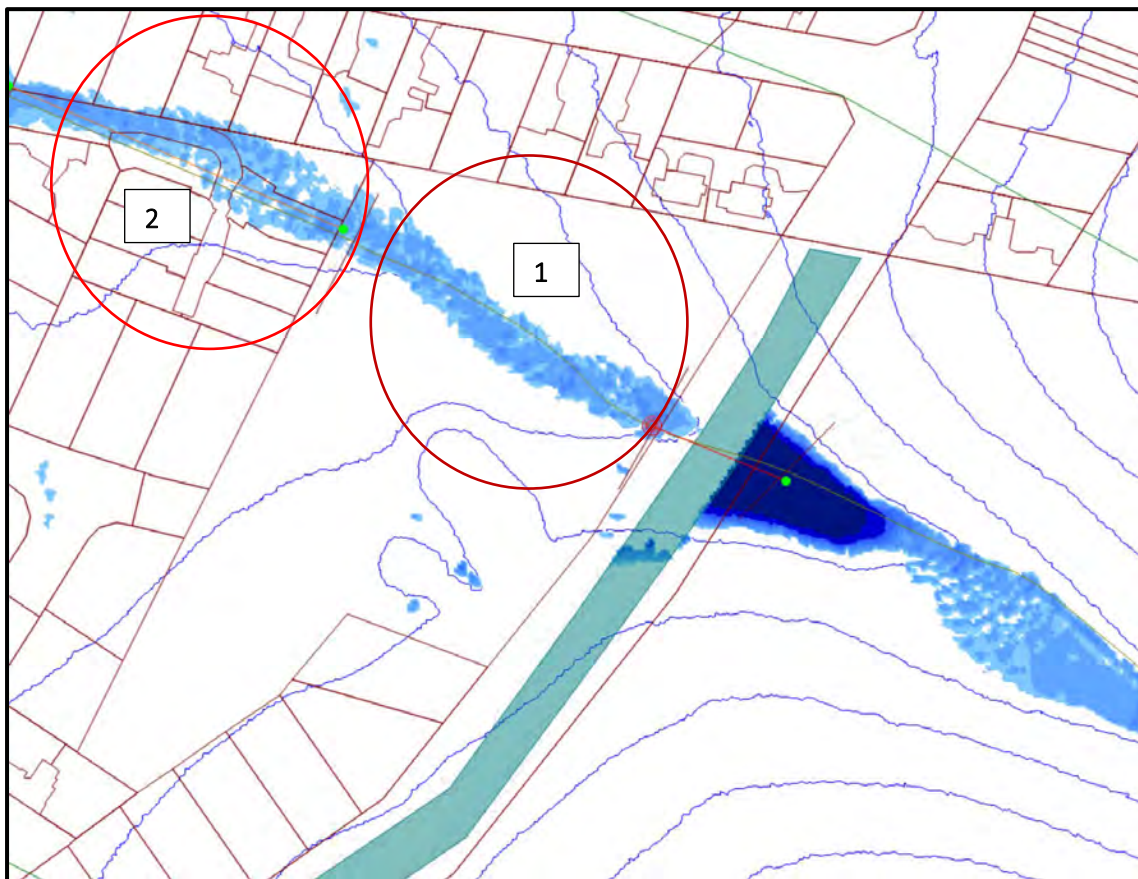


Figure 6 1% 6hr undeveloped ICM model results using Clarence Council depths over the ground model.



8.8 Hotspot 7 - Carella Street near Skala Road

8.8.1 Identification of Potential Management Options

One (1) potential management option has been identified for Hotspot 7 as shown in Figure 8.8.

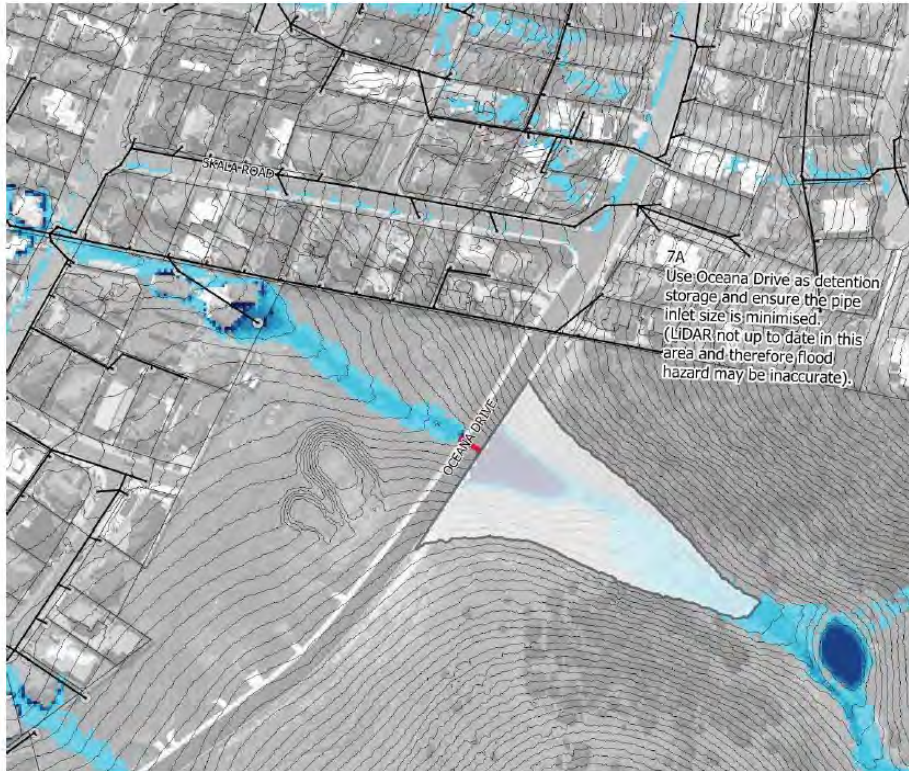


Figure 8.8 Hotspot 7 Potential Management Options

8.8.2 Evaluation of Potential Management Options

Option 7A

Option 7A consists of using the Oceana Drive road embankment as detention storage to protect properties on Carella Street. The diameters of the pipes under Ocean Drive and under 358 Carella Street are both currently 900 mm. The Oceana Drive pipe under hydraulic head (due to upstream storage) can result in peak flows exceeding the capacity of the downstream pipe. A reduction in the inlet diameter upstream of Oceana Drive (e.g. orifice plate) will attenuate peak flows to be conveyed by the downstream pipe.

Figure 7 Engeny 1% Flood model for comparison with our model results.

Flow rates for the model have been calculated using a 2D results line at the outfall of the lot as shown below highlighted in red.

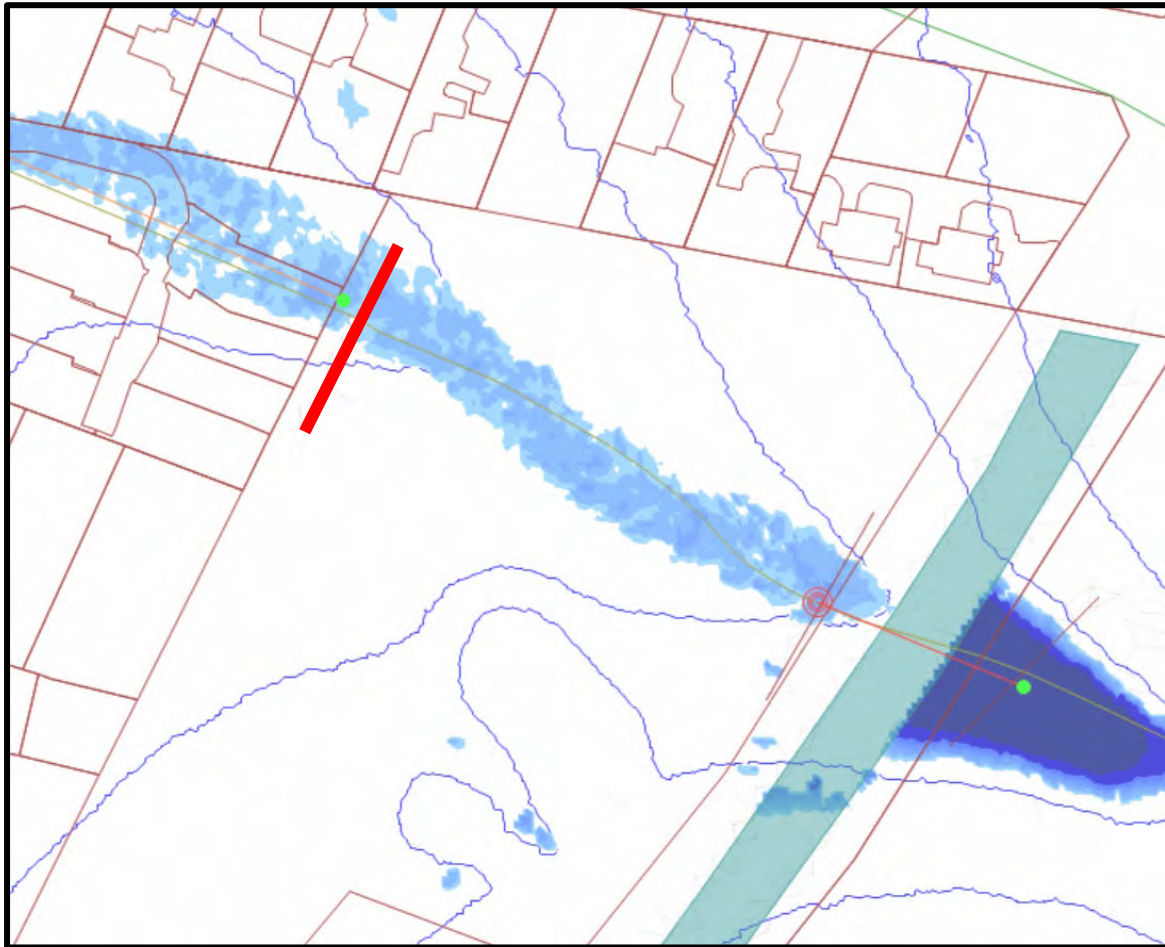


Figure 8 1% 6hr results showing location of 2D results line. – ground model view.

For clarity of analysis the results have been further analysed using a depth colour gradient that more clearly defines the depths and highlights the threshold of > 0.5m as this is a helpful metric when assessing against flood hazard curves. The 2d zone view incorporating the triangle elements over the ground model view used in the above images is used throughout this report from here onwards.

These results demonstrate that the undeveloped results through the site sit between 0.05m depth and 0.5m depth.



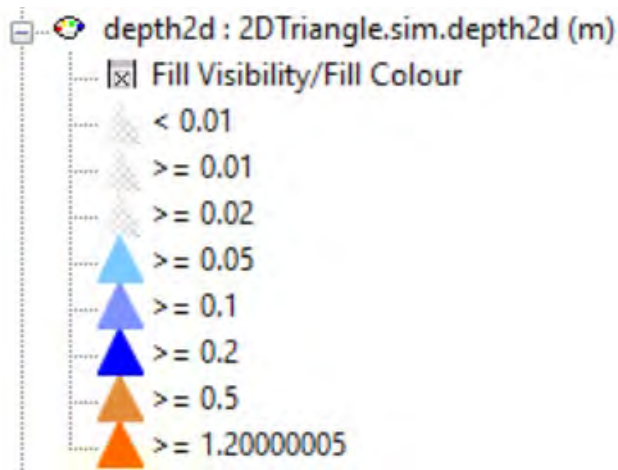


Figure 9 Depth threshold key.

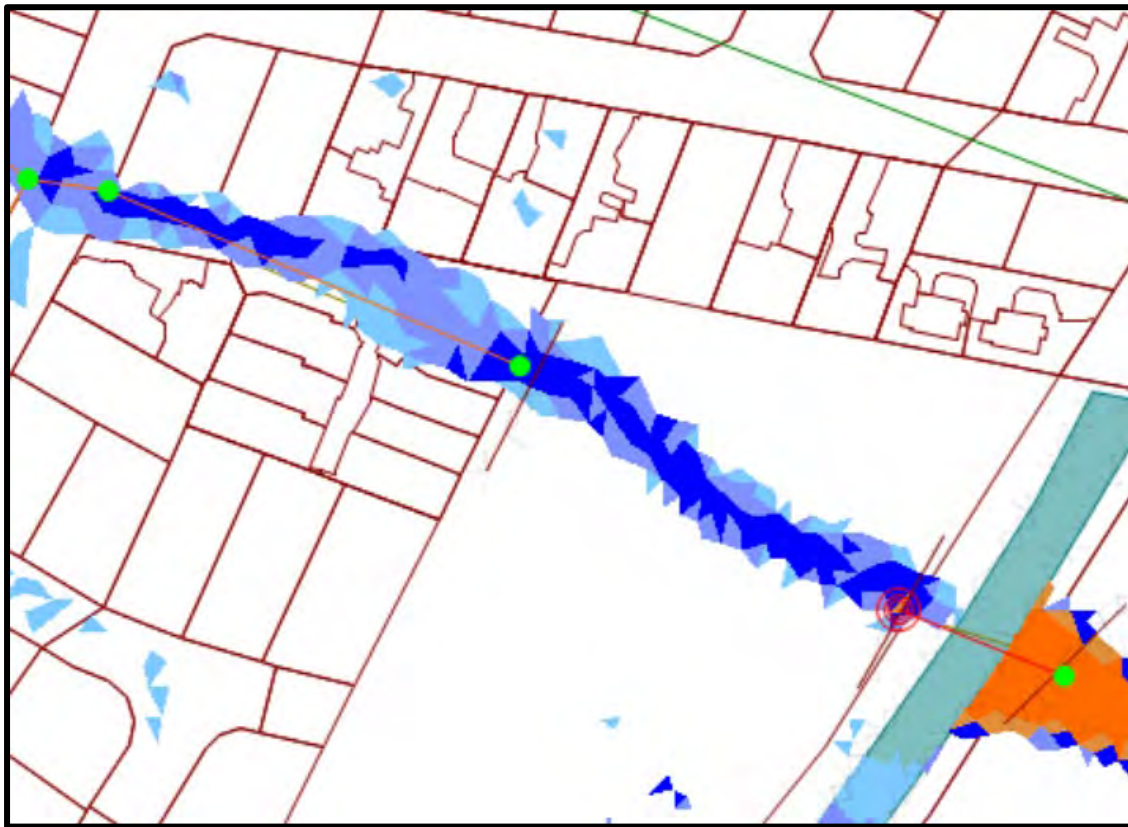


Figure 10 1% 6hr undeveloped results using 2d zone view and graduated depth thresholds.



An ensemble analysis was run which identified the 6hr event as the critical event for the 2D results line location.

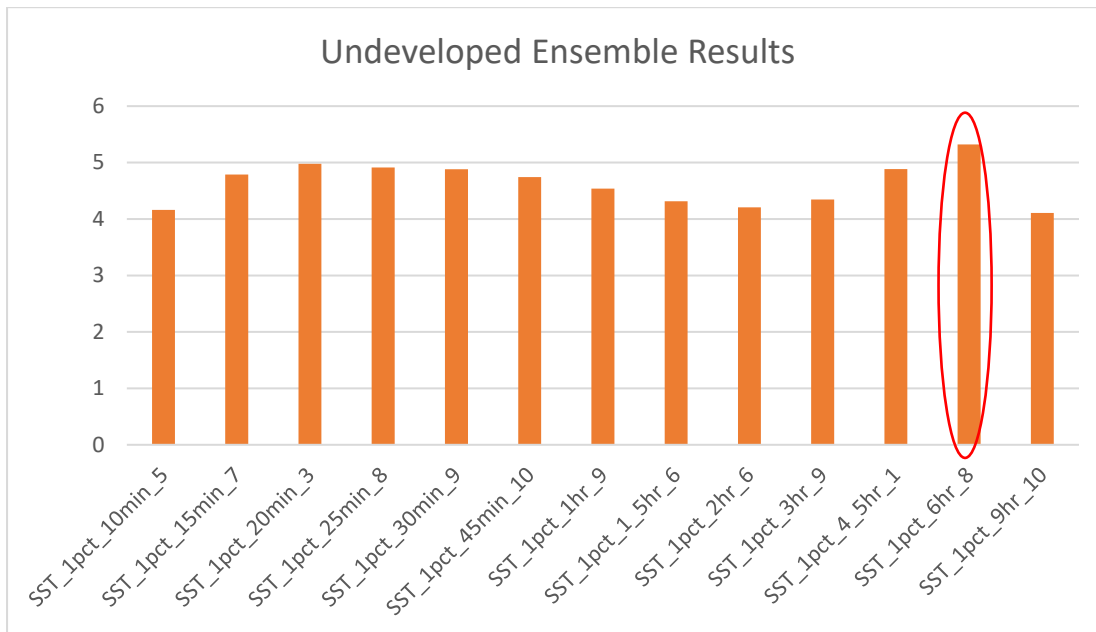


Figure 11 Tranmere Estate Undeveloped Ensemble Results

The flow rates for the 6hr critical event are:

Scenario	Max Flow Rate (m3/s)	Total Flow Volume (m3)	Max Depth of Flow (m)
Undeveloped Base scenario	5.23 m3/s	29 525 m3	0.34m

Table 3 Undeveloped Max Flow Rates 1% 6hr event

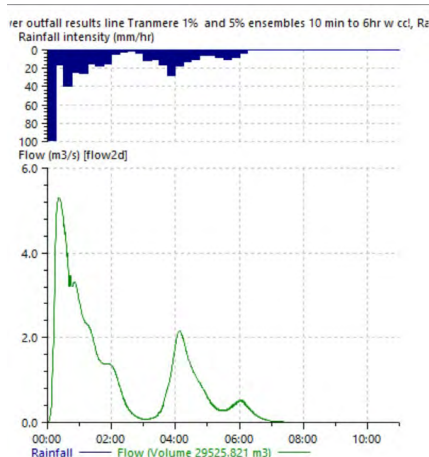


Figure 12 Graph of flow rates at outfall model.

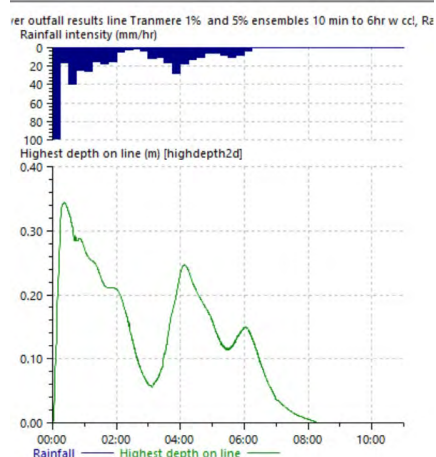


Figure 13 Graph of flow depth at outfall 2D results line for 1% 6hr undeveloped

6.1 Post Development Results and Impacts



The fully developed critical event continues to be a 6hr event. Subcatchments for each lot representing all impervious areas including roofs and driveways have been included and connected to the stormwater system. The runoff volume from these subcatchments was verified against a straight roof runoff calculation. The proposed stormwater network was added including the 900mm dia link pipe between the existing Oceana Drive culvert and the existing downstream inlet.

The model was rerun with an additional overland flow path designed into the system. The three results – no development, full development and full development with defined overland flow path are analysed to provide recommendations.

Note that the reduction in flow rates between the developed and undeveloped scenarios was consistent across timeframes within the ensembles analysis as shown in the graph below of ensemble results.

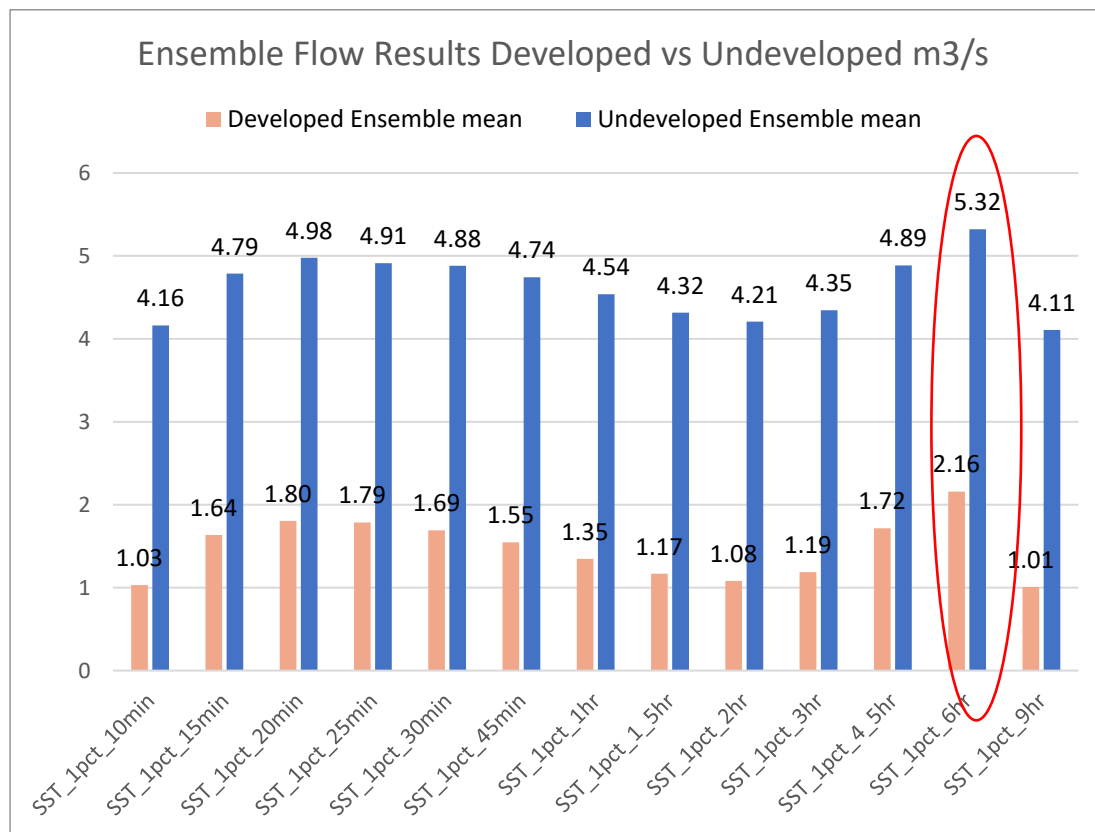


Figure 14 Graph of the ensemble analysis of undeveloped vs developed scenarios. Selected maximum event (6hr) used in ongoing analysis highlighted.



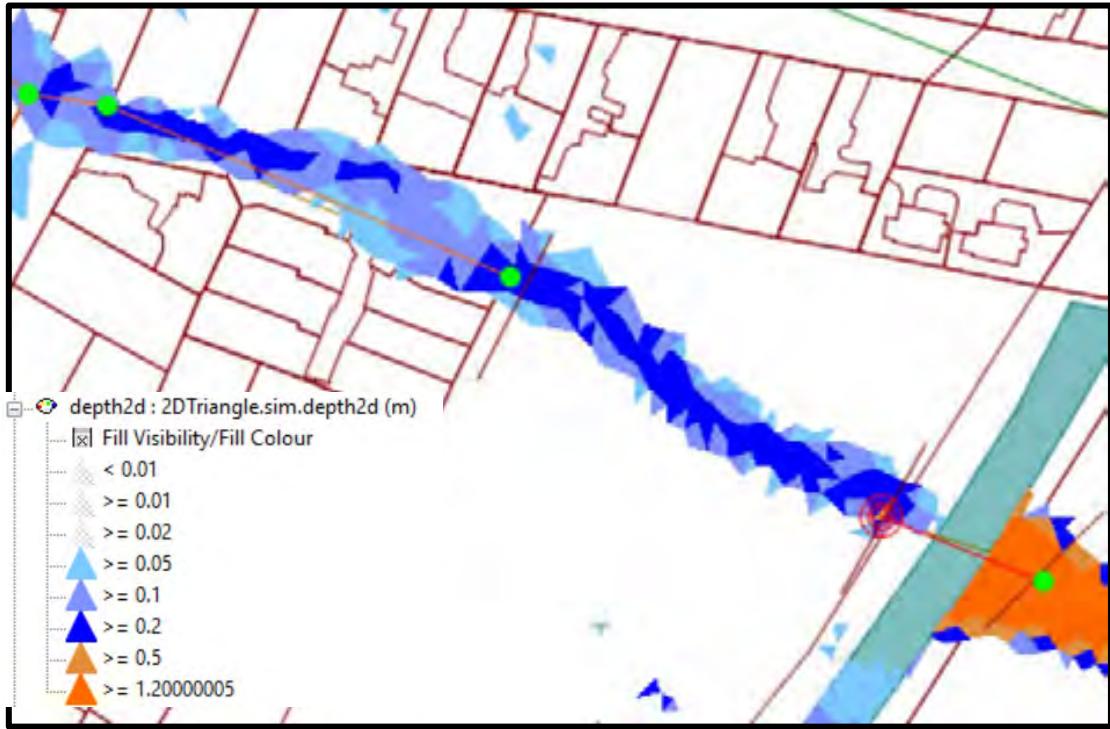


Figure 15 1% 6hr Undeveloped results showing unmanaged overland flow.

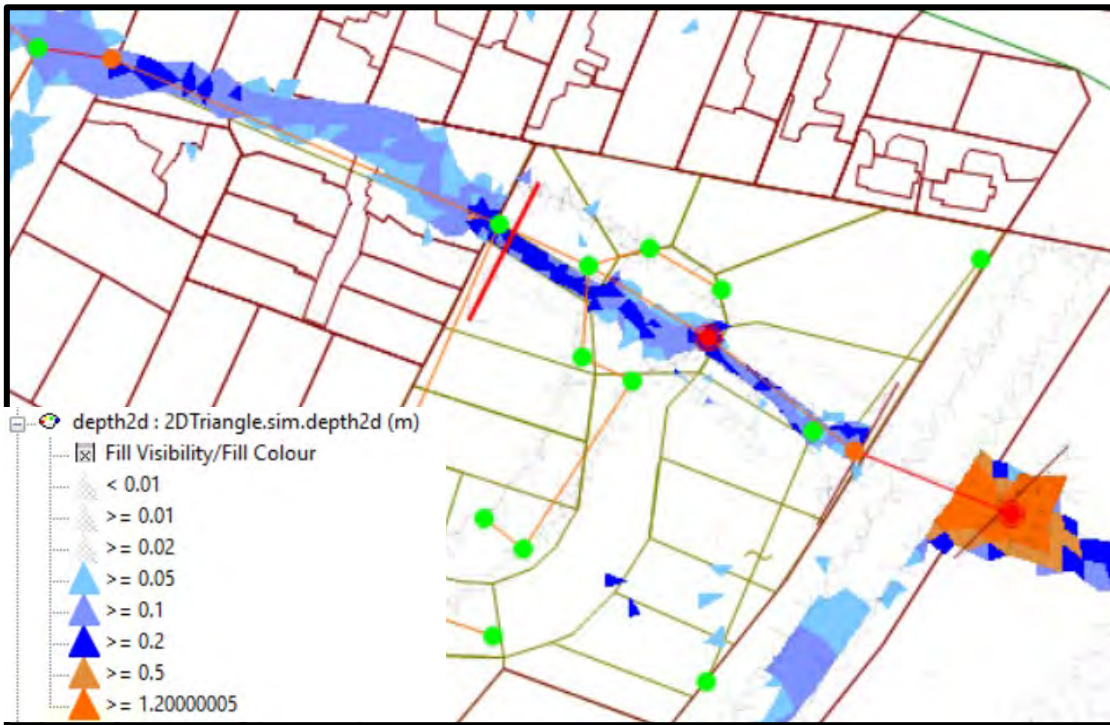
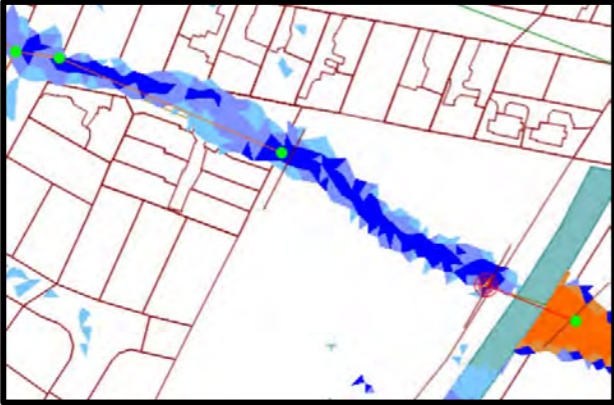
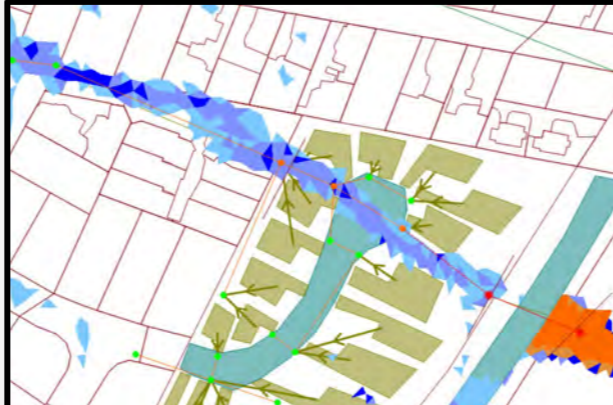
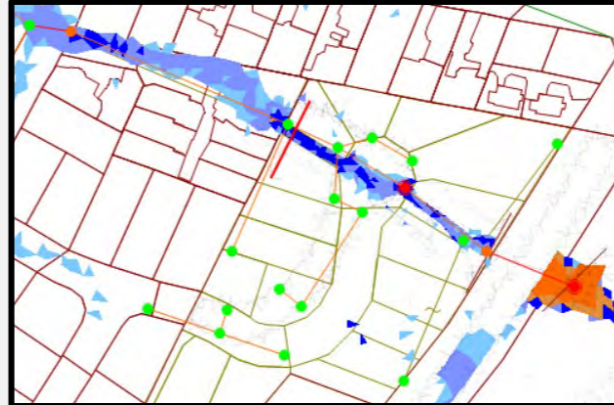
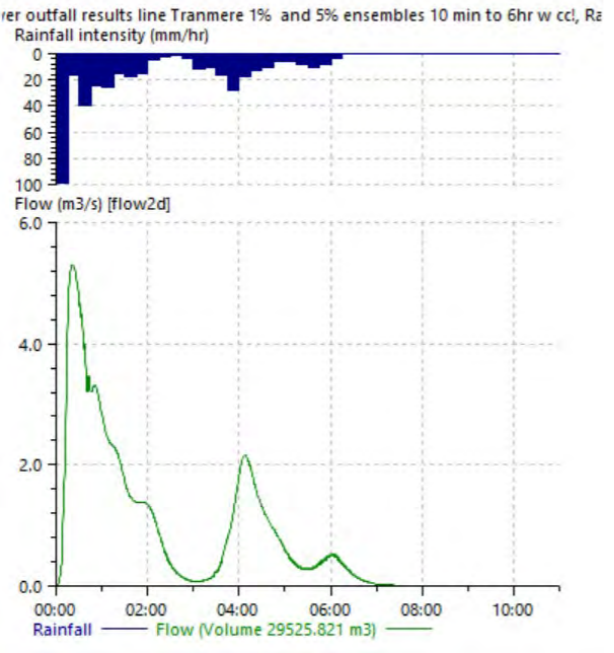
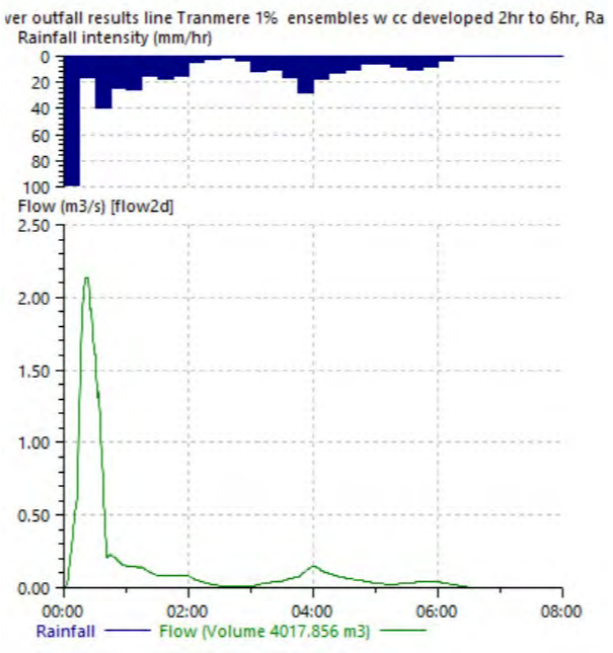
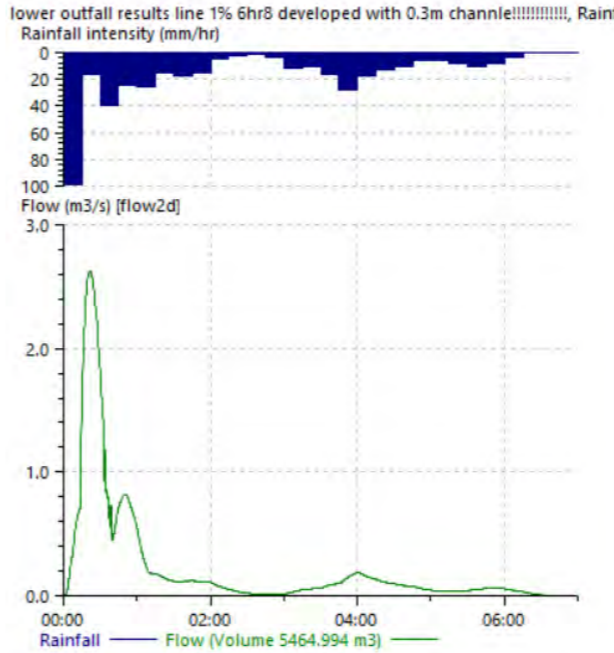


Figure 16 1% 6hr Fully developed overland flow results with defined channel



6.1.1.1.1 1% Event Model Results Analysis

	Undeveloped	Full development	Full development with overland flow channel	Notes
1% 6hr Peak Flow Results	 <p>SST 1% 6hr 8</p>	 <p>SST 1% 6hr 8 (showing indicative lot catchments)</p>	 <p>SST 1% 6hr 8 (indicative lot catchments hidden for clarity)</p>	<p>It is evident that the developed results reduce the depth of overland flow and contain greater flows within the piped network.</p> <p>Constraining the remaining flows in a swale then further limits the impact of the overland flow without unduly increasing depths.</p>
Flow Rates at outfall	 <p>Lower outfall results line Tranmere 1% and 5% ensembles 10 min to 6hr w cc, Ra Rainfall intensity (mm/hr)</p> <p>Flow (m3/s) [flow2d]</p> <p>Rainfall — Flow (Volume 29525.821 m3)</p>	 <p>Lower outfall results line Tranmere 1% ensembles w cc developed 2hr to 6hr, Ra Rainfall intensity (mm/hr)</p> <p>Flow (m3/s) [flow2d]</p> <p>Rainfall — Flow (Volume 4017.856 m3)</p>	 <p>Lower outfall results line 1% 6hr8 developed with 0.3m channel!!!!!!!!!!!!, Rainf Rainfall intensity (mm/hr)</p> <p>Flow (m3/s) [flow2d]</p> <p>Rainfall — Flow (Volume 5464.994 m3)</p>	<p>These graphs show that the total overland flow rate is more than halved by the development and the total volume of overland flow is reduced by a factor of 10.</p> <p>Note that diverting this volume of water away from the overland flow path will significantly reduce all flooding shown downstream in the Clarence Tranmere flood model. Whilst some of this flow may escape under extreme events further downstream the flow is still far more contained than in the scenario where there is nearly 30 000 m3 flowing overland downstream.</p>
Max Flow Rate	5.23 m3/s	2.09 m3/s	2.61 m3/s	
Total Overland Flow	29 525 m3	4017 m3	5464 m3	



<p>Graph of depth at outfall</p>				<p>The depth graphs and data show that the maximum flow depth at the outfall is reduced by the development.</p> <p>Containing the flow in a channel then returns the maximum flow depth to approximately pre development depths but with significantly less flow.</p> <p>The further benefit of containing the flow in a channel is it can be diirected to the safest area in the downstream lot.</p>
<p>Highest Depth at Outfall</p>	<p>0.35 m</p>	<p>0.25 m</p>	<p>0.27 m</p>	<p>The reduction in width of flow area then ensures that the most effective development footprint may be utilised whilst continuing to provide adequate flow paths.</p>
<p>Width of inundation > 5cm at outfall</p>	<p>20.6m</p>	<p>14.6m</p>	<p>4.8 m</p>	
<p>Flood Hazard in lot D x V (m2/s)</p>				<p>Again these images show that the hazard through the site - specifically the area of H3 and H4 hazard (combined in green) is reduced and contained through the site.</p>
<p>Flood Hazard</p>				<p>These images have been included to show the</p>



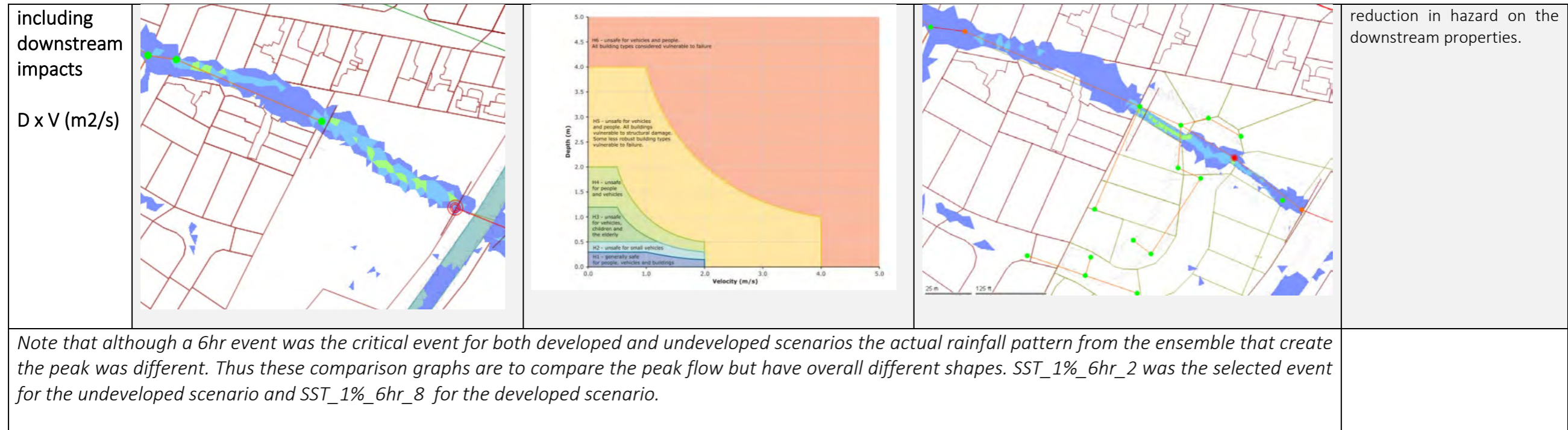


Table 4 1% Flood model with climate change results - Developed vs undeveloped results.

The model results demonstrate that developing the site significantly **reduces** the downstream overland flow and flood risk in a 1% event.

This may be a counterintuitive results however the reason that full development reduces the flood impact rather than increasing it is due to piping the distance between the 900mm dia culvert under Oceana Drive and linking it to the existing 900mm dia culvert under 358 Carella Street.

The culvert inlet at 358 Carella St could not take in overland flow efficiently and thus flow was pushing past the inlet and into the downstream properties. It is likely that the actual outcome would have been worse than shown as the model was run with no blockage factor and inlets of this type are prone to blockage even from long grass. Piping the link forms a much more efficient route for the water to get into the lower pipe and ensures that nearly all of the flow from under Oceana Drive is contained within the piped network.

The second benefit is that developing the site ensures that the roofs, roads and driveways are directly connected to the stormwater system, again reducing the overland flow available to flood downstream properties.

Due to its location at the bottom end of the catchment, directly connecting this area ensures that the peak flow from the development is through the piped network prior to the main peak

from the upper catchment impacting on the network. Note that in this case installing detention in this development would result in increased peak flows as the detention low flow release would coincide with the upper catchment peak flow.

Detention in this case is not recommended as the development has clearly reduced the flooding impact on surrounding properties rather than increasing the impact.



6.2 Flood Mitigation Recommendations

Recommendations from the flood analysis are:

	Recommendation	Notes
1.	The 900 dia pipe be linked between the Oceana Dive culvert and the Carella Drive Culvert.	This line becomes part of the developments stormwater system. There is no open inlet grate at the Carella St culvert inlet.
2.	An overland flow path to large events to be created along the overland flow path, limiting total flow width to 5m wide and maximum 400mm deep. This flow path to be protected by a 5m wide easement.	The size of the overland flow path to be reduced through the cul de sac head. Cul de sac head to be designed to carry the required flow rate as per the attached plans.
3.	Cut off drains to be created at base of embankments to direct flows into the central overland flow path.	As per plans
4.	4 small plaques be attached to the concrete turnouts to identify the flood risk to residents for the future and discourage any private construction blocking the flow path.	Plaques to read: The 5m wide easement between these plaques is a flow path for overland water flows during high rainfall events. The land upstream and downstream of these plaques should be kept clear of any anything that may impede or divert water flow. Fences and gardens within the easement should allow for the unimpeded flow of water. – image at Figure 11
5.	Council to require that the boundary fence between this development and 358 Carella St is made permeable for a 4m wide and 500mm high section within the easement.	Fence details are included in the plans.
6.	The developer provides this flood report as part of the purchase contract to land purchasers of lots 118, 122 and 123.	If possible: If development occurs in flood prone area affected lots outside of the easement and development is less than that modelled as part of this report – 60% impervious area, then Council should accept this flood report as a flood report if required for any future development on lots 118, 122 and 123. Council should only require an additional flood report if development is proposed either within the flood zone shown in this report or if proposed development exceeds 60% or total lot area.

Table 5 1% Flood Mitigation Recommendations

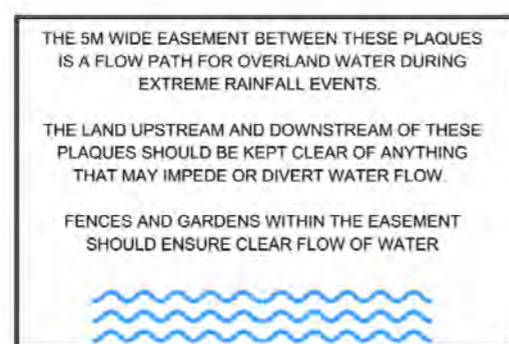


Figure 17 Plaque design as per recommendation 4. Council logo may be added if required.



Results are demonstrated in the following table:

6.3 Minor Network Modelling Results and Recommendations

The ensemble results for the 5% event demonstrate that the pipe network is exceeded somewhat for all events. In this case the 30 min event is the critical event for the network. Note that all modelling in this report includes a climate change factor and the developed impervious area covering 60% of the total lot area.

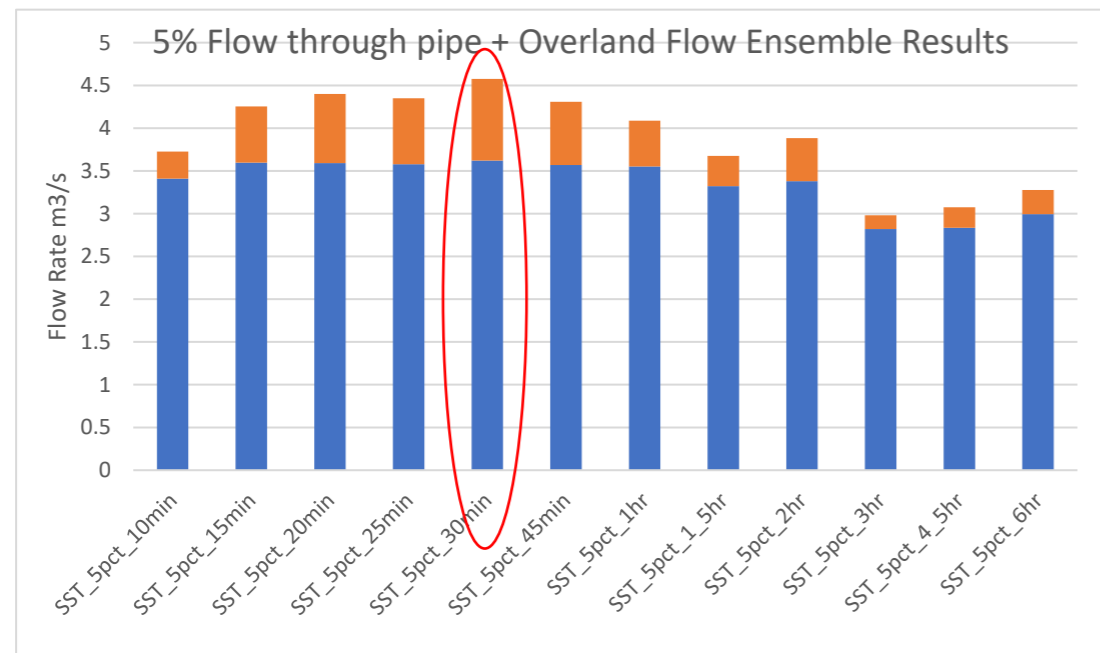


Figure 18 5% Ensemble results through pipe and overland flow at the outfall point.


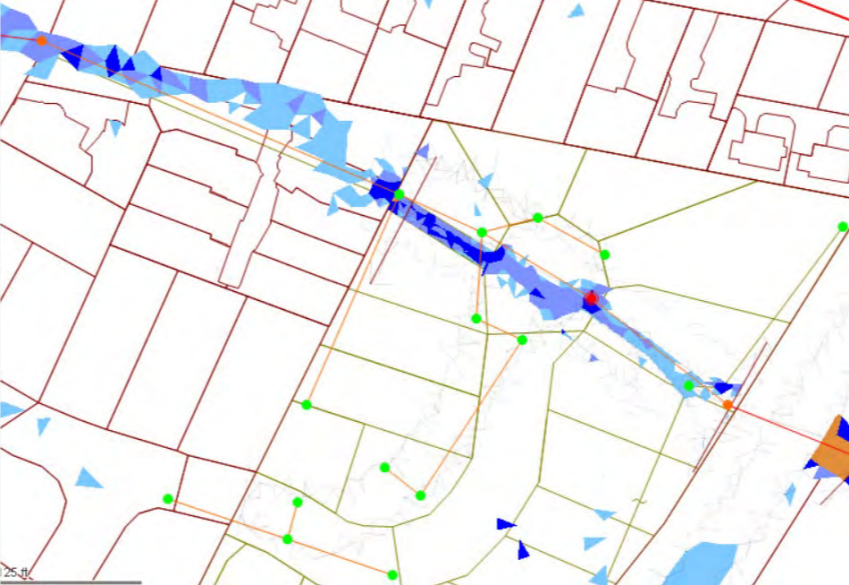
The minor network modelling results are again dominated by the flows through the upstream culvert. Whilst connecting the culvert to the downstream network does again reduce the overland flow to downstream properties the network is exceeded for a short time in 5% events. The amount and depth of flow is again significantly reduced by the proposed development.

Recommendations from these results are that whilst there continues to be some exceedances of the minor network in a 5% event these are significantly diminished by the development and the situation is significantly improved. As discussed in the 1% section detention in this area is not considered appropriate. These consideration mean that the recommendation is that the network and subdivision be approved with the continuation of the 900mm dia pipe connection between the Oceana Drive culvert and the downstream network.

If there are future issues with this overland flow path throttling the inflows at the Oceana Drive culvert using a designed riser at the culvert inlet upstream of Oceana Drive could be implemented.



6.3.1.1.1 5% Event Model Results Analysis

	Undeveloped	Full development	Notes
5% 30min Peak Flow Results	 <p>SST 5% 30min 10</p>	 <p>SST 5% 30min 10</p>	<p>It is evident that the developed results reduce the depth of overland flow and contain greater flows within the piped network.</p> <p>In the undeveloped image the flow exits the Oceana Drive culvert and all flow is overland. The ground conditions cause the flow path to widen. Once the flow of water is lost out of the piped system (the culvert) it is not able to be effectively returned into the downstream culvert due to</p> <ul style="list-style-type: none"> • Width of flow • Volume of flow • Inlet arrangements • Inlet head losses • Outlet head losses <p>By piping the flow from the existing culvert under Oceana Drive it ensures that the maximum volume of flow is passed into the lower network thus minimizing the volume of water that is left to flow overland. The increased hydraulic efficiency of this option ensures that flow is transferred to the ocean outfall quickly, minimizing the concurrent load that would occur if added detention was installed downstream of the existing (unmanaged) detention occurring at the Oceana Drive culvert.</p>



<p>Flow Rates at 2D results line – indicating overland flow at the boundary</p>			<p>These graphs show that the maximum overland flow rate is more than halved by the development and the total volume of overland flow is reduced by a factor of 4.5</p>
<p>Max Flow Rate</p>	<p>4.09 m3/s</p>	<p>0.91 m3/s</p>	
<p>Total Overland Flow</p>	<p>6269 m3</p>	<p>1375 m3</p>	
<p>Highest depth on 2D results line</p>			<p>The depth graphs and data show that the maximum flow depth at the outfall is reduced by a third once the development is constructed. The flow in this instance is also constrained by the designed overland flow way.</p> <p>The shape of the developed scenario graph shows the minor and standard overland flows for most of the event sit at about 10cm which spikes to a maximum of 20cm depth for approximately 12 minutes.</p>
<p>Highest Depth at Outfall</p>	<p>0.31 m</p>	<p>0.22 m</p>	
<p>Width of inundation > 5cm at outfall</p>	<p>16.7m</p>	<p>4.8m</p>	

Table 6 5% Minor network and overland flow results undeveloped vs developed comparis



7 Stormwater Quality and Treatment

7.0 Stormwater Quality Requirements

Stormwater quality management is required under Clarence Councils Stormwater Management Procedure for New Development.

The treatment train has been modelled in johnconnor online by stormupdated to assess treatment train effectiveness against the requirements for treatment. Treatment requirements as requested by Clarence City Council are to:

Provide a report and amended plans, including supporting calculations by a suitably qualified and experienced engineer, which demonstrate how the proposed stormwater system for the developed catchment will achieve the State Stormwater Strategy targets and compensate for loss of water quality due to piping the watercourse. If this treatment cannot be achieved, demonstrate why it is not feasible.

Target Level	Water Quality Treatment Target
1	Site specific requirements at discretion of council (for example sites with, or draining to, areas with environmental values, potentially contaminating activities etc).
2	<p>90% reduction in the average annual load of litter/gross pollutants based on typical urban stormwater concentrations; AND</p> <p>80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations; AND</p> <p>45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations; AND</p> <p>45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations.</p>

Figure 1 Clarence City Council Stormwater Management Procedure for New Developments Water Quality Treatment Targets.

7.1 Stormwater Quality Model

The stormwater quality model was developed assuming full residential development with a total of 60% impervious area, with 60% of the impervious area being roads and driveways and the remaining 40% made up of roofed surfaces. The pervious surfaces have been split into two to feed into the proposed treatment unit with a primary pre-treatment of a SPEL stormsack prior to the basin to filter out gross pollutants.

Stormsack and SPEL Basin have been modelled with their SQUIDEP verified treatment results.

Tranmere Developed Details		total impervious m2	Road area m2	roof area m2	total pervious m2
Proposed condition	urban impervious 60%	9540	5724	3816	6360
Mannings n asphalt	0.016				

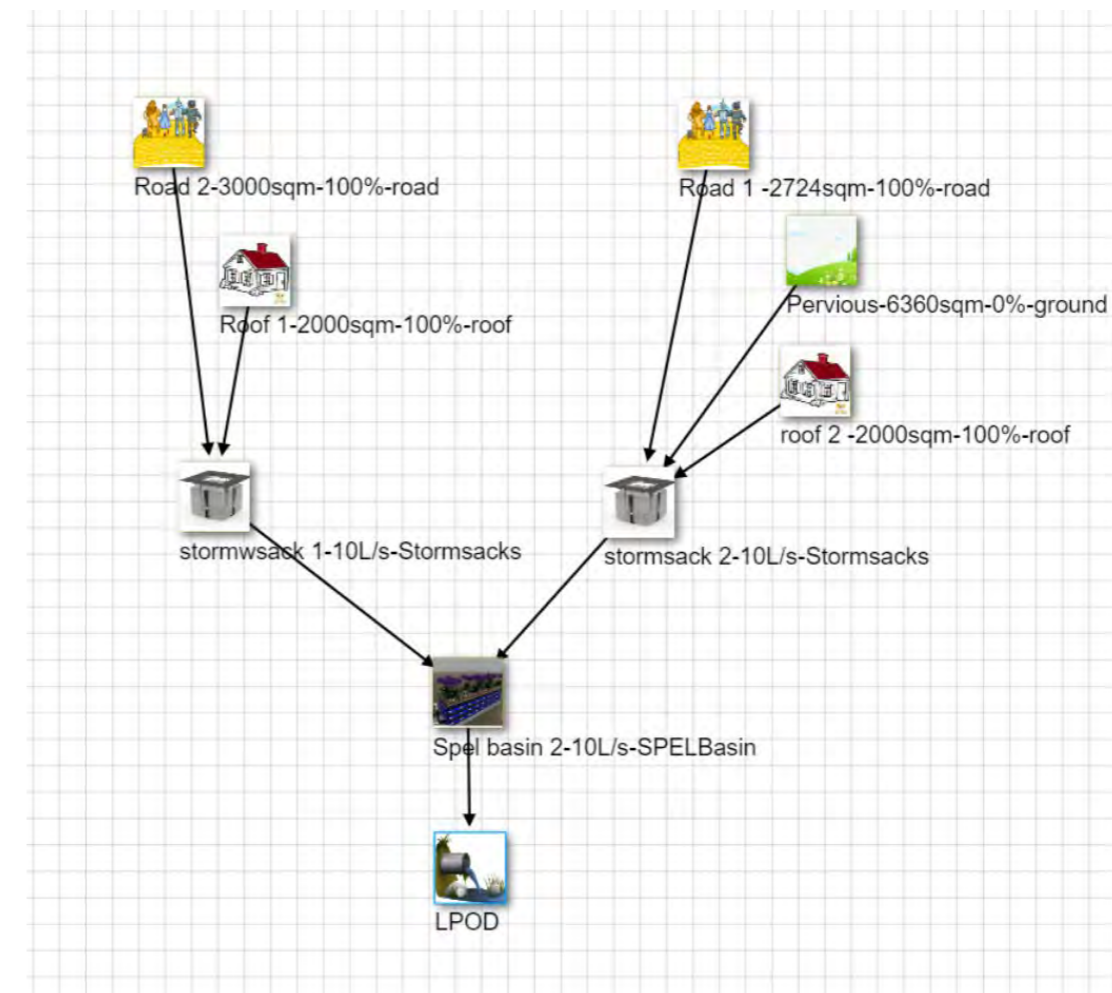


Figure 19 johnconnor_ stormupdated water quality model layout



7.2 Stormwater Quality Results

The stormwater quality results are as shown below. The full treatment report is attached as Appendix 1.



Date: 20-3-2023

Basic Information:

Project Name: Tranmere Estate
 Assessor Name: Anna Wilson
 Assessor Email: awilson@cja.com.au
 City Council: City of Clarence
 Address Line 1: 11 Skala Rd, Tranmere TAS 7018, Australia
 Address Line 2: Tranmere, TAS, 7018
 Development Type: residentialSubdivision
 Planning Permit No:

Model Details:

LAT: -42.912996, LNG: 147.4194934

The Model has been checked against City of Clarence's guidelines.

The treatment results in the report are based on the Authority's preferred meteo template for this location.

Treatment Train Effectiveness Result

LPOD

	Sources	Residual Load	% Reduction	Target Reduction
Flow (ML/yr)	5.73	5.73	0.00	N/A
Total Gross (kg/yr)	174.58	7.29	95.82	70.00
Total Nitrogen (kg/yr)	14.76	5.06	65.71	45.00
Total Phosphorus (kg/yr)	2.22	0.79	64.44	45.00
Total Suspended Solid (kg/yr)	1134.08	177.84	84.32	80.00

Table 7 Proposed Treatment Train Effectiveness Results.

This demonstrates that the proposed treatment train consisting of 2 storm sacks and one SPELBasin that bypasses at 10L/s effectively treats the stormwater to the required levels.

7.3 Stormwater Quality Recommendations

The modelled treatment train which includes one SPEL basin and one stormsack on either side of the creekline is a feasible method of stormwater treatment at this location.

However given its proximity to the ocean outfall it is possible that Council will have better long term outcomes if a contribution is made from this development and the funds put towards treatment at ocean outfalls in high priority areas along this stretch of coastline.

Please note that the quote received for the SPEL treatment train proposed is **\$48 900** and the full quote is available in appendix 2. We propose that the full amount be transferred to Council but will include the treatment train in the subdivision design within the cul de sac head road reserve if requested or conditioned.



Figure 20 Location of subdivision outfall and network ocean outfall



8 Conclusions

This is a lot that creates the greatest value to the community under a developed scenario due to its size, location and lack of environmental value. The proposed development and associated stormwater recommendation ensure that developing this lot reduces the downstream impacts of stormwater by up to ten times what is currently experienced under the existing scenario.

The existing culverts constrain the stormwater management options on the site and cause significant stormwater impacts through the site and to downstream properties in the 5% and 1% events.

Developing the site and linking the existing culverts is a hydraulically effective method of managing the stormwater which significantly reduces downstream overland flow impacts and

utilizes the downstream network more efficiently. As the downstream receiving waterway is the Derwent Estuary there is no need to minimize amounts of flow into this waterway from this development this detention is not indicated in this location.

The following recommendations have arisen from the flood and stormwater quality analysis and are shown in the below table:

It is recommended that Council accepts all recommendations however recommendation numbers **4, 5 and 8** pertaining to the proposed plaques, the 358 Carella Drive boundary fence and the stormwater quality contribution should be explicitly approved or conditioned by Council.



	<i>Area of interest</i>	Recommendation	Notes
1.	Major network	The 900 dia pipe be linked between the Oceana Dive culvert and the Carella Drive Culvert.	This line becomes part of the developments stormwater system. There is no open inlet grate at the Carella St culvert inlet.
2.	Major network	An overland flow path to large events to be created along the overland flow path, limiting total flow width to 5m wide and maximum 400mm deep. This flow path to be protected by a 5m wide easement.	The size of the overland flow path to be reduced through the cul de sac head. Cul de sac head to be designed to carry the required flow rate as per the attached plans.
3.	Major network	Cut off drains to be created at base of embankments to direct flows into the central overland flow path.	
4.	Major network	4 small plaques be attached to the concrete turnouts to identify the flood risk to residents for the future and discourage any private construction blocking the flow path.	This option is recommended to ensure that the existence of the overland flow path is clear to future residents. Council may choose to not require this if they consider the existence of the easement sufficient. Please condition Councils preferred course of action.
5.	Major network	Council to require that the boundary fence between this development and 358 Carella St is made permeable for a 4m wide and 500mm high section within the easement.	Creating a permeable section of fence within the flow easement will ensure that the flow is directed into the safest location (the driveways) between the units at 358 Carella St.
6.	Major network	The developer provides this flood report as part of the purchase contract to land purchasers of lots 117, 118, 120 and 121.	If development occurs in flood prone area affected lots outside of the easement and development is less than that modelled as part of this report (60% impervious are per lot) then this flood report should apply to lots affected by the flood code. (The preferred outcome is that the flood code is amended once works are undertaken to reflect the topography and flood path changes established by the post development model and the works undertaken. The next option would be to attach this report to the property data and be available for use with any development on lots affected by the outdated flood overlay. Council will hold this report against the properties and make it available to future owners through a 337 or similar process, this will ensure unnecessary duplication of reporting is minimized.)
7.	Minor Network	The 5% network is accepted as designed.	The 5% network linking the Carella St culvert with the Oceana Drive culvert significantly reduces the existing overland flow in this event however some overland flow is still experienced. This is discussed further in section 6.4 Minor Network Modelling Results and Recommendations
8.	Quality Targets	Council accepts \$48 900 as a contribution to high priority treatment areas.	See: Stormwater Quality and Treatment Section 7.

Table 8 Flood Report Recommendations.



9 Appendices

9.0 Stormwater Quality Report – John Connor Online



Date: 20-3-2023

Basic Information:

Project Name:	Tranmere Estate
Assessor Name:	Anna Wilson
Assessor Email:	awilson@cja.com.au
City Council:	City of Clarence
Address Line 1:	11 Skala Rd, Tranmere TAS 7018, Australia
Address Line 2:	Tranmere, TAS, 7018
Development Type:	residentialSubdivision
Planning Permit No:	

Model Details:

LAT: -42.912996, LNG: 147.4194934

The Model has been checked against City of Clarence's guidelines.

The treatment results in the report are based on the Authority's preferred meteo template for this location.

1 / 7



Source Nodes

Node Name	Node Type	Area(sqm)	% of Impervious
Pervious	ground	6360.00	0.00
Road 1	road	2724.00	100.00
Road 2	road	3000.00	100.00
Roof 1	roof	2000.00	100.00
roof 2	roof	2000.00	100.00

Total Catchment Area(sqm): 16084.00

Treatment Nodes

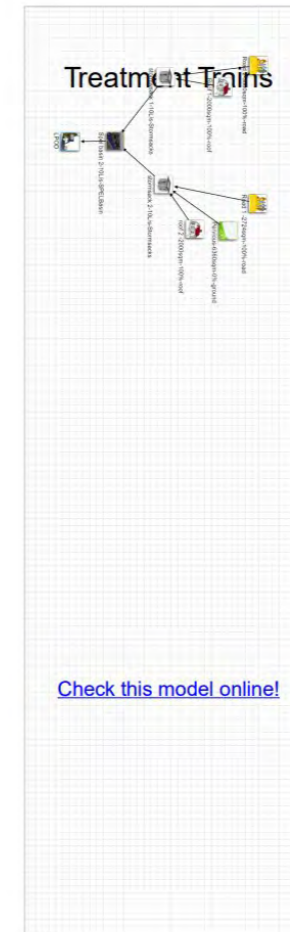
Node Name	Node Type
Spel basin 2	SPELBasin
stormwsack 1	Stormsacks
stormsack 2	Stormsacks



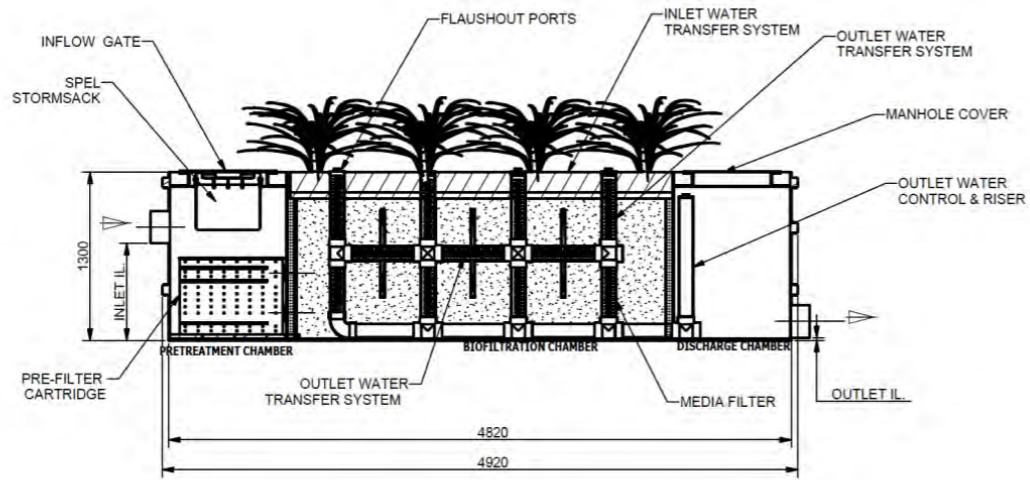
Treatment Train Effectiveness Result

LPOD

	Sources	Residual Load	% Reduction	Target Reduction
Flow (ML/yr)	5.73	5.73	0.00	N/A
Total Gross (kg/yr)	174.58	7.29	95.82	70.00
Total Nitrogen (kg/yr)	14.76	5.06	65.71	45.00
Total Phosphorus (kg/yr)	2.22	0.79	64.44	45.00
Total Suspended Solid (kg/yr)	1134.08	177.84	84.32	80.00



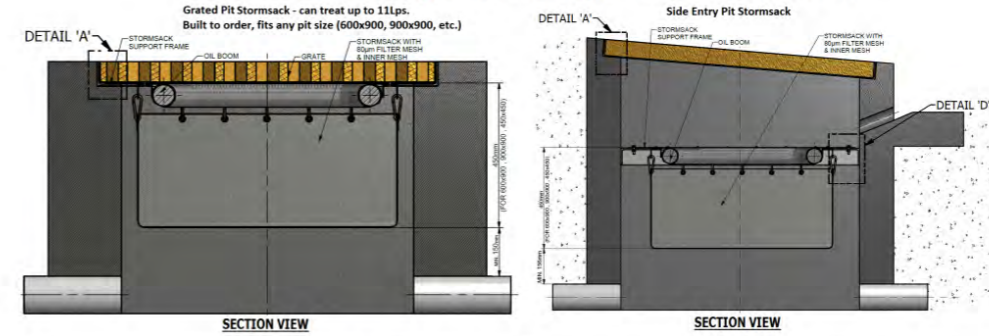
Specifications and Typical Drawings - SQIDEP SPEL Basin



ELEVATION VIEW
SECTION A-A

Treatment Device Name	Total High-flow bypass(L/s)
Spel basin 2	10

Specifications and Typical Drawings - SPEL Storm Sack



Treatment Device Name	Total High-flow bypass(L/s)
stormwsack 1	10
stormwsack 2	10





Created by:

Lee Parker
SPEL Stormwater

Prepared for:

Anna Wilson
Tivoli Green

www.spel.com.au



PHONE: 1300 773 500
EMAIL: sales@spel.com.au
OFFICE: 897 Wellington Road, Rowville, VIC 3178
ABN: 32 379 724 600
www.spel.com.au

Proposal for Tranquility Place, Tranmere

TO: Anna Wilson
Tivoli Green
Hobart, TAS
0400 415 322

QUOTE NO: 23-52315
DATE: Mar 16, 2023
EMAIL: awilson@cja.com.au

Dear Anna,

Thank you for this opportunity to provide you with a quotation for the project located at Tranquility Place, Tranmere. Please see below our proposal.

PRICING SCHEDULE FOR TREATMENT	QTY
Stormsack SSS.6060.C1 600 x 600mm Stormsack (SSS.6060.C1) Complete with support brackets & fitting hardware - To Suit 600mm x 600mm Grated Pits	2
SPELBasin MWS-L-4-21 10 LPS Treatment Flowrate Fibreglass Tank 6120mm x 1340mm x 1300mm Includes: <ul style="list-style-type: none"> Pretreatment, Biofiltration, and Discharge Chambers Internal pipeworks 	1
Freight	1
Commissioning	1

Subtotal (Ex GST) A\$48,900.00

Notes:

This submission is based on a standard purchase order/invoice transaction, any supply agreement/contract will incur further administration or legal fees.

HEAD OFFICE:
100 Silverwater Road,
Silverwater NSW
2128

POSTAL:
PO BOX 7138,
Silverwater NSW
2128

EMAIL:
sales@spel.com.au

ABN: www.spel.com.au
Total Stormwater
(SPEL VIC & TAS)
32 379 724 600



9.2 Clarence City Council Tranmere Stormwater System Management Plan

5.2.7 Hotspot 7 - Carella Street near Skala Road

Hotspot 7 consists of properties on Carella Street and Tranmere Road near Skala Road as shown in Figure 5.9. The properties are affected by flood hazard of up to H4 (*Unsafe for vehicles and people*). It is noted that the development of 358 Carella Street occurred after the capture date of the LiDAR data. This means that any earthworks associated with the development that may affect the flow path have not been incorporated into the hydraulic model.

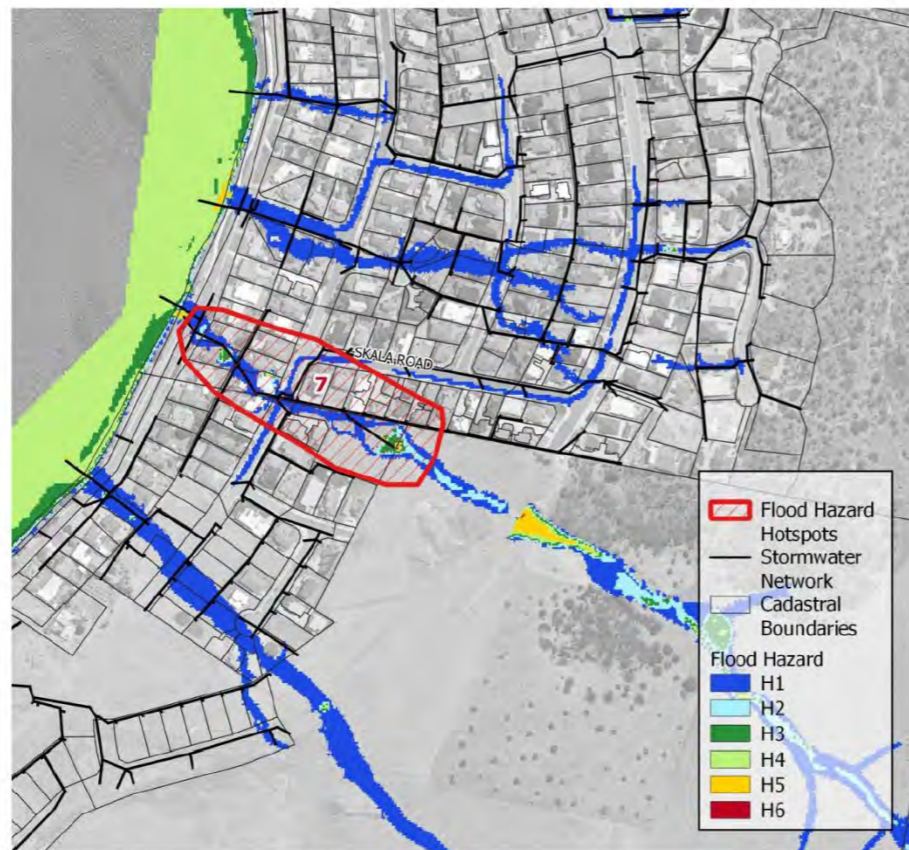


Figure 5.9 Flood Hazard Hotspot 7

8.8 Hotspot 7 - Carella Street near Skala Road

8.8.1 Identification of Potential Management Options

One (1) potential management option has been identified for Hotspot 7 as shown in Figure 8.8.

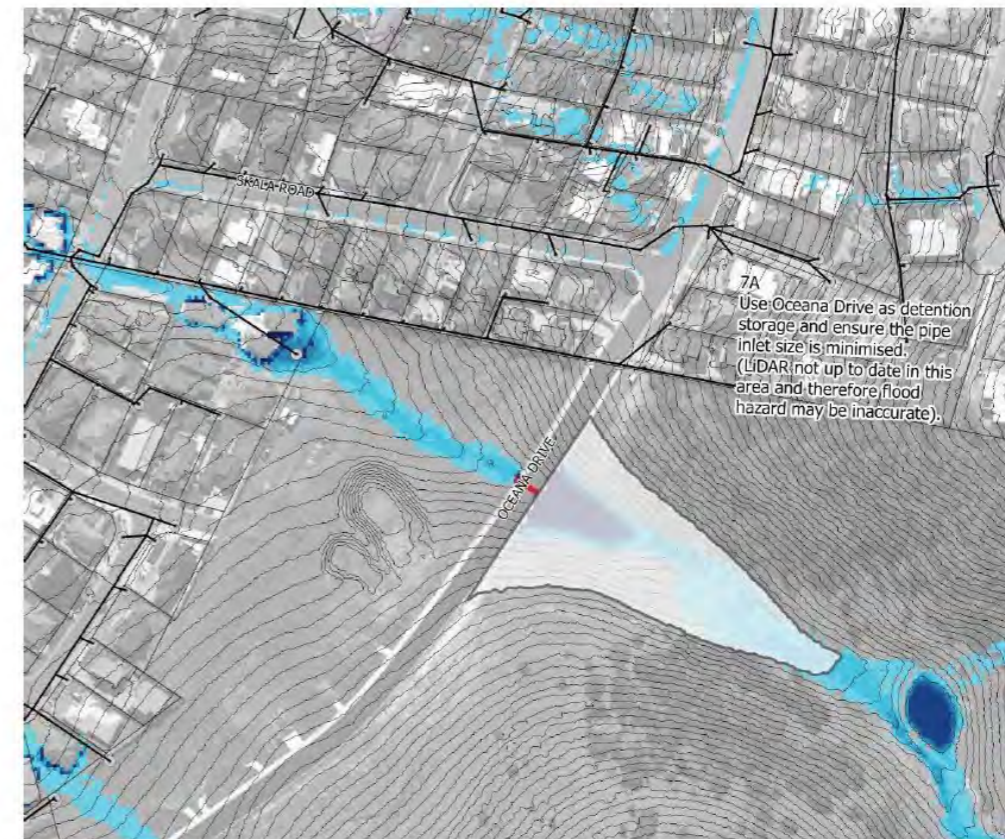


Figure 8.8 Hotspot 7 Potential Management Options

8.8.2 Evaluation of Potential Management Options

Option 7A

Option 7A consists of using the Oceana Drive road embankment as detention storage to protect properties on Carella Street. The diameters of the pipes under Ocean Drive and under 358 Carella Street are both currently 900 mm. The Oceana Drive pipe under hydraulic head (due to upstream storage) can result in peak flows exceeding the capacity of the downstream pipe. A reduction in the inlet diameter upstream of Oceana Drive (e.g. orifice plate) will attenuate peak flows to be conveyed by the downstream pipe.

312A Tranmere Estate Flood Hazard and Stormwater Report V2.0

Anna Wilson B.Eng

27/11/2023



312A TRANMERE ROAD, TRANMERE



Photo 1: Site viewed from Tranquil Place, looking east.



Photo 2: Site viewed from Oceana Drive, looking west.



Photo 3: Site viewed from Oceana Drive, looking northwest.



Photo 4: Site from Oceana Drive, looking southwest.



Photo 5: Site from Tranquil Place, looking northeast.

7.5 PLANNING APPLICATION PDPLANPMTD-2023/039889 – 1 KELSON PLACE, ACTON PARK - ADDITIONS AND ALTERATIONS (SINGLE DWELLING)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Additions and Alterations (Single Dwelling) at 1 Kelson Place, Acton Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living Zone and subject to the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 8 May 2024.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and three representations were received. One representation was in support of the proposal and two representations were opposed to the proposal and raised the following issues:

- Proposed use,
- Privacy,
- Wastewater,
- Crossover location, and
- Unapproved existing structure.

RECOMMENDATION:

- A. That the Planning Application for Additions and Alterations (Single Dwelling) at 1 Kelson Place, Acton Park (CI Ref PDPLANPMTD-2023/039889) be approved subject to the following conditions and standard advice.
1. GEN AP1 – ENDORSED PLANS.
 2. This permit approves the use of the site and buildings for a Single Dwelling (Residential) only and the site must not be used for more than one self-contained residence.
 3. The unapproved structure located between the existing dwelling and Kelson Place must be removed within 30 days from the date of issue of this permit.

4. GEN AP3 – AMENDED PLAN.
 - the removal of the redundant crossover;
 - the removal of the gate associated with the redundant crossover;
 - the reinstatement of a fence to match the existing frontage fence;
 - all manoeuvring, parking, and circulation within the site boundaries connected to the new crossover, and removal of access strip to redundant crossover.
 - a connection with a continuous roofline and floor area between the existing dwelling and the proposed addition. This connection must provide unimpeded internal access.
 - detail of the proposed external colour selections so that the dwelling articulates as a cohesive structure.
 5. The kitchen facilities and laundry fixtures within the existing dwelling must be decommissioned and removed prior to the occupation of the new addition and Council is to be notified in writing that this has occurred. Once decommissioned, no kitchen or laundry fixtures are to be reinstated or constructed without relevant approval from the Council.
 6. ENG A1 – NEW CROSSOVER. [TSD-R03 (Rural)], replace “3.0m” with “3.6m”. Add “The redundant crossover must be removed and reinstated to match with the existing road and verge in a smooth and continuous fashion. The existing gate to the redundant crossover must also be removed and fenced to match the existing frontage fence. All manoeuvring, parking, and circulation within the site boundaries must connect to the proposed crossover.”
 7. A detailed stormwater design by suitably qualified person demonstrating capacity to take 1%AEP with all the stormwater runoff from the proposed development contained on-site without discharging to road reserve must be submitted and approved prior to issue of plumbing permit.
- B. That the following advice be included in the approval documentation, in addition to standard advice:
- It has been identified that the development associated with this permit is likely to create additional hydraulic loading on the existing wastewater system at this property. Please note that a report from a suitably qualified and licensed environmental consultant will be required at the plumbing permit stage, that acknowledges the likely additional loading on the wastewater system, where modifications to the existing system may be provided for, or a new wastewater system may be required. The report will need to be submitted with the plumbing permit.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

PLANNING APPLICATION PDPLANPMTD-2023/039889 – 1 KELSON PLACE, ACTON PARK - ADDITIONS AND ALTERATIONS (SINGLE DWELLING) /contd...

ASSOCIATED REPORT**1. BACKGROUND**

Approval for multiple dwellings on the site was recently sought but could not demonstrate that it met the provisions of the planning scheme as it exceeded the maximum size for a secondary residence and multiple dwellings are prohibited in the rural living zone. Accordingly, the application was subsequently withdrawn.

A structure was recently erected between the existing dwelling and Kelson Place. This was brought to the attention of Council via a complaint, which is currently the subject of an enforcement proceeding.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Rural Living Zone under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet an applicable Acceptable Solution under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 5.6 – Compliance with Applicable Standards,
 - Section 6.9 – Prohibited Use or Development,
 - Section 6.10 – Determining Applications,
 - Section 11.4 – Rural Living Zone,
 - Section C3.0 – Road and Railway Assets Code, and
 - Section C16.0 – Safeguarding of Airports Code.
- 2.4.** Council’s assessment of this proposal must consider the issues raised in representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993 (LUPAA)*.

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an approximately square lot which occupies a prominent corner lot at the intersection of Acton Road and Kelson Place. The site is 5,729m² and gently slopes downwards from west to east at a gradient of approximately 4%.

Access is currently provided by a sealed driveway from Kelson Place. An additional access and right-of-way easement extends along the south-eastern (side) boundary for the benefit of 5 Kelson Place.

The site currently accommodates a single storey dwelling and outbuildings.

3.2. The Proposal

The proposal is to construct a two-storey addition to the existing dwelling and relocate the crossover closer to the proposed additions and alterations. It is additionally proposed to remove the kitchen fixtures and laundry from the existing dwelling in an effort to retain a single dwelling use status.

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.

Applicable standard means in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.”

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 proposed relocated crossover and part of the proposed additions and alterations to the dwelling are within the Road and Railway Assets Code overlay. The siting of the proposed addition and alterations comply with the Acceptable Solution, as there is an adjoining dwelling at 2 Kelson Place with a setback closer to Acton Road than the proposed additions. The proposed crossover is not exempt from assessment by clause 4.2.5.

The site is overlaid by the Safeguarding of Airports Code. However, the site has a maximum level of 19m AHD and is therefore exempt from the provisions of the Code because the development would not exceed the prescribed obstacle limitation area.

The proposed additions and alterations present as two distinct buildings in its outward appearance, with no obvious interrelationship. The Scheme defines Multiple Dwelling as two or more dwellings on a site, and defines a dwelling as:

“a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.”

The removal of the kitchen and laundry fixtures from the existing dwelling and the formation of an obvious and functional connection between the two buildings is taken to be sufficient to align the applicant’s description of the proposal to be a single dwelling. This is because it removes the ability of the building(s) to function as more than one dwelling.

The proposal meets the Scheme’s relevant Acceptable Solutions of the Rural Living Zone, Parking and Sustainable Transport Code, and the Road and Railway Assets Code with the exception of the following.

Rural Living Zone

- **Clause 11.4.1 A1 Site Coverage** – the proposal would result in a site coverage that is 427m², which is greater than the 400m² required by the acceptable solution for this clause.

The proposal must be against Performance Criterion P1 as follows.

Clause	Performance Criteria	Assessment
11.4.1	<i>“The site coverage must be consistent with that existing on established properties in the area, having regard to:</i>	The proposed site coverage complies with this performance criterion, as set out below. The site coverage of 427m ² is consistent with established properties in the area. Examples include 9 and 65 Kelson Place, which have site coverages of 485m ² and 546m ² respectively.
	<i>(a) the topography of the site;</i>	The topography of the site is relatively flat, and characteristic of the surrounding area. The low gradient of the site presents challenges in the site’s capacity to divert and contain runoff that would be displaced by the proposed development.
	<i>(b) the capacity of the site to absorb runoff;</i>	Council engineers have reviewed the proposal and are satisfied with the site’s capacity to absorb runoff subject to recommended conditions.

	<i>(c) the size and shape of the site;</i>	The size and shape of the site is characteristic of the surrounding area. Given the proposal is equally characteristic of the area in terms of site coverage, this requirement is satisfied.
	<i>(d) the existing buildings and any constraints imposed by existing development;</i>	The existing dwelling is located centrally on the site. With regard to access and setback constraints, the proposed location of the addition to the north-west of the existing dwelling is one of only two plausible locations, the other being to the south-east.
	<i>(e) the need to remove vegetation; and</i>	The proposed development appears likely to require the removal of a row of established trees and shrubs to the north-west of the existing dwelling, as well as a tree to provide for the proposed driveway. The siting of the proposal is otherwise in the least vegetated portion of the site.
	<i>(f) the character of development existing on established properties in the area.”</i>	The proposed development is comparable to surrounding development, which consists of large single and two-storey single dwellings and outbuildings, sitting centrally on lots.

- Clause 11.4.2 A1 Building Setback – the proposal would result in a setback of 19.809m to Acton Road, and a 13.6m setback to Kelson Place, where a 20m frontage setback is required under the acceptable solution.

The proposal must be assessed against Performance Criterion P1 as follows.

Clause	Performance Criteria	Assessment
11.4.2	<i>“Buildings must be sited to be compatible with the character of the area, having regard to</i>	The proposal is assessed as satisfying this performance criterion as outlined below.
	<i>(a) the topography of the site;</i>	The topography of the site is relatively flat and does not constrain the siting of the proposal.

	<i>(b) the setbacks of adjacent buildings;</i>	<p>The frontage setbacks of adjacent buildings relative to Acton Road are similar to 19.8m setback of the proposal.</p> <p>The proposed 13.6m frontage setback to Kelson Place is comparable to the adjoining property at 5 Kelson Place, where an outbuilding has a similar setback of 14.84m albeit to Acton Road.</p>
	<i>(c) the height, bulk and form of existing and proposed buildings;</i>	<p>The bulk of the proposed two storey single dwelling is comparable to existing development in the area.</p>
	<i>(d) the appearance when viewed from roads and public places; and</i>	<p>The site is a corner lot that presents to both Acton Road and Kelson Place, making any development on the site inherently prominent.</p> <p>However, the proposed single dwelling is similar in height and bulk to other single dwellings in the surrounding area, and the proposed carport is open on all four sides, effectively minimising the apparent bulk of that structure. Accordingly, the siting of the proposal is assessed as being compatible with the character of development in the area.</p>
	<i>(e) the retention of vegetation.”</i>	<p>The proposal requires the removal of a row of established trees and shrubs to the north-west of the existing dwelling, as well as a tree to provide space for the proposed driveway. This can be seen as a minimal intervention that retains the majority of existing vegetation, in keeping with the character of the surrounding area.</p>

Road and Railway Assets Code

- C3.5.1 A1.2 Traffic Generation At A Vehicle Crossing, Level Crossing Or New Junction – The proposal does not comply with the acceptable solution for this clause, due to the development approval for the use and development not yet being issued.

The proposal must be assessed against Performance Criterion P1 as follows.

Clause	Performance Criteria	Assessment
C3.5.1	<i>“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</i>	The proposal is assessed as satisfying this performance criterion as outlined below.
	<i>(a) any increase in traffic caused by the use;</i>	In response to (a) and (b) there is no proposed change to the existing single dwelling use, so no substantial increase in traffic is anticipated.
	<i>(b) the nature of the traffic generated by the use;</i>	
	<i>(c) the nature of the road;</i>	In response to (c) and (d) Kelson Place is a relatively short, sealed no-through road, which is more than adequate to the corresponding limited amount of traffic. Access is provided by Acton Road, which has a speed limit of 80km/h. The setback of the crossover from Acton Road has been deemed by Council engineers sufficient to as allow for the reduction from the anticipated approach speed.
	<i>(d) the speed limit and traffic flow of the road;</i>	
	<i>(e) any alternative access to a road;</i>	There are two existing crossovers to the eastern side of the frontage. One crossover serves as access to 5 Kelson Place. The other crossover is proposed to be removed in favour of the crossover to the east of the site. A condition is recommended to enforce this proposal.

	<i>(f) the need for the use;</i>	The proposal locates the dwelling further west of the site, making the relocation of a crossover to the west both more logical, and harmonious with surrounding development.
	<i>(g) any traffic impact assessment; and</i>	In response to (g) and (h) no traffic impact assessment was received from the applicant in support of the proposal. Council engineers did; however, assess the proposal and were satisfied that it could meet an acceptable standard, subject to conditions.
	<i>(h) any advice received from the rail or road authority.”</i>	

5. REPRESENTATION ISSUES

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

5.1. Use

Representors raised concern that the proposed dwelling did not meet the definition of a Single Dwelling and was therefore prohibited. Specifically, both the existing and proposed structures were seen as being capable of serving individually as two self-contained dwellings. Even with the removal of kitchen and laundry fixtures it would only take minor modifications to use the proposal for more than one dwelling.

The representors are of the opinion that the upstairs portion of the proposed dwelling was equally seen as being able to function as a self-contained dwelling, where no component would satisfy the definition of a Secondary Residence, leading to a characterisation of the proposal as Multiple Dwellings, a prohibited use.

- **Comment**

The site currently supports a Single Dwelling and proposes a two-storey addition that would meet all the requirements of a self-contained dwelling. The representors' assertions that the outward appearance of the proposal resembles a multiple dwelling is a valid one.

However, the removal of the existing kitchen and laundry fixtures is sufficient to meet the single dwelling definition of the scheme, and it removes the ability of the proposal to function as more than one self-contained dwelling. Conditions are recommended to ensure the building functions as a single dwelling.

The concern of the representor that the dwelling may lend itself with minimal modification to multiple dwelling use is equally valid, and conditions have been recommended to control this.

It is noted that the bar area to the upper storey of the proposed dwelling is equally incapable of serving as a self-contained dwelling as it has no separate access proposed and is not functionally separated from the lower level.

The proposal has therefore been taken at face-value and assessed as such. It is noted that an application for a Strata Scheme would not be possible, and that this provides an additional control for the legitimate concerns raised.

5.2. Unapproved Construction

A representor raised concerns about a recently erected structure located between the existing dwelling and Kelson Place. A planning permit is required given the location within the frontage setback, and the validity of the advertised documents was called into question.

- **Comment**

The structure in question was only recently sited on the property and does not form part of the documentation for approval.

The matter has been referred to Council's Enforcement Officers to be further investigated, to allow the proposal to be assessed on its own merits.

However, as it does not have a permit, and may form part of the justification for a reduced setback, its removal is required by condition until a permit is gained.

5.3. Access

A representor was concerned that the proposed relocated crossover was not suitably located in relation to vehicles entering from Acton Road, which has an 80km/h speed limit.

- **Comment**

The relocated crossover was referred to Council's Assets Group, who raised no objection to the proposed location and recommended standard conditions, provided the existing crossover is removed.

5.4. Wastewater

Concerns over the capacity of the site to contain wastewater were raised by one representor.

- **Comment**

Council's Environmental Health officers have provided advice to the applicant that a report from a suitably qualified and licensed environmental consultant will be required at the plumbing permit stage. The design of the wastewater management proposed on the site is not a planning consideration for this application.

5.5. Privacy

Privacy concerns were raised in relation to the proposed decks.

- **Comment**

There are Acceptable Solutions specific to privacy within the Rural Living Zone which are met. Accordingly, the proposal is taken to not cause an unreasonable loss of amenity to adjoining properties.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

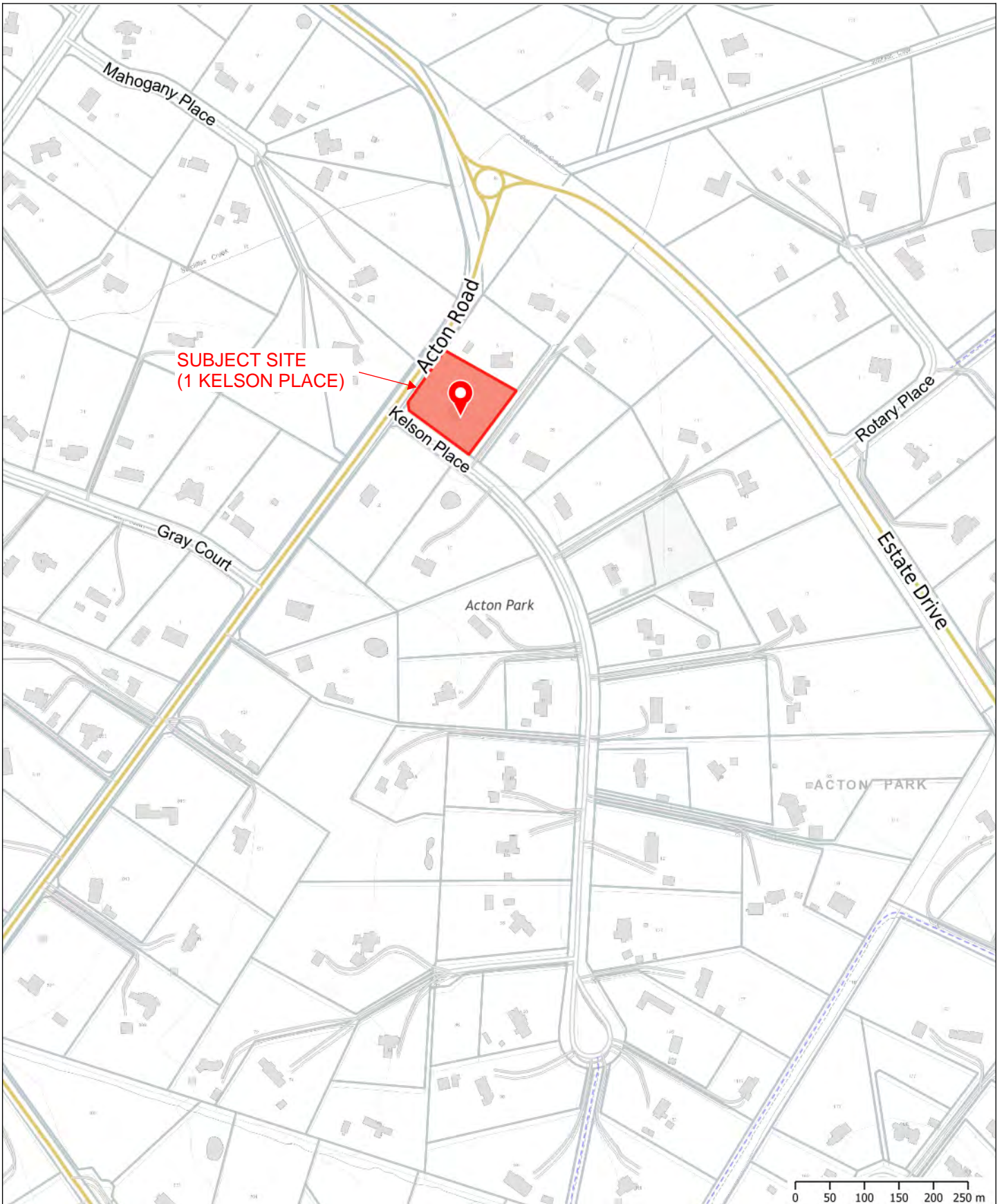
The proposal is recommended for approval as it has met the Acceptable Solutions or demonstrated compliance with relevant Performance Criteria of all applicable standards of the Scheme.

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

Daniel Marr
HEAD OF CITY PLANNING

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

Attachment 1



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

17/04/2024

1:7500



Proposed Extension to Existing Dwelling for A K M MOHSIN HABIB TALUKDER 1 KELSON PLACE, ACTON PARK



CREATIVE HOMES HOBART

CREATIVE HOMES HOBART, CORNOR OF ELWICK ROAD & BROOKER HIGHWAY, GLENORCHY 7010 PH: 03 6272 3000

Land Title Reference: CT 155632/1
Wind Classification: N2
Soil Classification: H-1
Climate Zone: 7
Bushfire Attack Level: TBC
Alpine Area: N/A Less than 900m AHD



AREA SCHEDULE	
EXISTING FLOOR AREA	: 143 m ²
EXISTING DECK AREA	: 67 m ²
EXISTING SHED	: 35.9 m ²
EXTENSION AREA:	
FLOOR AREA (GROUND)	: 162.3 m ²
FLOOR AREA (FIRST)	: 117.1 m ²
TOTAL AREA	: 279.4 m ²
PORCH	: 10.5 m ²
Outdoor Living(Including steps)	: 18.6 m ²
TILED DECK (FRONT)	: 10.4 m ²
TILED DECK (REAR)	: 17.9 m ²
CARPORT	: 36 m ²
SUNROOM/ALFRESCO	: 25.0 m ²
TOTAL AREA (EXTENSION)	: 397.8 m²
TOTAL BUILT-UP AREA:	
EXISTING+EXTENSION = 143+35.9+277.9 =	456.8 m²
TOTAL SITE COVERAGE:	
EXISTING+EXTENSION = 143+35.9+162.3 =	341.2 m²
DRIVEWAY AREA	: 220 m ²

DRAWINGS:

- 01 SITE PLAN
- 02A GROUND FLOOR PLAN-EXISTING
- 02B GROUND FLOOR PLAN-EXTENSION
- 02C FIRST FLOOR PLAN
- 03 ROOF PLAN
- 04A ELEVATIONS 01
- 04B ELEVATIONS 02
- 05 SECTION

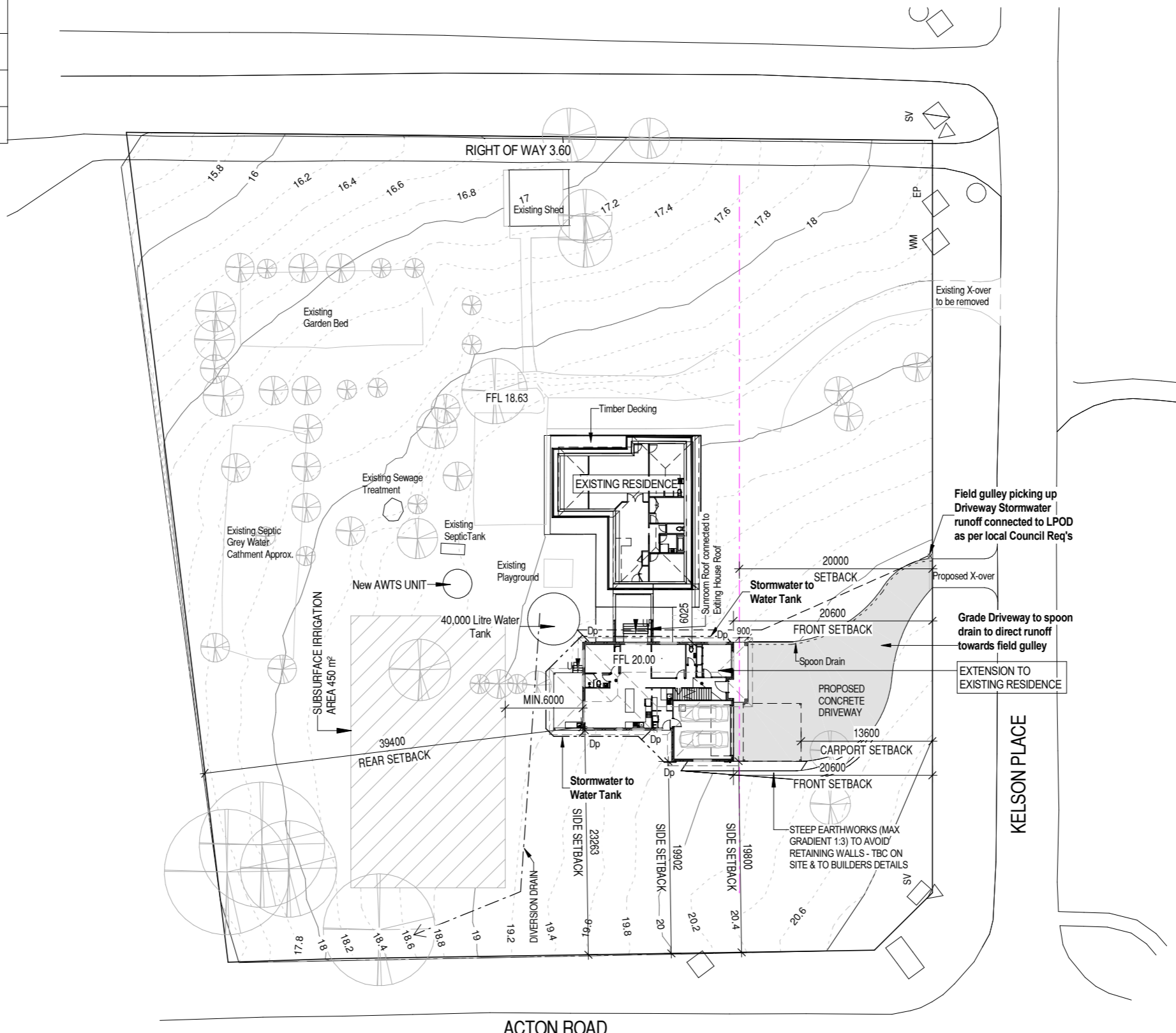
DRAWINGS:

- 06A 3D VIEWS
- 06B 3D VIEWS
- 07A ELECTRICAL LAYOUT_GROUND FL
- 07B ELECTRICAL LAYOUT_FIRST FL
- 08 WET AREA NOTES
- 09 BAL NOTES
- 10 STAIR NOTES

GLAZING NOTE:
- ALL EXTERNAL TO BE DOUBLE GLAZED.

No.	Date	Description	Drawn
H	29.02.2024	Modified as RF1 PDPLANPMTD 2023/039889	RK
G	14.02.2024	Modified as CH feedback	RK
F	11.12.2023	Modified as feedback	RK
E	08.12.2023	Existing ground floor added	RK
D	31.10.2023	External wall changed to brick	RK
C	24.10.2023	Modified Sunroom as feedback	RK
B	20.10.2023	Modified as feedback	RK
A	19.10.2023	WORKING DRAWINGS	RK
1	03.10.2023	Modified Concept as feedback	RK
	22.09.2022	CONCEPT PLAN	RK

CL	25.500
FIRST FLOOR	23.100
G.FL CL	22.700
GROUND FL	20.000
EXISTING GROUND FL	19.050



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AGG DRAIN REQUIRED
(TBC ON SITE & TO BUILDERS DETAILS)

SITE PLAN

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01

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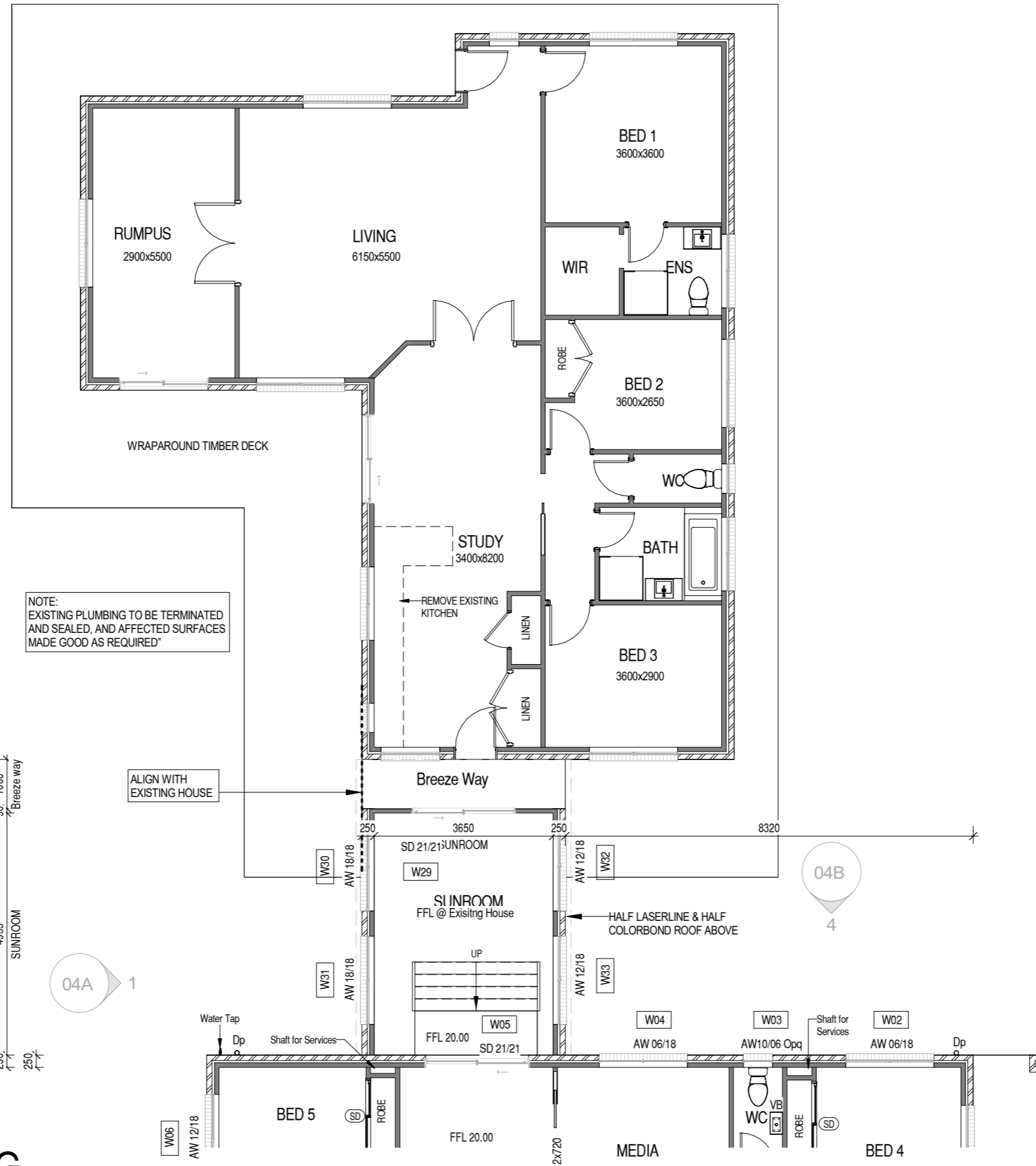
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CREATIVE HOMES HOBART, CORNER OF ELWICK ROAD & BROOKER HIGHWAY, GLENORCHY 7010 PH: 03 6272 3000

JOB ADDRESS :	1 KELSON PLACE, ACTON PARK
APPROVED BY:	Stuart Chugg
DRAWN :	Ranjot Kaur
CHECKED:	SC DATE: 29.02.2023
SCALE:	1 : 500 REVISION: H

CLIENT :	A K M MOHSIN HABIB TALUKDER
SHEET:	01 OF 11
PROJECT NO:	CH_86

CL	25.500
FIRST FLOOR	23.100
G.FL CL	22.700
GROUND FL	20.000
EXISTING GROUND FL	19.050



NOTE:
EXISTING PLUMBING TO BE TERMINATED
AND SEALED, AND AFFECTED SURFACES
MADE GOOD AS REQUIRED*

GLAZING NOTE:
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GROUND FLOOR PLAN-EXISTING

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02A

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DRAWN :	Ranjot kaur
CHECKED:	SC DATE: 29.02.2023
SCALE:	1 : 100 REVISION: H

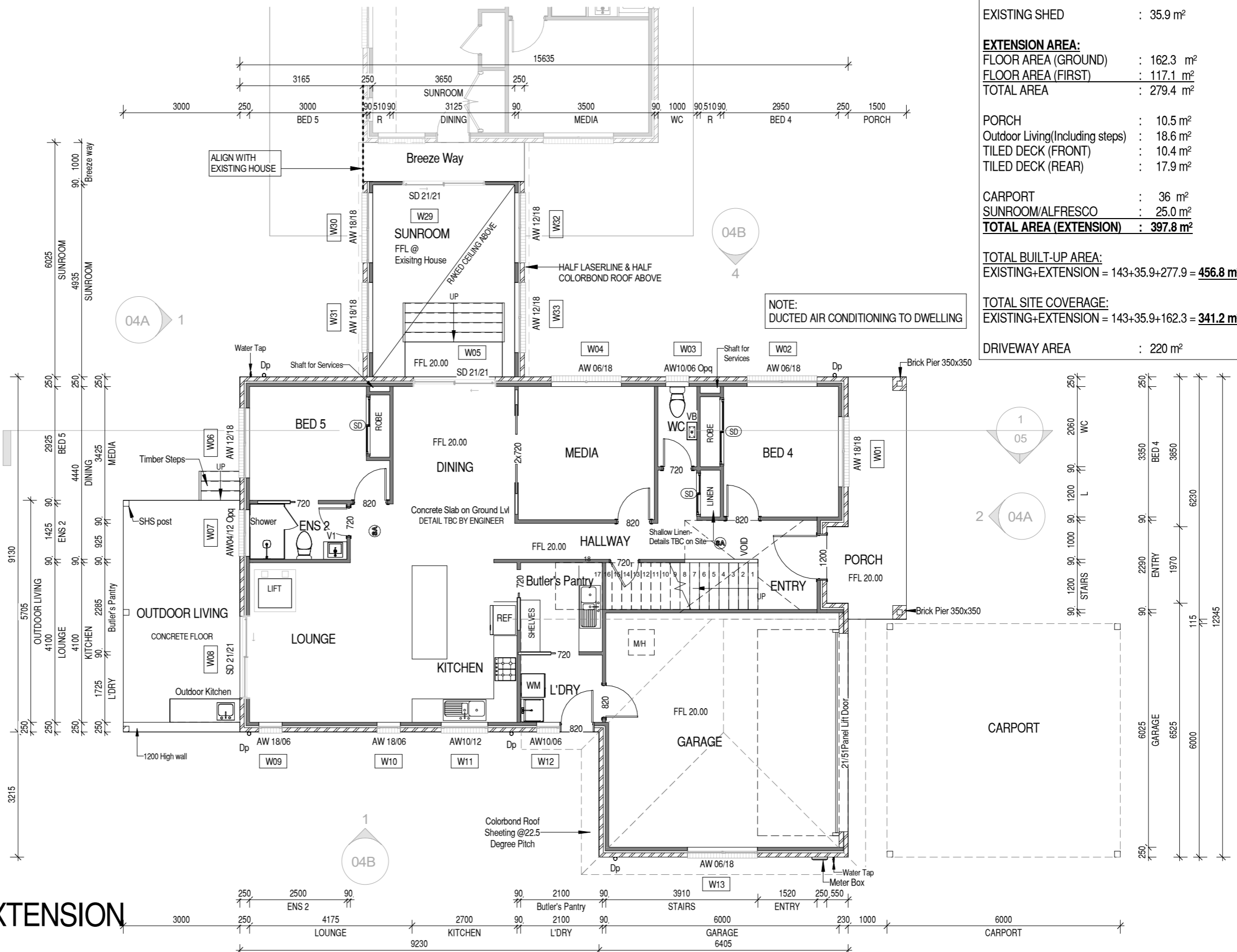
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SHEET:	02A OF 11
PROJECT NO:	CH_86

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FIRST FLOOR	23.100
G.FL CL	22.700
GROUND FL	20.000
EXISTING GROUND FL	19.050

Window Schedule				
Number	Level	Type	Height	Width
01	GROUND FL	AW 18/18	1800	1800
02	GROUND FL	AW 06/18	600	1800
03	GROUND FL	AW10/06 Opq	1000	600
04	GROUND FL	AW 06/18	600	1800
05	GROUND FL	SD 21/21	2100	2100
06	GROUND FL	AW 12/18	1200	1800
07	GROUND FL	AW04/12 Opq	400	1200
08	GROUND FL	SD 21/21	2100	2100
09	GROUND FL	AW 18/06	1800	600
10	GROUND FL	AW 18/06	1800	600
11	GROUND FL	AW10/12	1000	1200
12	GROUND FL	AW10/06	1000	600
13	GROUND FL	AW 06/18	600	1800
14	FIRST FLOOR	AW10/18	1000	1800
15	FIRST FLOOR	AW 18/15	1800	1500
16	FIRST FLOOR	SD 21/21	2100	2100
17	FIRST FLOOR	AW 06/18	600	1800
18	FIRST FLOOR	AW10/06 Opq	1000	600
19	FIRST FLOOR	AW 12/18	1200	1800
20	FIRST FLOOR	AW10/06 Opq	1000	600
21	FIRST FLOOR	AW 12/18	1200	1800
22	FIRST FLOOR	SD 21/21	2100	2100
23	FIRST FLOOR	AW 12/18	1200	1800
25	FIRST FLOOR	AW 06/18	600	1800
26	FIRST FLOOR	FW 09/12	900	1200
27	FIRST FLOOR	FW 09/12	900	1200
28	FIRST FLOOR	FW 09/12	900	1200
29	GROUND FL	SD 21/21	2100	2100
30	GROUND FL	AW 18/18	1800	1800
31	GROUND FL	AW 18/18	1800	1800
32	GROUND FL	AW 12/18	1200	1800
33	GROUND FL	AW 12/18	1200	1800
Grand total: 32				

Vanity Legend	
V1	600 mm
V2	750 mm
V3	900 mm
V4	1200 mm
V5	1500 mm

GLAZING NOTE:
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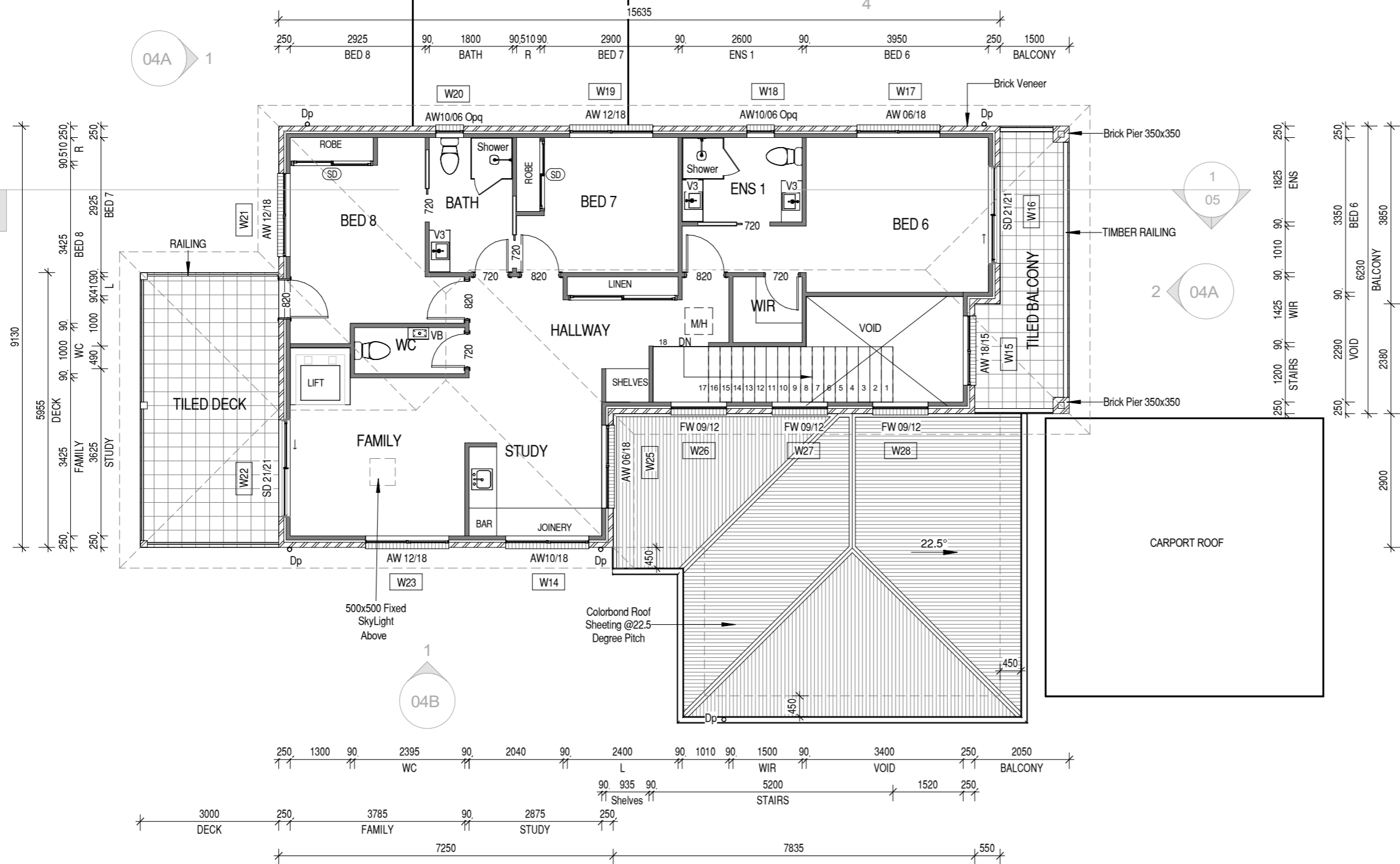


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DRIVEWAY AREA	: 220 m ²

GROUND FLOOR PLAN-EXTENSION

02B		CONTRACTOR MUST VERIFY ALL DIMENSIONS AND LEVELS AT THE JOB PRIOR TO COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS.	<table border="1"> <tr><td>H</td><td>29.02.2024</td><td>Modified as RFI PDPLANPMTD 2023/039889</td><td>RK</td></tr> <tr><td>G</td><td>14.02.2024</td><td>Modified as CH feedback</td><td>RK</td></tr> <tr><td>F</td><td>11.12.2023</td><td>Modified as feedback</td><td>RK</td></tr> <tr><td>E</td><td>08.12.2023</td><td>Existing ground floor added</td><td>RK</td></tr> <tr><td>D</td><td>31.10.2023</td><td>External wall changed to brick</td><td>RK</td></tr> <tr><td>No.</td><td>Date</td><td>Description</td><td>Drawn</td></tr> </table>	H	29.02.2024	Modified as RFI PDPLANPMTD 2023/039889	RK	G	14.02.2024	Modified as CH feedback	RK	F	11.12.2023	Modified as feedback	RK	E	08.12.2023	Existing ground floor added	RK	D	31.10.2023	External wall changed to brick	RK	No.	Date	Description	Drawn		JOB ADDRESS : 1 KELSON PLACE, ACTON PARK	CLIENT : A K M MOHSIN HABIB TALUKDER
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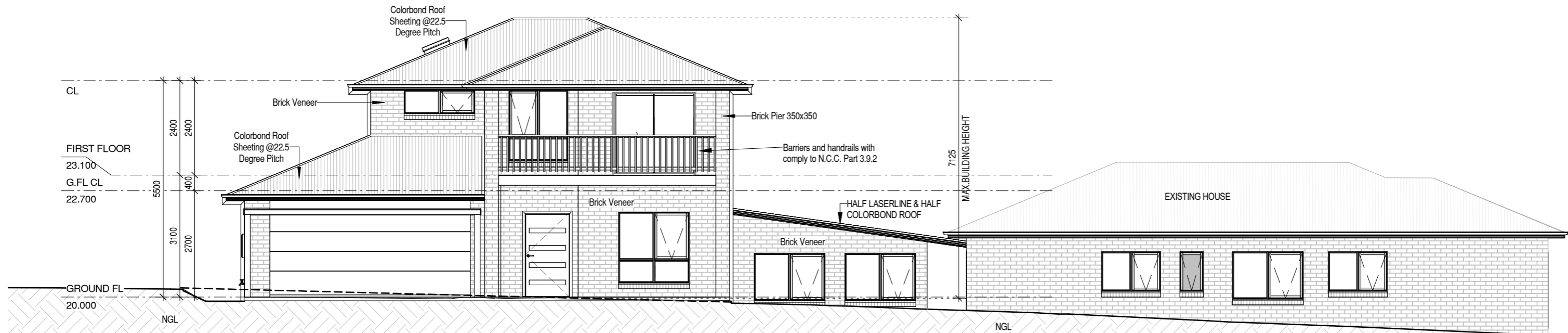
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FIRST FLOOR PLAN

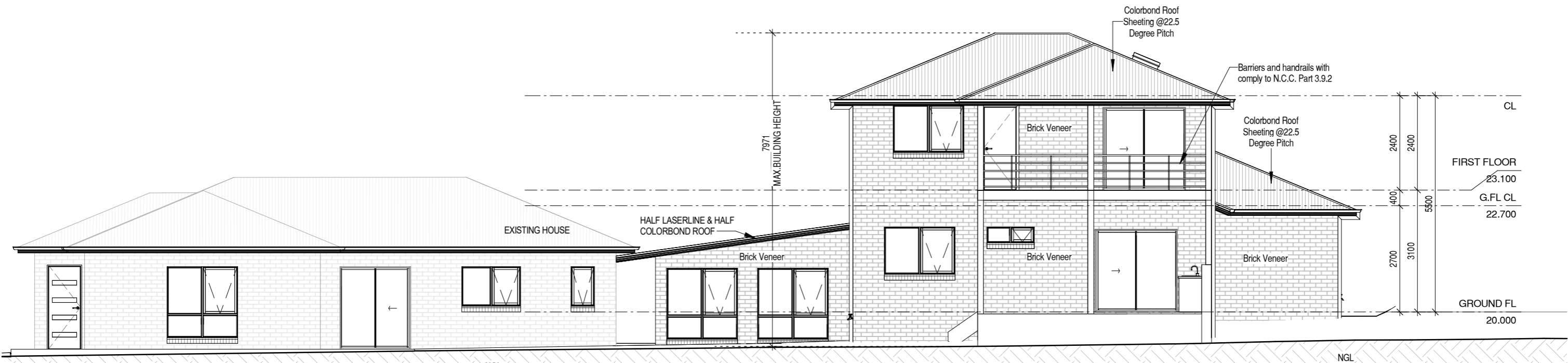
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		SCALE: 1 : 100 REVISION: H																												



SouthWest Elevation



NorthEast Elevation

GLAZING NOTE:
- ALL EXTERNAL TO BE DOUBLE GLAZED.

ROOF NOTES:

1. VAPOUR PERMEABLE SARKING UNDER BATTENS (OR EQUIV.) (WITH 25MM AIR GAP TO ROOFING) AND MINIMUM 10MM ROOF VENTILATION (SUPPLY) GAP IN ACCORDANCE WITH NCC.
2. RIDGE TO HAVE CONTINUOUS GAP IN VAPOUR PERMEABLE SARKING (5mm) OR EQUIV. VENTILATION SYSTEM (EXHAUST) IN ACCORDANCE WITH NCC.
3. SELECT COLORBOND CAPPING AND FLASHINGS INSTALLED TO MANUFACTURER'S SPECIFICATION.
4. FC LINING TO EAVE WITH EAVE VENTS FOR VENTILATION (OR EQUIV.) IN ACCORDANCE WITH NCC.

ELEVATIONS 01

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CONTRACTOR MUST VERIFY ALL DIMENSIONS AND LEVELS AT THE JOB PRIOR TO COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS.

DO NOT SCALE DRAWINGS. ALWAYS USE WRITTEN DIMENSIONS.

No.	Date	Description	Drawn
H	29.02.2024	Modified as RFI PDPLANPMTD 2023/039889	RK
G	14.02.2024	Modified as CH feedback	RK
F	11.12.2023	Modified as feedback	RK
E	08.12.2023	Existing ground floor added	RK
D	31.10.2023	External wall changed to brick	RK

CREATIVE HOMES HOBART, CORNER OF ELWICK ROAD & BROOKER HIGHWAY, GLENORCHY 7010 PH: 03 6272 3000



JOB ADDRESS: 1 KELSON PLACE, ACTON PARK	
APPROVED BY:	Stuart Chugg
DRAWN:	Ranjot Kaur
CHECKED:	SC DATE: 29.02.2023
SCALE:	1 : 100 REVISION: H

CLIENT: A K M MOHSIN HABIB TALUKDER
SHEET: 04A OF 11
PROJECT NO: CH_86



NorthWest Elevation



SouthEast Elevation

GLAZING NOTE:
- ALL EXTERNAL TO BE DOUBLE GLAZED.

ROOF NOTES:

1. VAPOUR PERMEABLE SARKING UNDER BATTENS (OR EQUIV.) (WITH 25MM AIR GAP TO ROOFING) AND MINIMUM 10MM ROOF VENTILATION (SUPPLY) GAP IN ACCORDANCE WITH NCC.
2. RIDGE TO HAVE CONTINUOUS GAP IN VAPOUR PERMEABLE SARKING (5mm) OR EQUIV. VENTILATION SYSTEM (EXHAUST) IN ACCORDANCE WITH NCC.
3. SELECT COLORBOND CAPPING AND FLASHINGS INSTALLED TO MANUFACTURER'S SPECIFICATION.
4. FC LINING TO EAVE WITH EAVE VENTS FOR VENTILATION (OR EQUIV.) IN ACCORDANCE WITH NCC.

ELEVATIONS 02

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NOTE:
MATERIALS COLOR TO BE CONFIRMED.

GLAZING NOTE:
- ALL EXTERNAL TO BE DOUBLE GLAZED.

3D VIEWS

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3D VIEWS

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SHEET:	06B OF 11
PROJECT NO:	CH_86

Attachment 3



Image 1: view from Kelson Place of proposed location of works, looking north



Image 2: view from Kelson Place of unapproved structure, looking north-east



Image 3: view from Kelson Place of site, looking north-west

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 WASTE AND RESOURCE RECOVERY SERVICES POLICY 2024****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to seek Council endorsement of the draft *Waste and Resource Recovery Services Policy 2024*. This policy will provide Council the framework to determine the minimum standards and requirements for kerbside collection services and assist with kerbside collection and other resource recovery services being provided across the City in an efficient, effective and sustainable manner.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 and Sustainability Strategy are relevant. The Policy will replace some areas covered by the Services and Refuse By-Law No. 1 of 2014 which expired in April 2024.

LEGISLATIVE REQUIREMENTS

The *Local Government Act 1993* provides the authority for Council to set Service Rates and Charges for the collection and disposal of waste.

The *Waste and Resource Recovery Act 2022* determines the amount of landfill levy applicable per tonne of material disposed at landfill.

CONSULTATION

No community consultation has been undertaken on this matter. The draft policy was provided to councillors at a recent workshop for review and comment.

FINANCIAL IMPLICATIONS

Financial implications arising from this draft policy are in support of those set in the Rates and Charges Policy 2020, Clarence City Council Rating Resolution and Council's Fees and Charges (Non rates) Policy 2023.

RECOMMENDATION:

That Council endorses the Waste and Resource Recovery Policy 2024.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. Council delivers a variety of waste management and resource recovery services throughout the City. However, there has been no previous adoption or implementation of a Council policy to streamline the co-ordination of these services, for both Council and community.

- 1.2.** Council is committed to facilitating economical, effective and sustainable waste and resource recovery practices. The draft policy will assist in co-ordinating this approach and achieving the following goals:
- minimising the amount of landfill waste generated within the city,
 - increasing the recovery of resources,
 - providing alternatives to landfill disposal,
 - minimising the contamination of recycling and organic waste streams, and
 - providing equitable and accessible waste and resource recovery services for all residents.
- 1.3.** To facilitate achieving Council's waste and resource recovery goals, the draft policy provides the framework for Council to determine the minimum standards and requirements for kerbside collection services, including the ability to set and implement:
- fees and charges,
 - compulsory and non-compulsory collection requirements,
 - bin presentation requirements, and
 - education and enforcement processes.
- 1.4.** The draft policy aims to formalise effective past practices while updating and replacing others with contemporary practice.
- 1.5.** The drafty policy extends from the provision of kerbside services to other key waste and resource recovery endeavours of Council.
- 1.6.** The purpose of this report is to consider adoption of an inaugural Waste and Resource Recovery Services Policy, as discussed at a recent councillors' workshop.

2. REPORT IN DETAIL

- 2.1.** Council currently provides a range of waste and resource recovery services, including:
- kerbside general waste, recycling and garden organics collections,
 - street sweeping and cleansing,
 - public litter and dog waste bins, and
 - subsidised materials disposal at Mornington Park Waste Transfer Station (known as the Community Service Obligation).
- 2.2.** A review of Council's current processes identified an opportunity to consolidate the work of individual Council program areas into a contemporary inaugural policy to provide a transparent and equitable approach toward kerbside collection and other resource recovery services across the City.
- 2.3.** A cross-functional working group was formed to develop this draft policy, ensuring cohesion and uniformity of its application across business functions of Council.
- 2.4.** The draft policy seeks to ensure that kerbside collection and other resource recovery services are provided across the City in an efficient, effective and sustainable manner to achieve best practice and value-for-money service delivery.
- 2.5.** The draft policy provides a contemporary approach to setting the minimum standards and participation requirements for Council's kerbside collection service.
- 2.6.** The draft policy provides a clear framework for Council's approach to education and enforcement for non-compliance with its waste and resource recovery service provision, including any associated penalty under relevant legislation.

2.7. The draft policy will supersede the former Services & Refuse By-law (2014), as clauses related to waste services have not been relied upon. Non-waste related content in the By-law is covered by other relevant legislation.

2.8. The Policy is attached for consideration by Council (**Attachment 1**).

3. CONSULTATION

3.1. Community Consultation Undertaken

No community consultation was undertaken on this matter.

3.2. State/Local Government Protocol

No issues to be addressed.

3.3. Other

The revised Policy was circulated to Councillors for consideration prior to a Council Workshop.

3.4. Further Community Consultation

No further community consultation is proposed. The policy, if approved, will be made available on Council's website.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

This report proposes to amend Council's existing internal procedures.

5. EXTERNAL IMPACTS

No issues to be addressed.

6. RISK AND LEGAL IMPLICATIONS

6.1. The draft policy sets a framework and establishes Council's minimum standards and participation requirements for Council's kerbside collection service which were previously provided for under the now expired Refuse and Services By-Law No. 1 of 2014.

6.2. There is a risk that without such a policy in place, Council will be unable to enforce its waste services requirements.

7. FINANCIAL IMPLICATIONS

Financial implications arising from the adoption of this policy are in support of those set and stipulated in the Rates and Charges Policy 2020, Clarence City Council Rating Resolution and Council's Fees and Charges (Non rates) Policy 2023.

8. ANY OTHER UNIQUE ISSUES

The waste industry is going through a period of change with the recent introduction of the Waste Authority, the Waste Levy, the State Government Waste Strategy and intended roll-out of the container reuse scheme. Council officers are continuing to monitor the industry to be prepared to inform Council on issues which may affect the community.

9. CONCLUSION

A draft Waste and Resource Recovery Services Policy 2024 is submitted for Council's consideration and approval.

Attachments: 1. Draft Waste and Resource Recovery Services Policy 2024 (23)

Ian Nelson
CHIEF EXECUTIVE OFFICER



Clarence City Council

WASTE AND RESOURCE RECOVERY SERVICES POLICY 2024

1. PURPOSE

The purpose of this Policy is to outline Council’s objectives regarding the waste and resource recovery services it offers to residents, businesses and other groups within the City.

2. SCOPE

The Policy has been developed to provide strategic guidance for the delivery of Council’s waste and resource recovery services in accordance with the objectives and goals of Council’s Strategic Plan 2021 - 2031 and Sustainability Strategy 2023 - 2033.

The Policy seeks to ensure that kerbside collection and other resource recovery services are provided across the City in an efficient, effective and sustainable manner to achieve best practice and value-for-money service delivery.

This Policy applies to kerbside and other waste management services provided by Council and associated service charges.

3. DEFINITIONS

The following definitions apply to this policy:

Accounting Period	Means the Financial Year beginning 1 July and concluding 30 June the following calendar year.
CEO	Means the Chief Executive Officer of Clarence City Council.
Collection Point	Means a determined location that is not immediately in front of a dwelling for the presentation of kerbside bins.
Commercial	Means any non-residential rated property.
Council	Means the Clarence City Council.
CSO	Means Community Service Obligation.



Kerbside Collection Service	Means a Council offered kerbside bin service.
MGB	Means Mobile Garbage Bin.
MOB	Means Mobile Organics Bin (Green Waste).
MPWTS	Means the Mornington Park Waste Transfer Station.
MRB	Means Mobile Recycle Bin.
MUD	Means Multi-Unit Dwelling, where multiple dwellings of 3 or more form a high-density cluster, including; apartment buildings, flats, units or dwellings on a single parcel or concentrated across multiple parcels and common land is managed by a Strata or Owners Corporation.
Policy	Means this Policy.
Residential Dwelling Unit	Means any habitable dwelling on a property, including a primary place of residence and/or any other ancillary dwelling upon which a Certificate of Occupancy is received by Council, and all properties built prior to 1994.
Standard Kerbside Service	Means the standard provision of an 80L MGB, 140L MRB, and a 240L MOB.
Waste Levy	Means the landfill levy imposed by the <i>Waste and Resource Recovery Act 2022 (Tas)</i> and the <i>Waste and Resource Recovery Regulations 2022 (Tas)</i> .
Waste Service Charge	Means the fee(s) levied against a property for the provision of waste services. <i>Each stream has an associated service charge per unit, and includes provision for any/all ancillary dwellings</i>

4. POLICY STATEMENT

Clarence City Council is committed to facilitating economical, effective and sustainable waste and resource recovery practices that assist in achieving the following goals:

- minimising the amount of landfill waste generated within the city
- increasing the recovery of resources
- providing alternatives to landfill disposal
- minimising the contamination of recycling and organic waste streams, and
- providing equitable and accessible waste and resource recovery services for all residents.

This policy provides the framework for Council to determine the minimum standards and requirements for kerbside collection services, including the ability to set and implement:

- fees and charges
- compulsory and non-compulsory collection requirements
- bin presentation requirements, and
- education and enforcement processes.

5. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following strategies are identified in Council's Strategic Plan 2021 – 2031:

- **An environmentally responsible city**
 - 4.6. *Developing and implementing local and regional waste management strategies that consider all forms of waste.*

6. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give effect to this policy.

6.1. LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- *Local Government Act 1993*
- *Waste and Resource Recovery Act 2022 (Tas)*

- *Waste and Resource Recovery Regulations 2022 (Tas)*
- *Litter Act 2007*
- *Environmental Management and Pollution Control Act 1994*

6.2. COUNCIL POLICY, PLANS, PROCEDURES AND GUIDELINES

- Clarence City Council Waste Management Strategy 1996
- Issue of Mobile Garbage Bins - Council Decision, 20 Jul 1998
- Waste Collection Areas – Serviced and Unserviced – Council Decision, Apr 2007
- Rates and Charges Policy 2020
- Clarence City Council Rating Resolution
- Council’s Fees and Charges (Non rates) Policy 2023
- Council's approved Fees and Charges – reviewed annually and published on Council's website

7. POLICY REQUIREMENTS

The purpose of this Policy will be achieved through the delivery of key services and outcomes outlined below.

7.1. KERBSIDE COLLECTION SERVICE CHARGES

- a) Council may charge Service Rates and Charges for the collection and disposal of waste under the *Local Government Act 1993*.
- b) Council will consider Waste Service Fees and Charges as part of its budget process each year. The collection costs for each waste stream are set in Council’s annual rating resolution.
- c) The Waste Service Charge is an annual charge on a property.
- d) Services initiated, added or reduced after the commencement of an Accounting Period will be charged on a pro-rata basis.

- e) The Waste Service Charge comprises the adding of applicable fee(s) per service stream as recognised by Council as being present for each Residential Dwelling Unit.
- f) The Waste Service Charge is structured to reflect the service cost to Council.
- g) The Waste Levy, as imposed by the *Waste and Resource Recovery Act 2022* (Tas) and the *Waste and Resource Recovery Regulations 2022* (Tas), is applied proportionally to the Mobile Garbage Bin (MGB) size in service at a property, and each additional MGB thereafter.

7.2. ABOUT THE KERBSIDE COLLECTION SERVICE

- a) The Standard Kerbside Service provided by Council will be delivered, in respect of each Residential Dwelling Unit to which Council supplies or makes available a kerbside domestic refuse collection service, as follows:

Mobile Garbage Bin (MGB)	1 x 80 litre MGB collected weekly
Mobile Recycle Bin (MRB)	1 x 140 litre MRB collected fortnightly
Mobile Organics Bin (MOB)	1 x 240 litre MOB collected 4-weekly

- b) The following alternative kerbside collection services are available to allow customers to meet their needs:

MGB – Weekly Collection	MRB – Fortnightly Collection	MOB – 4-Weekly Collection
120 litre	N/A	N/A
240 litre	240 litre	N/A

- c) All Residential Dwelling Units are subject to the compulsory Standard Kerbside Service, at a minimum, if on an existing kerbside collection route. This includes properties greater than 2000m², and all Residential Dwelling Units in a MUD.
- d) Existing Residential Dwelling Units on existing kerbside collection routes who were previously not included in the compulsory Garden Organics Service provision will be grandfathered (i.e. the same provision that previously applied to the dwelling will be retained) as per the start date of this policy.

- e) Existing Residential Dwelling Units located near an existing Garden Organics collection route, may apply for an MOB and Garden Organics service, however, the request will be subject to contractor serviceability as per section 7.8 of this Policy. The waste service charge for this stream is not applicable unless a service is made available by Council.
- f) New Residential Dwelling Units, located on existing collection routes will be subject to the Standard Kerbside Service, including Garden Organics. New properties may arise on existing routes due to property subdivision.
- g) Council will undertake repairs on damaged bins and replace any bins that are stolen or damaged while left out for collection. However, if a bin is damaged or lost as a result of misuse or other action, the cost of replacement or repair of the damaged bin may be sought from the ratepayer of the property that it was allocated to. This cost is contained in Council's annual Fees and Charges Schedule.
- h) Change of Bin Sizes may be requested once per Accounting Period for each MGB, MOB or MRB service provided per Residential Dwelling Unit.
- i) Bin contents contained within the bin once placed at its Collection Point becomes Council's property. Contamination or bin audits may be undertaken by Council at any time to contribute to understanding of user's waste and resource recovery practices and educational programs.
- j) Bins will only be delivered to properties where an Occupancy Permit has been received by Council.
- k) Bins will only be delivered to Residential Dwelling Units with a Temporary Occupancy Permit for the duration as stated on the permit. Bins will be removed from their Collection Point if an Occupancy Permit is not received before the temporary permit expires. The respective Waste Service Charge will cease from the date bins are removed from service by Council's contractor.
- l) Kerbside collection services and associated charges can only be cancelled if a property is demolished or becomes uninhabitable as classified by the Office of the Valuer General.
- m) Once Council becomes aware of a property that has been demolished or becomes uninhabitable as classified by the Office of the Valuer General, Council

will arrange for the removal of bins. The bins will only be collected from the Collection Point, and not from within private property. Bins presented after the next routine collection will be rejected by the Contractor. The respective Waste Service Charge will cease from the date bins are removed from service by Council's contractor.

- n) Given the large geographic size of the City, it may not be feasible to support kerbside collection services to all areas of low-density settlement. Collection routes are mainly limited to:
 - i. urban areas
 - ii. rural areas where the ratio of homes to the distance travelled makes provision of services economically and environmentally feasible, and
 - iii. roads that support the contractor's collection vehicles.
- o) Where a bin is not present, by choice of a ratepayer, however a service charge is applicable for a Residential Dwelling Unit, the fee associated with the Waste Service Charge equivalent to the Standard Kerbside Service will be levied against the property. This includes the Waste Levy, if and where appropriate.
- p) Residential Dwelling Units cannot opt out of a service with Council unless access is via a private road, and an indemnity process is not feasible. In these cases, Council will not apply the Waste Service Charge against a Residential Dwelling Unit.
- q) Any Residential Dwelling Unit(s) who have been granted approval as per 7.2.p are required to responsibly dispose of their household waste. In the event of Council becoming aware of inappropriate management of household waste at an approved exempted property, the Waste Service Charge will be levied against the relevant Residential Dwelling Unit, plus any other associated charges, fees or costs.
- r) The Standard Kerbside Service is compulsory for all Residential Dwelling Units on a property to which Council supplies or makes available a kerbside domestic refuse collection service. This includes any ancillary dwellings. However, in the circumstance where a Collection Point cannot accommodate bins for additional Residential Dwelling Unit(s), service provision may be provided in communal bins, where the capacity available to all dwellings is equal or greater than the following weekly minimum capacity:

MGB	80L x Residential Dwelling Units = Required Minimum Volume
MRB	70L x Residential Dwelling Units = Required Minimum Volume
MOB	60L x Residential Dwelling Units = Required Minimum Volume

7.3. RESIDENTIAL KERBSIDE COLLECTION SERVICES

- a) Council's Waste Service Charge will be levied on all Residential Dwelling Units, unless exempted per 7.2 of this Policy. These charges will apply regardless of whether or not:
 - i. the dwelling is occupied, or
 - ii. the service is required or utilised.
- b) Charges for the Standard Kerbside Service for new Residential Dwelling Unit(s) shall apply as at the occupancy date specified in the Certificate of Occupancy for the dwelling. Applications received after this date, will incur Waste Service Charges backdated to the date stated on the Certificate of Occupancy, or the start of the current Accounting Period, whichever is the lesser. The only exception is where any, or all bins cannot be supplied due to contractor unavailability.
- c) Additional kerbside collection services, or changes to the Standard Kerbside Service may be provided upon application. Additional fees will apply depending on the bin size and service type requested.
- d) Any amendments to service allocations that incur a financial implication can only be made by the property manager, property owner or person legally responsible for payment of rates.
- e) The onus is on the property manager, property owner or person legally responsible for payment of rates to notify Council if there is a discrepancy between the bins present at the property and charges levied at their property. Council will not refund, or back-date any approved refund beyond the date of report unless Council delivered the incorrect bin size or quantity of bins.
- f) The onus is on the resident or owner of a property to notify Council to report stolen or missing bins. Council will not refund charges related to non-service due to bins been stolen or missing from a property, unless Council is deemed at fault.

- g) Properties may not opt out of this service if the Residential Dwelling Unit is located on a route whereby Council makes a service available, unless otherwise stated in this Policy.
- h) Properties may opt out of the service if a Residential Dwelling Unit is required to bring their bins to a Collection Point that is not immediately in front or adjacent the property's frontage, and, Council's kerbside collection service provider cannot access the property via the indemnity process outlined in this Policy. If the property owner or person responsible for the payment of rates decides to opt-out of the service, the Waste Service Charge will not be levied against the property for any habitable dwellings.
- i) Free recycling, if source separated, will be offered to the residents of properties where council cannot facilitate a collection service, including those eligible to opt-out of the service as per 7.2.p and 7.3.h of this Policy.

7.4. KERBSIDE COLLECTION SERVICE - COMMERCIAL

- a) Kerbside collection services are available on application for commercial premises located on existing collection routes of the City. An application must be made by the property manager, property owner or person legally responsible for the payment of rates.
- b) Commercial premises can apply for any combination and number of kerbside collection services. Each service will attract the applicable Waste Service Charge.
- c) Waste service provision for commercial properties is not mandatory through Council. However, all obligations under this policy are required to be adhered to when engaging a private service. In the event of Council becoming aware of inappropriate waste activities at an exempted property, the Waste Service Charge will be levied against the relevant property, plus any other associated charges, fees or costs.
- d) Commercial premises found using Council's public place bins to dispose of rubbish will be required to have a Council service or provide evidence of a compliant commercial arrangement.
- e) Any amendments to service allocations can only be made by the property manager, property owner or person legally responsible for payment of rates.

- f) For premises in urban areas that are combined residential / commercial, the Standard Kerbside Service charge will be levied on any residential part(s) of the premises, whether or not a service is required or utilised.
- g) Kerbside collection services from commercial properties housing Opportunity Shops managed by charitable organisations, will be charged for services as per other commercial properties. Council will consider written requests to waive the disposal fees at Mornington Park Waste Transfer Station, for any unsaleable items left at these premises outside of the premise's operating hours where appropriate measures have been taken to prevent illegal donations.
- h) Written requests received by Council must state the requested amount of waiver, and the reason for the request (i.e. community service benefit). Requests must also outline any attempts made to minimise the illegal dumping of material at their premises.
- i) Waivers will only be for a maximum 12-month period. At expiration of this, businesses may reapply.

7.5. BIN PRESENTATION – KERBSIDE SERVICE PARTICIPANT OBLIGATIONS

- a) Participants in Council's kerbside collection service, including residential and commercial properties, must adhere to the following obligations where possible:
 - i. bins are to be maintained in a hygienic state and must not include political messaging or modifications (including artwork)
 - ii. place bins on the kerbside before 6am on the day of scheduled collection
 - iii. place bins on the kerbside (or equivalent) at the front of the property, a minimum of one (1) metre, where practicable, from any obstruction (car, power pole, tree etc...)
 - iv. bins are spaced at least 30cm apart
 - v. bin lids are fully closed
 - vi. bins are not overfilled or overweight
 - vii. no rubbish is placed on top of, or surrounding, presented bins

- viii. place bins with Council's logo facing the road, and
 - ix. bins are stored wholly within the premises unless otherwise authorised, or when placed out for collection.
- b) Where placing bins in front of a Residential Dwelling Unit is not possible, Council may authorise the resident(s) of affected dwellings to place bins in a safe location at Council's discretion. The presentation of these bins is referred to as a Collection Point.
 - c) Non-compliance with presenting bins at a Collection Point as per 7.5.b may result in refusal of service.
 - d) Bins should not be presented or left at a collection point for more than 48 hours prior, or post collection.
 - e) Council may issue infringements under its Public Places By-Law (2018) if bins are left longer than reasonably practicable at a collection point.

7.6. NON-COLLECTION OF BINS

- a) The resident is responsible for the disposal of items when bins are presented as:
 - i. Overfull or overweight –the contractor is not obligated to collect any bin that is overfull. Excess waste must be disposed of by the resident. The maximum weight collection limit of 80kg for MGB's and MRB's, and 110kg for MOB's.
 - ii. Contaminated – where visible mixing of non-compliant material(s) in any mobile bin will result in the bin not being collected.
 - iii. Non-Approved – including: bins without Council's logo, or, where the number of bins presented for a Residential Dwelling Unit do not match the levied number of bins on file.
 - iv. Non-compliant – where the bin is not presented in accordance with this Policy or as directed by Council.
- b) Council and its Contractor will endeavour to work with residents who present a non-compliant bin. An opportunity may be provided to the resident to comply with requirements (i.e., remove contamination). In these instances, a

collection vehicle will return and empty the contents of the compliant bin at no extra cost to Council, the ratepayer, or resident.

- c) Where a collection vehicle returns to a property without the appropriate remedial action having been taken, the onus is on the resident to self-manage the contents of the bin, or, to approve a call-back by the contractor and be charged the applicable call-back rate. The call back charge must be paid prior to the recollection of the applicable bin.
- d) The call-back rate is advertised in Council's Schedule of Rates each Accounting Period and is set as per the cost to Council for the completion of the call-back service by its Contractor.
- e) Should Council determine that compliance following the events under the scenario of 7.6.c is unlikely, and non-compliance may result in the creation of an environmental nuisance, Council may instruct the Contractor to return and empty the bin. Under this scenario, the call-back charge will be passed on to the ratepayer. The ratepayer will be notified in writing before this action is taken.

7.7. NON-COMPLIANCE: EDUCATION & ENFORCEMENT PROCEDURE

- a) If a bin is found to be contaminated or is presented incorrectly as per the requirements of this Policy, an education and enforcement process will be initiated.
 - i. In the first instance*, a sticker will be placed on the bin by the contractor to inform the resident that incorrect material was placed in the bin. Council will send an education information sheet to the address.

**If the bin is visibly contaminated prior to collection, it will be rejected and a sticker placed on the bin.*
 - ii. In the second instance, the bin will not be emptied, and Council will advise the property owner or property manager that the bin was again presented for collection with contamination evident.
 - iii. In the third instance, Council may direct its contractor to empty the bin at the applicable call-back rate. This charge will be passed on to the property owner, property manager or person responsible for the

- payment of rates. In addition, the bin will be removed from the bin collection point, or driver assist location for one collection cycle.
- iv. In the fourth instance the bin will be removed from the property and not replaced until the user commits to abide by Council requirements.
- b) Should a bin be removed, as outlined above, the Waste Service Charge will remain on the property.
- c) Withdrawal of a bin from a property is only taken after repeated breaches of the health and safety provisions outlined. Contamination of collection services incurs financial penalties to Council and thus the broader community. Council staff will support community education to ensure residents use the bins correctly.
- d) Reinstatement of a removed service may be approved once adherence to the obligations pertaining to Council's kerbside collection service obligations is received in writing from the property manager, property owner, or person legally responsible for payment of rates.
- e) Council will monitor any reinstated bins to ensure obligations are met.
- f) Reinstated bins will re-enter service on the condition equal to being issued a first instance notice. On the next instance of contamination or presentation issue, the bin will be rejected as per the enforcement procedure. A second instance in this case would mean removal of the bin from the property's collection point for one collection cycle.
- g) The 12-month period for non-compliance will reset on the first day of each new Accounting Period for all Residential Dwelling Units, or, manually during an Accounting Period, if it becomes known to Council that there has been a change of ownership or tenant(s).

7.8. EXTENSIONS TO KERBSIDE COLLECTION ROUTES

- a) Council will consider the following before adopting any extensions to existing collection routes:
- i. economic feasibility of additional service (resident and/or council expense)
 - ii. existing contractual arrangements

- iii. physical constraints of extended route (i.e. pavement strength of road to take heavy vehicles, width and alignment of road, bridge load limits, slope of road, turning area)
 - iv. possibility of damage to Council and private assets by heavy vehicles (i.e. damage to bridges, road surface, road furniture)
 - v. number and proximity of dwellings serviced (additional distance travelled does not exceed two kilometres per service)
 - vi. impact of additional routes on the existing collection day program, and
 - vii. proximity to existing collection routes.
- b) In addition, at its discretion, Council may choose to extend collection routes based on, but not limited to, the following:
- i. township growth
 - ii. contractor's collection schedules
 - iii. road improvements, and
 - iv. emergency events.
- c) Where a route extension has been established, all Residential Dwelling Units along the extended route will be subject to conditions 7.2 and/or 7.3 of this policy.
- d) Access using private roads to provide collection services may be approved where a specific access agreement has been negotiated between Council, the collection contractor and the landowner. Access is established through an Indemnity Form.
- e) Requests to provide collection services to properties located within adjoining municipalities in close proximity to the border with Clarence City Council may be investigated. For this service to take place, agreement must be reached with the Council that the property is in, to either:
- i. reimburse Clarence city Council for the collection service provided
 - ii. agree an appropriate alternative arrangement, or
 - iii. the ratepayer being levied the fee directly as a sundry debtor.

7.9. MULTI-UNIT DWELLINGS (MUD)

- a) Multi-Unit Dwelling's including three or more Residential Dwelling Units should be designed to allow for the ease of waste and resource recovery collection services from Council's local road network by collection vehicles and equipment utilised by Council's kerbside collection contractor, or, via private arrangement.
- b) Council reserves the right to determine if a Standard Kerbside Service for each Residential Dwelling Unit is appropriate for a MUD.
- c) MUD's may require a private collection service due to the number of dwellings built, or proposed, if there is insufficient kerbside frontage to accommodate Council's Standard Kerbside Service.
- d) It is a requirement of the developer/permit holder to ensure all future landowners are aware of their obligation to facilitate a private collection service in these cases.
- e) The Standard Kerbside Service, or equivalent (if using shared bins), is applicable to each Residential Dwelling Unit within a MUD.
- f) Service provision may take the form of communal bins in a common storage facility. The minimum weekly volume, which is equal to the Standard Kerbside Service must be provided. This can be calculated as:

MGB	80L x Residential Dwelling Units = Required Minimum Volume
MRB	70L x Residential Dwelling Units = Required Minimum Volume
MOB	60L x Residential Dwelling Units = Required Minimum Volume

- g) A common storage facility for waste services should consider, at a minimum:
 - i. Accessibility residents and service provider (for bins larger than 1m³ in volume, collection point should be within 5 metres of storage area)
 - ii. Location away from residences and view from any main thoroughfare
 - iii. Capacity current and future needs

- h) An exemption to the requirement of a Garden Organics/MOB service may be approved by Council, where the developer/permit holder or Strata can provide evidence that the management of Garden Organics is contracted to be removed off site.
- i) Storage facilities must accommodate a contingency of one third extra space in the event Council adopts a FOGO service. Under this circumstance, FOGO will be mandatory for all MUD's. The extra capacity is applicable where an exemption to Garden Organics/MOB's has been granted.
- j) Kerbside collection services will not be carried out within private property unless an Indemnity Form is provided against damage to private infrastructure for the collection trucks and equipment utilised.
- k) Council is not liable for any damage to private infrastructure performed through a private waste service arrangement.
- l) Where a planning permit requires that private kerbside collection services are to be undertaken for a development, an exemption of the Waste Service Charge will apply, as these services will not be provided by the Council.

All information regarding waste and resource recovery services for MUD's is relevant to this policy. The content of this policy must be updated within three (3) months of the development of a *MUD Waste & Resource Recovery Guideline or similar*, and/or the adoption of a FOGO service.

7.10. COUNCIL OWNED PROPERTIES

- a) Unless otherwise specified in a lease, licence, or management agreement or any other contract with Council, Council owned properties that are provided with a kerbside collection service are required to pay the Waste Service Charge.
- b) Council may support resource recovery endeavours at Council owned facilities. This is outlined in section 7.13 of this Policy.

7.11. SCHOOLS

- a) Schools may apply for the provision of bins as per section 7.4 of this policy.

- b) Waste service provision for schools is not mandatory through Council. However, all obligations under this Policy are required to be adhered to when engaging a private service. Non-compliance with this Policy, or any supporting policy, may result in the Standard Kerbside Service fee being applied to the property.

7.12. PUBLIC USER GROUPS

- a) For the purposes of this Policy, public user groups include: pre-schools, kindergartens, childcare centres, community groups, sporting groups and sporting facilities, recreational reserves and not-for-profit organisations.
- b) These groups may access Council's Standard Kerbside Service, including Lessees of Council Facilities, where a service is deemed safe and feasible by Council's kerbside collection service provider.
- c) These groups are subject to section 7.4 of this Policy, unless otherwise stated in their respective lease arrangement, and are encouraged to minimise waste wherever possible.
- d) Public waste and resource recovery infrastructure may be located within the vicinity of these public user group and respective facilities. This infrastructure exists in high-use areas and is in place to minimise dumped rubbish and litter.
- e) Additional public waste and resource recovery infrastructure is at the discretion of Council's Head of Infrastructure and Natural Assets.
- f) Public user groups may apply for a community grant to assist in the payment of waste and resource recovery charges through Council or an external provider.

7.13. SPECIAL CONSIDERATION (MEDICAL EXEMPT)

- a) Council may provide a free upgrade in service at the request of the resident, when:
 - i. a resident(s) presents with medical condition(s) that result in larger than usual waste generation and a medical certificate or a letter on official letterhead from the applicant's doctor or district nurse is sighted by Council, and

- ii. the waste generated is eligible to be collected through the kerbside collection service (cannot include sharps or other hazardous medical waste).
- b) Approved Special Consideration applications will be entitled to the delivery and servicing of the next available larger bin size without any additional service charge. The Waste Levy for any larger MGB will be applied in full respective of bin size delivered.

Bin Type	Current Waste Service Charge	Size Available at No Extra Charge
MGB	80 litre	120 litre
MGB	120 litre	240 litre
MRB	140 litre	240 litre

- c) Special Consideration applies to both MGB's and MRB's. Resident(s) may be eligible for an upgrade of both services, dependent on the amount and type of waste generated.
- d) Special Consideration may be approved for up to two (2) MGB's and MRB's respectively, per Residential Dwelling Unit, dependent on the amount and type of waste generated.
- e) Non-Residential rated properties are not eligible for Special Consideration.
- f) For properties with a dual Residential/Non-Residential rating, Special Consideration is only applicable to service applied to the Residential Dwelling Unit.
- g) Council must sight documentation outlining the requirement of additional waste capacity due to a medical condition.
- h) Council will maintain a register of recipients, including the date that supporting documentation was sighted. No copy of medical records is required to be kept on file.
- i) The Special Consideration register will be maintained and the continued need for the service reviewed every financial year.

- j) Recipients must renew their eligibility upon request. Failure to respond to this request may result in the applicable service charge added to the property's rates, on a pro-rata basis for the remainder of that financial year.

7.14. DRIVER ASSIST

- a) Council, in partnership with the kerbside collection contractor, offer a Driver Assist program (Wheel Out Wheel In service), for members of our community who cannot deliver and collect bins from a collection point.
- b) This service is available to any Residential Dwelling Unit in urban or rural areas at no extra charge, contingent on:
 - i. a medical certificate or a letter on official letterhead from the applicant's doctor or district nurse is sighted by Council, and
 - ii. contractor approving the service after conducting an applicant-specific risk assessment.
- c) Council will support applicants throughout the Driver Assist application process, however, Council cannot influence the contractor's risk assessment process. Services deemed unsafe through this process will not be eligible for the Driver Assist service.
- d) Council will maintain a register of Driver Assist approved properties and provide an updated copy to the kerbside collection contractor upon request.

7.15. MEDICAL WASTE (SHARPS)

- a) Council provides sharps containers and disposal free of charge for medical patients who are residents of the municipality.
- b) This service is not available to commercial operators.
- c) Containers are available to collect from Customer Contact during business hours.

7.16. SPECIAL EVENTS

- a) Organisers of Special Events on Council land may apply to Council for the provision waste and resource recovery services for their event.

- b) Applications must be made to Council via Council's event application process at least:
 - i. 14 days in advance of the event date for events requiring less than 10 bins, or
 - ii. 28 days in advance of the event date for events requiring more than 10 bins.
- c) To promote resource recovery, each MGB must be paired with at least one MRB. This extends to an MOB in the availability of a GO/FOGO processing capabilities.
- d) The Event Organiser is responsible to minimise contamination of the provided waste streams. Contaminated bins may incur a surcharge from the supplier. This surcharge will be passed on to the Event Organiser.
- e) In general, a minimum of one litre per person per meal is the standard amount of waste generated per person at an event. This may vary depending on; catering, alcohol availability, number or profile of attendees and waste management strategies available and used on site.
- f) Council officers will support event organisers to determine the appropriate number and placement of bins for the event type.
- g) Payment of the fees for event waste service provision via Council's preferred supplier is the responsibility of the Event Organiser.
- h) The waiving of fees for events is at Council's discretion in accordance with council' adopted Grants and Sponsorship Policy.
- i) Waste service provision for events on Council land is not mandatory through Council. However, obligations under section 7.16 of this Policy must be adhered to when engaging a private service. Non-compliance with this Policy, or any supporting policy, may result in the rejection of an event application.

All information regarding waste and resource recovery services for Special Events is relevant to this policy. The content of this policy must be updated within three (3) months of the development of a *Waste Wise Events Guide*, or similar.

7.17. PUBLIC PLACE LITTER, RECYCLING & STREET SWEEPING

- a) Council encourages residents and visitors to practice recycling habits when out in the community. Council provides public place litter and recycling services for the following streams:
- i. general waste
 - ii. recycling, and
 - iii. dog waste.
- b) Public place bins include:
- i. *Street Litter Bins** - commonly located in town centres, shopping strips and near retail premises on Council maintained roads.

Bins may also be provided at bus shelters where generation of litter is considered a problem such as near a food outlet, milk bar, or school.
 - ii. *Park Litter Bins** - may be provided in selected high use parks where there is a likelihood of litter being dropped.

Parks must meet one or more of the following criteria to be considered for the installation of a litter bin: be within walking distance of possible origin of litter, such as a milk bar, or have barbeque facilities, or have a facility on site encouraging a gathering of residents.
 - iii. *Dog Waste Bins & Bags* - designated dog friendly parks have a dog waste bin and bag dispenser installed to cater for owners to 'clean up' after their pets and keep the park and amenities clean.

Council may consider installing dog waste bins and bag dispensers at other locations, such as popular walking trails.
Requests for Street and Park Litter or Dog Waste Bins are welcomed from the community, however, installation will be at the discretion of Council.
- c) Council will endeavour to provide public place bins in high priority areas. In other locations, education and signage (i.e. 'leave no trace') will form the primary approach to deter littering.
- d) Size, location, number and type of bins are to be reviewed on an ongoing basis by Council.
- e) Enforcement and programs and around litter management will be consistent with Tasmanian government legislation, strategies and policies.

- f) Street Sweeping is provided across the municipality on a ten-week rotational schedule. The schedule is more frequent in commercial and urban areas and is subject to seasonal requirements.

All information regarding waste and resource recovery services for public place litter, recycling and street sweeping is relevant to this policy. The content of this policy must be updated within three months of the development of a *Litter Management Plan*, or similar.

7.18. COMMUNITY SERVICE OBLIGATION (CSO) – (MPWTS)

- a) To assist in resource recovery and diversion from landfill, Council may subsidise the disposal of materials delivered to MPWTS. The subsidy is known as a Community Service Obligation, or CSO, and is reflected in the MPWTS gate fee.
- b) The CSO component of the MPWTS gate fee is set by Council and forms a separate budget line for each Accounting Period.
- c) A CSO subsidy may be payable by Council to MPWTS on four material categories self-delivered to the facility, including:
 - i. residual waste
 - ii. recoverables (recyclables)
 - iii. public green organic waste, and
 - iv. mixed loads (residual waste and at least one other waste category).
- d) The CSO may be of equal or differing proportions across material types and can vary from year to year.
- e) Council may remove the CSO payable from future Accounting Periods.

7.19. PUBLIC CAMPING

Council does not operate any public campgrounds. Individuals camping on Council land must ensure they ‘leave no trace’, or they may incur penalties under the Litter Act (2007).

8. IMPLEMENTATION AND COMMUNICATION

The Manager of Waste and Sustainability is responsible for the implementation of this policy. This policy will be communicated via:

- council’s website
- internal circulation to staff

9. REPORTING

Not applicable.

10. ADMINISTRATIVE ARRANGEMENTS

10.1. TABLE OF AMENDMENTS

No.	Date	Brief Details

10.2. APPROVAL

CEO APPROVAL DATE	
REVIEW	Every 2 years, or in the circumstances of a material change to Council’s waste and resource recovery services or service requirements.
RESPONSIBLE POSITION	Head Infrastructure and Natural Assets
ECM REFERENCE	ID

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION – COUNCILLOR MULDER
AFL TASMANIA HIGH PERFORMANCE CENTRE**

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

“That Council:

- A. Notes the results of the previous community consultation regarding the opportunity for Council to host an AFL High Performance Centre in Clarence.
- B. Continues to support the principle of locating the Tasmania AFL Club Training and Administration Centre within the Rosny CBD area.
- C. Authorises the CEO to submit an additional proposal for the AFL High Performance Centre to be located entirely on the site of the former golf course accommodating 2 ovals, training and administration buildings and associated infrastructure.
- D. Enters into discussions at the earliest opportunity.”

EXPLANATORY NOTES

Clarence has been selected as the successful applicant under the AFL High Performance Centre site assessment process.

Council has previously authorised the CEO to negotiate terms for inclusion in a Heads of Agreement with Department of State Growth, to be submitted to Council for approval, to ensure mutually beneficial outcomes are achieved for the Clarence community and the Tasmanian AFL team.

This motion proposes that Council revisits this matter to authorise the CEO to negotiate amended terms to any Heads of Agreement with Department of State Growth to locate the AFL High Performance Centre within the area previously occupied by the Rosny Golf Course.

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Such an agreement should include solutions to accommodate and or relocate any displaced existing user groups. The agreement would also include the provision of further reports for Council’s consideration as decisions are required.

T Mulder
COUNCILLOR

CHIEF EXECUTIVE OFFICER’S COMMENT

The assessment process undertaken in the lead up to the 11 December 2023 council meeting considered several options, including the option of accommodating the AFL High Performance Centre entirely within the Rosny Parklands [option (a)]. Relevantly, the irregularity of the site, in terms of its shape and slope were major factors against locating two ovals and associated facilities within the one site. Additionally, other factors such as geotechnical, natural values and hydrology acted to make the site a less preferred option. The 11 December 2023 report notably provides (at paragraph 1.7) *“Numerous attempts were made by qualified staff and consultants to achieve a site design arrangement that would satisfy both the AFL’s requirements for the facility and the Council’s reasonable expectations for an accessible, sustainable development of the public space, however the combination of site characteristics and estimated costs resulted in no satisfactory option being identified for a HPC located fully within the Rosny Parklands. The report ultimately excluded option (a) from further consideration.”*

**9.2 NOTICE OF MOTION – COUNCILLOR RITCHIE
HOUSING SUPPORT PROGRAM GRANT APPLICATION – CENTRAL
LAUDERDALE INFRASTRUCTURE**

In accordance with Notice given, Councillor Ritchie intends to move the following Motion:

“That Council:

- (a) Notes that the matter of potential urban development in central Lauderdale has been a long running issue for the local community and the Lauderdale Structure Plan 2011 was prepared to provide broad guidance for land use and development in Lauderdale.
- (b) Notes that the Lauderdale Urban Expansion Feasibility Study undertaken in 2016 by JMG provided advice that led Council to form a view that urban expansion in central Lauderdale was not financially viable and is a matter that cannot be resolved without financial assistance external to Council. The study identified the key limiting factor for growth in Lauderdale as inundation and drainage.
- (c) Notes the following reports were subsequently commissioned by the Clarence City Council and provided updated information detailing engineering design solutions to identified constraints:
 - (i) GHD Report – Roches Beach to Opossum Bay SSMP Final Report (May 2020)
 - (ii) GHD Report - North Terrace Development Preliminary Hydraulic Impact Assessment – Stage 3 Clarence City Council (11 October 2021)
- (d) Authorises the CEO to assess and (if eligible) apply for funding under Stream 2 of the Australian Government’s Housing Support Program (HSP) for eligible projects.
- (e) Ensures that Central Lauderdale is the priority project for grant funding application under Stream 2 of the Australian Government’s Housing Support Program if the eligibility criteria and applicable timeframes are met.

That any grant application for Central Lauderdale address the infrastructure issues currently acting as barriers to rezoning and the implementation of a new Structure Plan that would facilitate the construction of new housing on more than 55 hectares of land in central Lauderdale and that any funding application be focused upon (but not limited to):

- (i) The GHD reports listed above.
 - (ii) Consistency with the Urban Growth Boundary, the 30-Year Greater Hobart Plan and the Southern Tasmania Regional Land Use Strategy (STRLUS).
 - (iii) Compliance with the Urban Drainage Act 2013.
- (f) Time permitting, the CEO is authorised to organise a workshop to discuss any proposed application under Stream 2 of the Australian Government’s Housing Support Program.”

/ contd on Page 253...

EXPLANATORY NOTES

As indicated above, the matter of potential urban development in Central Lauderdale has been a long running issue that presents as a difficult challenge to address without external financial resourcing.

The opportunity to apply for State or Federal funding to address issues such as those existing in Central Lauderdale, present a possible avenue to address those challenges and Council should be active in submitting proposals for such support.

The HSP is a competitive funding program open to all local, state and territory governments across Australia. Funding will be provided via the following two streams:

Stream 1 is designed for projects that will improve planning capacity.

Stream 2 will focus on infrastructure projects that support new housing by ensuring enabling infrastructure and amenities are in place. Stream 2 applications are not linked to an outcome as part of Stream 1.

The program will operate over 2023-24 and 2024-25, concluding on 30 June 2025.

It is noted Stream 2 is still in development and parameters are still being finalised, however, the intention is for Stream 2 to focus on infrastructure projects that support new housing and is designed to remove barriers to housing construction by ensuring enabling infrastructure and community amenities are in place. Examples of enabling infrastructure include new or upgraded sewerage systems, drainage, water, transport infrastructure.

For this reason, the motion put forward has been sufficiently broad to enable Council to be appropriately nimble to adjust to any finalised grant criteria.

More information about the HSP may be found at: www.infrastructure.gov.au/territories-regions-cities/cities/housing-support-program

Councillor A Ritchie
DEPUTY MAYOR

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CHIEF EXECUTIVE OFFICER’S COMMENT

As set out in the motion, council has previously considered issues related to development in the central Lauderdale area. There are a range of planning and infrastructure issues that require detailed consideration. Subject to the criteria HSP Stream 2 grants, which are yet to be released, there may be opportunity for council to consider several projects for submission. Council officers are monitoring the HSP website for information and will advise Council once more information is available.

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 Hulme

1. My question is in relation to the activities at 20 and 42 Scotts Road and we received questions without notice earlier in the meeting. The manager of the site has offered that we visit the site, and I did make a suggestion that we go as a group rather than take his time one on one. I was just wondering whether that might be something that officers could facilitate?

ANSWER

(Mayor) The CEO's office will send an email tomorrow seeking the level of interest from elected members.

(Further information) Spectran has been contacted and a time and date for councillors to attend the site is to be arranged.

2. Also in relation to Scotts Road, I believe that there is a lot of misunderstanding amongst residents of what Council's powers are in respect of this matter and in the briefings we have received it seems that our hands are very much tied. Do you think it would be advantageous to distribute a fact sheet to local residents to explain what happens at the site and what Council's powers are in relation to that?

ANSWER

Taken on notice.

(Further information) As previously advised, the site at 20 & 42 Scotts Road, Risdon Vale is subject to an application for a waste storage and reprocessing facility, which is a Level 2 Activity under the provisions of Schedule 2 of the *Environmental Management and Pollution Control Act 1994*. As such, the application was referred to the Environment Protection Authority (EPA) who are required to complete their assessment prior to Council determining the application. The EPA has advised the applicant that there are deficiencies in the application documentation which have to be corrected prior to proceeding.

However, as previously advised, Council is unable to undertake enforcement action under the *Land Use Planning and Approvals Act 1993* with regard to a matter that is, or may be, the subject of an Environmental Protection Notice.

Council has been advised that the EPA intend to issue an Environmental Protection Notice across both 20 & 42 Scotts Road, Risdon Vale, which will assist in progressing the Development Application by providing a clear outline of what is expected along with a timeframe. At this stage it is expected that the EPA will be assessing all activities on the site in a single assessment process. The Environmental Protection Notice will also provide clarity that the EPA is the lead agency with regard to environmental management on the site.

In the meantime, Council will continue to work closely with the EPA to assist in expediting this matter. In the interim, the EPA has confirmed that concerns over the activities on the site should be directed in the first instance to the EPA.

As there is a current application, which is subject to a legislative process, it would be inappropriate to issue a “fact sheet” to residents. Notification of formal advertising of any revised documentation, when lodged, will occur as required under legislation. Any relevant updates to this application will be distributed to Councillors via the briefing report.

Cr James

1. [A resident] contacted me today regarding the disgraceful state of the Rosny Bus Mall and the level of untidiness and amount of rubbish that seems to be accumulating there. I believe Council has the responsibility of maintaining and cleaning the mall and if so, could I have an indication of when that is done and how often that is done and the extent to which it is cleaned, on a daily or weekly basis?

ANSWER

Taken on notice.

(Further information) The schedule for the Bus Mall cleaning is seven days a week to do the following:

- Sweep kerb and gutter and footpath
- Clean Bus Shelters
- Spot clean daily (seats / glass)

In addition to the regular cleaning outlined above, the pavers are pressure cleaned twice a year. The next clean is currently being organised for completion prior to the end of this financial year, expected to be completed around late May.

2. My question relates to 20 and 42 Scotts Road. Currently it is level one and that is the responsibility of Council. Is Council in a position to be able to issue an infringement notice to abate a nuisance?

ANSWER

(Head of City Planning) (Inaudible)

(Further information) As identified above, Council has limited powers to undertake enforcement action under the *Land Use Planning and Approvals Act 1993* with regard to a matter that is, or may be, the subject of an Environmental Protection Notice.

However, this does not prevent Council's ability to abate nuisances under the *Local Government Act 1993*.

Environmental Infringement Notices and Environmental Protection Notices may also be issued under *Environmental Management and Pollution Control Act 1994* (EMPCA). However, the EPA has now confirmed that the EPA will be the lead agency with regard to environmental management on the site.

Cr Goyne

Are footpaths surveyed in the same manner as roads, because just recently I was attempting to walk through Rosny Bus Mall with a pram and there were parts that were almost impassable for me, and I would like to think that I am reasonably able bodied. So, how do we go about assessing the footpaths? Are they assessed in the same way as the roads and how do we make requests for upgrades on those?

ANSWER

(Acting Head of Infrastructure and Natural Assets) We do assess our footpaths and we use a similar process as for roads, but it is not done at the same time. The survey vehicle that came through in February was surveying roads and I believe the kerb and channel at the same time. We do have a separate condition survey that is done on footpaths, and I think that was done last year so about six to twelve months ago and that is done every three years and feeds into our ongoing renewal program for footpaths.

Cr Chong

1. In the Richmond Village play area we have closed the slide because the footings have rotted. Do we have any expectation of a date when that will be fixed and reopened?

ANSWER

(Acting Head of Infrastructure and Natural Assets) (inaudible)

(Further information) The play equipment items will be replaced on a like for like basis. The equipment items have been selected and we've received quotes for supply. They should be ordered by the end of the month with an 8 to 10 week lead time on supply. Once delivered, they will be installed by a contractor and works should be completed by early to mid-July 2024.

2. Someone mentioned to me that the Mothers' Day classic is on in May and it starts at the Bellerive Beach Park and in theory goes along the footpath towards Howrah. Will they be able to do that by the time we get to the middle of May because at the moment you cannot get through?

ANSWER

(Acting Head of Infrastructure and Natural Assets) (partly inaudible)

(Further information) Presuming that this is referring to the Beach Street stormwater project our understanding is that the current foreshore trail is still open and able to be used by the general public. If the path were to be closed, then a suitable alternative diversion would be put in place. The Mothers' Day Classic event will be highlighted with the contractor, for a work around similar to that for the Schools Triathlon Event in November/December 2023.

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 matter has 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

This report has 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:

- 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”.