

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

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

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

COUNCIL MEETING
MONDAY 21 SEPTEMBER 2020

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

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

1. APOLOGIES

Nil.

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

That the Minutes of the Special Council Meeting held on 26 August 2020 and the Council Meeting held on 31 August 2020, as circulated, be taken as read and confirmed.

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

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

PURPOSE

Presentation – Kangaroo Bay Hotel and Hospitality School
Combined Sporting Facility Proposal

DATE

7 September

Draft Strategic Plan/Review of Committees
Hardship Application
South Arm Oval Master Plan

14 September

RECOMMENDATION:

That Council notes the workshops conducted.

5. DECLARATIONS OF INTERESTS OF ALDERMAN 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 Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

6. ***TABLING OF PETITIONS

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

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

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

Mr Thomas Chick has given notice of the following question:

AUDIO-VISUAL DEPUTATIONS

Recent times have seen an uptick in the submission of text-based depositions, which has resulted in their needing to be summarised, if not for time then for the sake of the General Manager's throat. This has the unfortunate side effect of stripping those depositions of much of their context and all of their tone. In the interest of preserving both, and keeping in mind the existing limits (no more than five statements of no more than three minutes each) will members of the public be allowed to submit audio-visual depositions while (or even after) coronavirus restrictions continue to prevent in-person participation?

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 31 August 2020 Ms Anne Boxhall of Seven Mile Beach asked the following questions:

INUNDATION – SEVEN MILE BEACH

1. Will Council be commissioning a study into the effects of building developments on existing properties in areas zoned as high risk of inundation in Seven Mile Beach?
2. When flooding occurs in an area zoned at high risk of inundation, where should the responsibility lie?

ANSWER

1. Council has no plans to commission a study in relation to the effects of building developments on existing properties in Seven Mile Beach. New developments are required to provide details of mitigating risk to future occupants (having sufficiently finished floor levels) and not adversely affecting other properties (requiring detention and providing overland flow paths).
2. Flooding is regarded as a natural disaster and responsibility is not assigned to a particular entity. Council's Climate Change Impacts on Clarence Coastal Areas – December 2008 Report indicates the risk of inundation and is a public document available to inform the community.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

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

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - ALD MULDER
LAUDERDALE DRAINAGE PLAN**

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

“That the Lauderdale Drainage plan include consideration of a proposal to create outfalls to the Lauderdale Canal.”

EXPLANATORY NOTES

1. The Urban Drainage Act requires Local Government to develop urban drainage plans.
2. The Lauderdale Drainage Plan is well advanced and due for a workshop presentation.
3. The current outfall to Ralphs Bay is inadequate, will be unable to cope with even modest sea level rise and is hampering future development.
4. During the Local Planning Schedule representations, a proposal was made for two road accesses on properties on North Terrace. The proposal included two large culverts beneath the road to provide outfall to the Lauderdale canal.
5. The Lauderdale canal is an ideal detention basin.

T Mulder
ALDERMAN

GENERAL MANAGER'S COMMENTS

The Lauderdale stormwater management plan indicates discharge of stormwater towards Ralphs Bay via an upgraded/upsized outlet. Some council engineering advice was provided to the private landowner's engineer on the proposal of stormwater flows near North Terrace and that alternative options could be explored. No engineering detail has been provided by private landowners to the north of North Terrace to support the subdivision and stormwater proposal to discharge into the canal.

Council officers' main aim with the stormwater management plans is to coordinate the prepared flood maps to be publicly available on council's website to inform the community. A workshop will be held with council later this year showing the body of information available.

To assess the feasibility of discharging stormwater into the canal, the consultants who prepared the Lauderdale stormwater management plan for council (GHD) would need to model the canal discharge option to understand the logistics and effects of that proposal. This work has not been commenced or budgeted at this time. Should council wish that work be undertaken a budget amendment will be required.

10. *REPORTS FROM OUTSIDE BODIES**

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

10.1 *REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**
Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

None pending.

Representative Reporting

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

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

11. REPORTS OF OFFICERS**11.1 ***WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 31 August and 7 and 14 September 2020 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 31 August and 7 and 14 September 2020 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITION – PLANNING APPLICATION PDPLANPMTD-2020-010800–
SHOP 5, 14 EDGEWORTH STREET, WARRANE**
(File No PDPLANPMTD-2020/010800)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the petition tabled at Council's Meeting on 21 September 2020, relating to Development Application PDPLANPMTD-2020/010800 for a bottle shop in the Edgeworth Street shopping centre.

RELATION TO EXISTING POLICY/PLANS

The matter is related to the Clarence Interim Planning Scheme 2015.

LEGISLATIVE REQUIREMENTS

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

CONSULTATION

The petition was made during the consultation period set aside for the above development application, which was advertised between 8 August 2020 and 24 August 2020.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That Council notes the intent of the petition and considers the matters raised by the petition as part of the Planning Authority determination of Development Application PDPLANPMTD-2020/010800.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. This petition concerns an application before the Planning Authority. The petition contains 173 signatures.

- 1.2.** Twelve entries only contain a Christian name and partial address which does not meet council's adopted guidelines for submission of petitions which require that a paper petition must contain details and signature of each of the signatories (the details need to be sufficient to identify each signatory. This will usually be the signatory's name and address as a minimum).

2. REPORT IN DETAIL

- 2.1.** The petition advises Council that the undersigned residents object to a bottle shop in the Edgeworth Street, Warrane Shopping Centre for the following reasons.

1. Will detract from the character and amenity of the neighbourhood in an area already experiencing socioeconomic issues.
2. Will raise security concerns for management and staff at the pharmacy located next to the proposed bottle shop.
3. Will strain and cause further congestion as the shopping centre is already experiencing lack of car parking spaces.
4. Will cause unnecessary disturbance and unreasonable impact for a small community mainly comprising of young families and senior citizens living so close to the proposed development.

- 2.2.** The petition can be considered when the Planning Authority determines the development application later in the Council meeting (Item number 11.3.2), where the relevant agenda item includes review of the petition as a representation.

- 2.3.** The petitioners can be informed of Council's decision and any right of appeal.

3. CONSULTATION

The development application was advertised in accordance with statutory requirements.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Not applicable.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

Not applicable.

7. FINANCIAL IMPLICATIONS

Not applicable.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

The petition will be considered as a representation when the Planning Authority determines the Development Application PDPLANPMTD-2020/010800 during the course of Council's 21 September 2020 Meeting.

Attachments: Nil

Ian Nelson
GENERAL MANAGER

11.3 PLANNING AUTHORITY MATTERS

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

**11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2020/010715 – 6
SHORELINE DRIVE, HOWRAH - ALTERATION AND ADDITION TO
SUPERMARKET****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for alterations and additions to the Woolworths supermarket to provide a pick up facility for customers.

RELATION TO PLANNING PROVISIONS

The land is zoned General Business and subject to the Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 22 September 2020.

CONSULTATION

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

- parking insufficient;
- queuing;
- location of bus stop; and
- traffic control measures.

RECOMMENDATION:

A. That the Development Application for alterations and additions to Supermarket at 6 Shoreline Drive, Howrah (C1 Ref PDPLANPMTD-2020/010715) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN C1 – replace the first sentence with “3 additional car parking spaces making a total of 302 must be provided on-site prior to the commencement of the use”.

3. ENG M1 – DESIGNS DA.
4. ENG A5 – SEALED CAR PARKING.
5. GEN S7 – SIGN MAINTENANCE.

ADVICE: It is recommended that advice from a Building Surveyor is obtained to determine whether a Building Permit is required for the works.

- 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

There has been a number of permits issued for the site, the most relevant being D-2011/65 for demolitions, additions, alterations and signage associated with the existing Shoreline Shopping Centre.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Business under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10 – General Business Zones;
 - Section E6.0 – Parking and Access Codes; and
 - Section E17.0 – Signs Code.
- 2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site contains the Shoreline Shopping Centre and associated carpark. The proposed works are located on the southern facade of the building, fronting Clarence Street which is the rear of the shopping centre building.

3.2. The Proposal

The proposal is for alterations and additions to the existing building to provide for a pick-up facility for the supermarket (Woolworths) which will service customers ordering groceries on-line. The proposal includes the construction of a canopy and associated signage, and access ramp on the southern elevation of the shopping centre. The proposal includes the removal of 15 car parking spaces which are replaced with 3 pickup parking bays.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,*

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

References to these principles are contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Business Zone and Parking and Access and Signs Codes with the exception of the following.

General Business Zone

- **Clause 21.4.3 A1 (Design)** – the proposal does not comply with the Acceptable Solution as the altered façade of the building contains windows and doors less than 40% of the surface area of the ground level façade.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.3 as follows.

Clause	Performance Criteria	Assessment
21.4.3 P1	<i>“Building design must enhance the streetscape by satisfying all of the following:</i>	
	<i>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</i>	The alterations to the façade do not affect the main pedestrian access to the building which is located on the northern façade.
	<i>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</i>	The southern elevation is not a primary façade of the shopping centre and the existing windows and doors in the façade are remaining.
	<i>(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</i>	There is no change to the area of blank wall along this façade, however, the canopy addition and signage assists to break up the blank walls along this façade which contributes positively to the streetscape.
	<i>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</i>	not applicable

	(e) <i>ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</i>	not applicable
	(f) <i>not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints.</i>	not applicable
	(g) <i>only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</i>	not applicable
	(h) <i>be consistent with any Desired Future Character Statements provided for the area.”</i>	The alterations and additions do not change the existing roof line and the canopy which has a maximum height of 4.7m is considered to be visually unobtrusive when viewed from the surrounding residential areas. On this basis, the proposal is considered to comply with the Desired Future Character Statements.

General Business Zone

- **Clause 21.4.4 A1 (Passive Surveillance)** – the proposal does not comply with the Acceptable Solution as the altered façade of the building contains windows and doors less than 30% of the surface area of the ground level façade.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.3 as follows.

Clause	Performance Criteria	Assessment
21.4.4 P1	<i>“Building design must provide for passive surveillance of public spaces by satisfying all of the following:</i>	

	<i>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</i>	The alterations to the façade do not affect the main pedestrian access to the building which is located on the northern façade.
	<i>(b) locate windows to adequately overlook the street and adjoining public spaces;</i>	The existing windows overlook the pickup facility.
	<i>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</i>	The existing shopping centre has its main entrance on the northern façade which incorporates shop front windows which allows views in and out of the building.
	<i>(d) locate external lighting to illuminate any entrapment spaces around the building site;</i>	The design will not result in any entrapment spaces around the area of the development.
	<i>(e) provide external lighting to illuminate car parking areas and pathways;</i>	Existing street lighting along Clarence Street provides illumination to the site.
	<i>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</i>	The pickup facility is highly visible from the street and entrance to the carpark and clear sight lines are provided to and from adjoining properties.
	<i>(g) provide for sight lines to other buildings and public spaces.”</i>	The pickup area is visible from the street and car parking areas on the site.

Parking and Access Code

- Clause E6.6.1 A1 (Number of Car Parking Spaces)** – the proposal requires a reduction in the number of car parking spaces required by the previous permit D-2011/65 of 327 spaces. The existing use was approved as a Shopping Centre under a previous planning scheme. As this use is not defined in Table E6.1 the proposal cannot meet the Acceptable Solution and therefore must be assessed against the Performance Criteria.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.3 as follows.

Clause	Performance Criteria	Assessment
E6.6.1 P1	<i>“The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</i> <i>(a) car parking demand;</i>	The number of spaces provided by previous permits is 327 which was approved under the previous Clarence Planning Scheme 2007. While this reflects the number of spaces provided on the approved plan, it exceeded the minimum required by the Scheme resulting in an excess of 13 spaces. Taking into account the credit of 13 spaces and the reduction of 12 spaces proposed by the current development, 302 spaces are required for the site. The information submitted with the application shows the site contains 299 spaces, and on investigation it appears that the approved plan for D-2011/65 has not been complied with and therefore the site is deficient in parking spaces. The applicant has submitted that if the individual uses are assessed against the Parking and Access Code, a total of 296 spaces are required. The proposal provides 299 spaces which therefore exceeds the number required by the current Scheme. However, this is not accepted as the proposal would not then comply with the requirements of previous permits.

		Therefore, it is recommended that a condition be imposed on the permit that requires an additional 3 spaces elsewhere on the site, to ensure that the statutory requirements of the Scheme are being met. In effect, this should involve no more than additional line marking. In regard to the reduction in spaces on-site for the pickup parking bays, it is considered that the increase in on-line shopping and home delivery services will reduce the demand for parking and the provision of pickup bays is reflecting the needs of users of the site. Council's Engineers are satisfied that the car parking is adequate to meet the needs of the users of the shopping centre.
	(b) <i>the availability of on-street and public car parking in the locality;</i>	There is on street parking available in the area.
	(c) <i>the availability and frequency of public transport within 400m walking distance of the site;</i>	A metro bus stop is located directly adjacent to the shopping centre site which serves multiple routes through the city and runs frequently throughout the day.
	(d) <i>the availability and likely use of other modes of transport;</i>	Given the above, public transport is available and likely to be used by some users of the shopping centre.
	(e) <i>the availability and suitability of alternative arrangements for car parking provision;</i>	Alternative arrangements are not proposed.
	(f) <i>any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i>	The carpark services the whole of the shopping centre which due to the multiple uses within the centre, will result in a reduction to the demand at the site.

	<i>(g) any car parking deficiency or surplus associated with the existing use of the land;</i>	There is a surplus of 13 spaces associated with the previous permit. However, there is a deficiency due to non-compliance with the previous permit as discussed above.
	<i>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i>	not applicable
	<i>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i>	Not required as the number of spaces meets the number required by the Parking and Access Code.
	<i>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</i>	None
	<i>(k) any relevant parking plan for the area adopted by Council;</i>	None
	<i>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code.”</i>	not applicable

Parking and Access Code

- **Clause E6.6.1 A2 (Number of Car Parking Spaces)** – there is no Acceptable Solution.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.3 as follows.

Clause	Performance Criteria	Assessment
E6.6.1 P2	<i>“Use and Development on land within the Activity Centres specified in Table E6.3 must make a cash in lieu payment for any deficient spaces at the rate specified in Table E6.3. Alternative arrangements may be made in accordance with any parking plan adopted by Council.”</i>	The site is located in an activity centre, however, if the individual uses are assessed against the Code, the number of spaces complies. Therefore, there is no deficient spaces, provided that the 3 additional spaces are provided on-site.

Signs Code

- **Clause E7.7.1 A1 (Standards for Signs)** – the above awning sign proposal does not meet the standards in Table E17.3.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause E17.7.1 as follows.

Clause	Performance Criteria	Assessment
E17.7.7 P1	<i>“A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:</i> <i>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i>	The sign is integrated into the proposed canopy and will not dominate the building or streetscape.
	<i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i>	The awning sign has a depth of 1.2m which is appropriate in comparison to the size of the building and will not dominate the streetscape or existing building.

	<i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i>	The materials are considered satisfactory and a condition is recommended for inclusion on the permit requiring the sign to be maintained in good condition.
	<i>(d) not result in loss of amenity to neighbouring properties;</i>	The sign is located opposite commercial properties along Clarence Street and will be visible from residential properties located further to the south. There is approximately 25m between the sign and the nearest dwelling which provides sufficient separation to ensure that the amenity of the area is not detrimentally affected.
	<i>(e) not involve the repetition of messages or information on the same street frontage;</i>	The proposal includes one above awning sign and one wall sign and does not involve the repetition of messages on the same frontage.
	<i>(f) not contribute to or exacerbate visual clutter;</i>	There are no signs currently on the southern façade of the building and the proposed sign will not result in visual clutter.
	<i>(g) not cause a safety hazard.”</i>	Council’s Engineer is satisfied that the location of the sign will not result in a safety hazard to users of the site.

5. REPRESENTATION ISSUES

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

5.1. Parking Insufficient

Concern was raised that there is insufficient parking to meet the needs of the shopping centre and staff are using the nearby residential streets for parking.

- Comment**

As discussed above, the proposed parking is considered satisfactory in terms of meeting the requirements of the Parking and Access Code.

While it is noted that there are issues with a lack of parking at the shopping centre at peak periods each year, it is not considered that the proposal will have a detrimental impact on parking for the site as a whole, given the increase in on-line shopping and the subsequent reduction in time these users would have otherwise occupied a space in the carpark.

Ultimately, the development of the new supermarket at Pass Road/South Arm Highway intersection will take some of the custom from Shoreline, which in turn will reduce parking demand.

5.2. Queuing

Concern was raised that if more than three cars queue, the entry to the main carpark from Clarence Street site will be blocked.

- **Comment**

Council's Engineer considers that given the pickup bays are used for short periods of time, approximately 5 minutes, it is unlikely that queuing of vehicles to use this service will occur.

The traffic report concludes that the proposal may generate a modest increase to total traffic using the Clarence Street entry and exit points, however, these additional movements can be accommodated by the existing road network, including the signalised Clarence Street/Shoreline Drive intersection.

Council's Engineer is satisfied that the proposal will not impact on the traffic movements within the site.

5.3. Location of Bus Stop

Concern was raised that the Metro bus layover on Clarence Street, which impacts sight lines for vehicles exiting the carpark.

- **Comment**

The location of bus stops is not a relevant consideration and should not have determining weight.

5.4. Traffic Control Measures

Concern was raised regarding the adequacy of the traffic control measures at the end of the pickup bays to avoid conflict with vehicles leaving the site along the south-east boundary.

- **Comment**

Council's Engineer is satisfied that the car parking layout is satisfactory. However, detailed plans will need to be submitted prior to construction in accordance with the relevant Australian Standard.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater who advised that a submission was not required.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

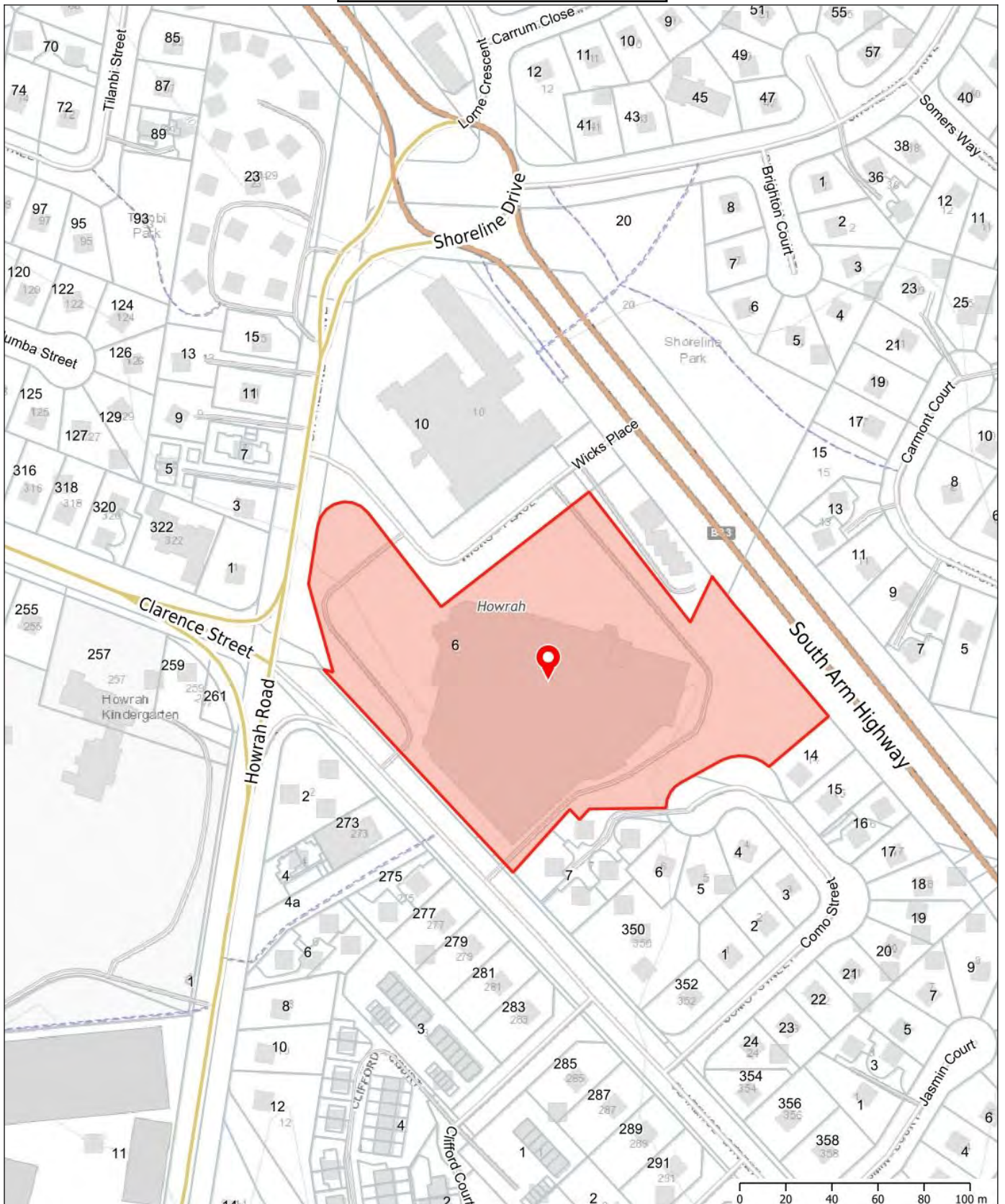
9. CONCLUSION

The proposal is for an addition to the shopping centre to provide for 3 pickup parking bays for Woolworths Supermarket.

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

Ross Lovell
MANAGER CITY PLANNING

Site Plan 6 Shoreline Drive, Howrah



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.

9/11/2020

1:2257





DRAWING SCHEDULE		
Drawing No.	Sheet Name	Rev.
TP00	COVER SHEET	B
TP01	EXISTING CONDITIONS / DEMO SITE PLAN	C
TP02	EXISTING/DEMO BASEMENT & PU ROOF PLANS	B
TP03	PROPOSED BASEMENT & PU ROOF PLANS	B
TP04	EXISTING & PROPOSED ELEVATIONS	B
TP05	PROPOSED 3D PERSPECTIVES	B

PROPOSED DRIVE THRU PICK-UP
SHORELINE SHOPPING CENTRE
6 SHORELINE DRIVE
HOWRAH, TAS. 7018



PROPOSED
WW PICK-UP

B	08/07/2020	Town Planning Issue	TC
A	22/06/2020	PRELIMINARY TP	BY
REV	DATE	AMENDMENTS DETAILS	



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The Retail Group Pty Ltd ABN 85 050 134 686
RBP No. DP-AD1689

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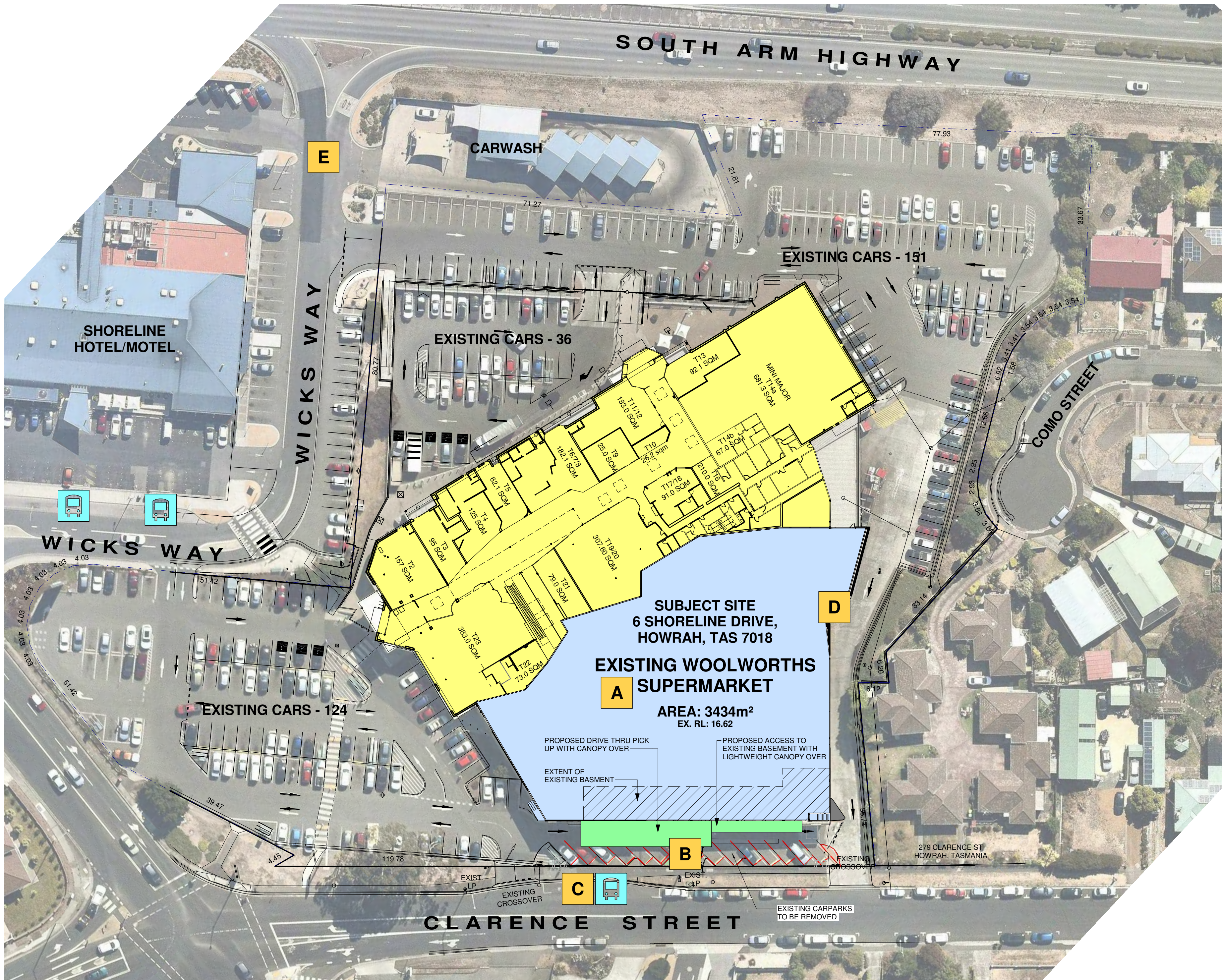
PROJECT
PROPOSED WW PICK UP

PROJECT ADDRESS
SHORELINE SHOPPING CENTRE
6 SHORELINE DRIVE,
HOWRAH, TAS
7018

DRAWING TITLE
COVER SHEET



DATE JUNE '20	SCALE @ A1	NORTH
DRAWN TC	CHECKED JPH/RR	
ISSUE TOWN PLANNING		
PROJECT No. 20090	DRAWING No. TP00	REVISION No. B
		SHEET 00 of 06



1 EXISTING SITE PLAN
TP04 SCALE: 1 : 500

SITE & NEIGHBOURHOOD DESCRIPTION	
SITE AREA: 9855 m2	
A	EXISTING WOOLWORTHS SUPERMARKET
B	ALTERATIONS TO BE MADE TO EXISTING CARPARK
C	PUBLIC TRANSPORT BUS STOP
D	EXISTING LOADING DOCK AREA
E	DIRECTION TOWARDS SOUTH ARM HIGHWAY
	PUBLIC TRANSPORT BUS STOP
	EXISTING LANDSCAPED AREAS
	EXISTING RAISED CONCRETE ISLANDS
	TITLE BOUNDARY LINE
	LINE DENOTES EXTENT OF DEMOLITION

TENANCY AREAS	
T01 WOOLWORTHS SUPERMARKET	3,434.0
T02 9/11 BOTTLESHOP	157.0
T03 SHORELINE NEWS XPRESS	95.0
T04 SHORELINE MEATS	125.0
T05 DONUT KING 71 PTY LTD	62.1
T07 BANJO'S BAKEHOUSE	182.1
T09 EXPRESS SHOE REPAIRS	25.0
T10 COTTON FRESH DRY CLEANERS	26.2
T11 COMMONWEALTH BANK OF AUSTRALIA	183.0
T13 BENTO BOX	92.1
T14ASUPER DOLLARS WAREHOUSE PTY LTD	681.3
T14EASTERN SHORE DOCTORS	67.0
T16 EASTERN SHORE DOCTORS	210.0
T17 TOTAL EYECARE OPTOMETRISTS PTY LTD	91.0
T19 AMCAL PHARMACY	307.6
T21 SMOKEART & GIFT BOX	79.6
T22 BELLA DONNA HAIR & BEAUTY	73.0
T23 ZAP FITNESS	383.0
TOTAL TENANCIES	2,839.4

PARKING RATIO			
EXISTING	PROPOSED	EXISTING	PROPOSED
WOOLWORTHS:	3434m²	WOOLWORTHS:	3434m²
RETAIL TENANCIES	2839m²	RETAIL TENANCIES	2839m²
TOTAL:	6273m²	TOTAL:	6273m²
TOTAL PROVIDED:	311	TOTAL PROVIDED:	299
REFER TO TRAFFIC ENGINEERING REPORT BY SALT3 TRAFFIC ENGINEERS			

AREAS ARE INDICATIVE ONLY AND SUBJECT TO CONFIRMATION VIA A LICENCED SURVEY.

C	15/07/2020	TP Issue - amended areas and parking totals	RCR
B	08/07/2020	Town Planning Issue	
A	22/06/2020	PRELIMINARY TP	TC
REV	DATE	AMENDMENT'S DETAILS	BY

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RBP No. DP-AD1689

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PROJECT
PROPOSED WW PICK UP

PROJECT ADDRESS
SHORELINE SHOPPING CENTRE
6 SHORELINE DRIVE,
HOWRAH, TAS
7018

DRAWING TITLE
EXISTING CONDITIONS /
DEMO SITE PLAN

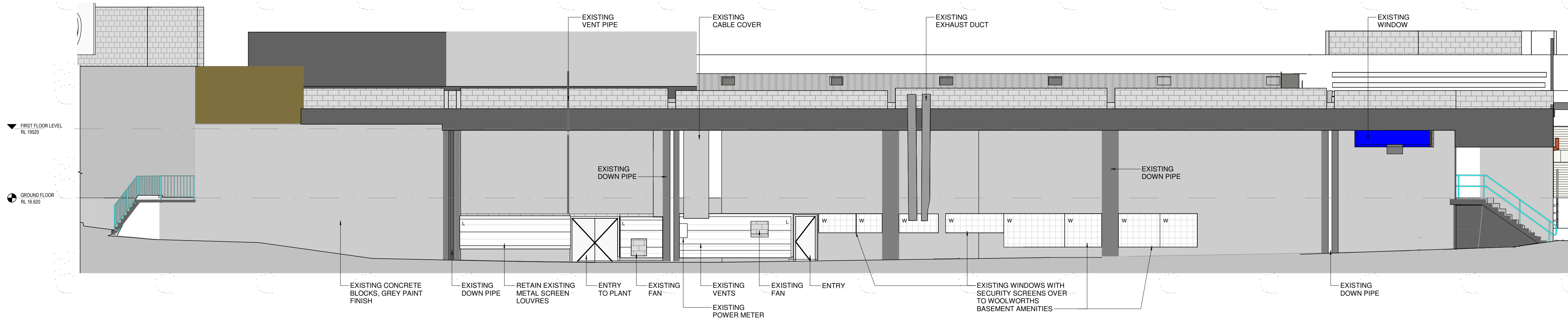
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DATE	SCALE @ A1	NORTH	
JUNE '20	As indicated		
DRAWN	TC	TOWN PLANNING	
ISSUE	TP01	REVISION No.	SHEET
PROJECT No.	20090	C	01 of 06



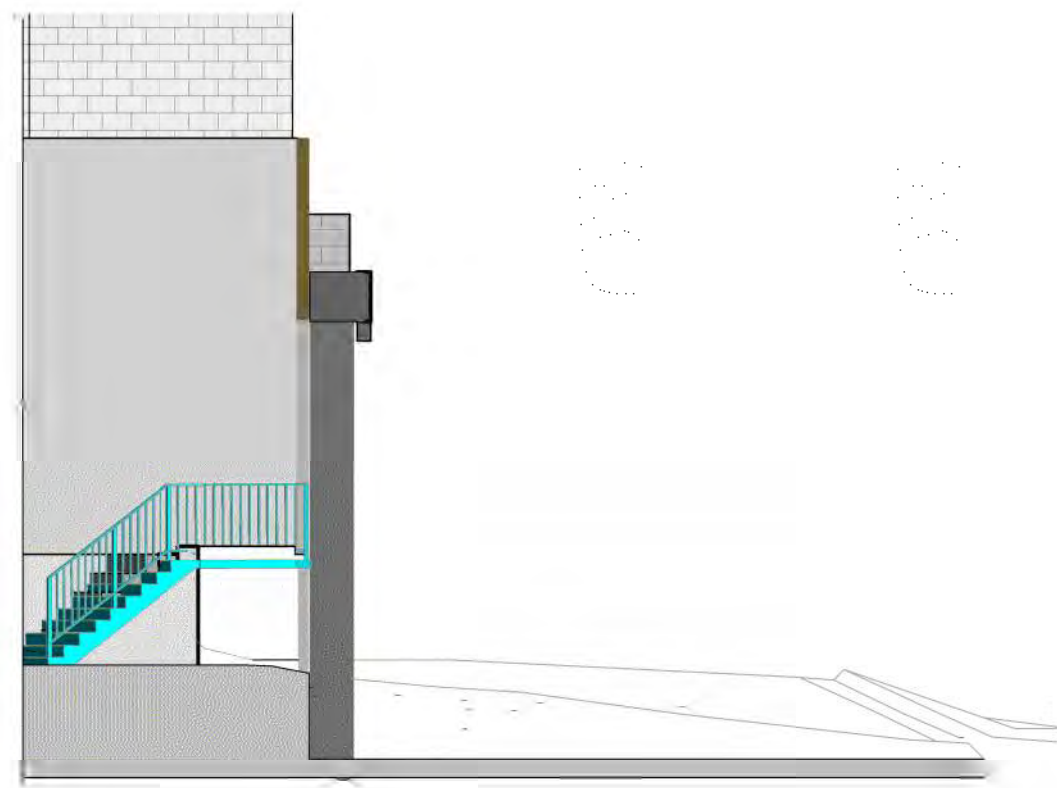
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TOWN PLANNING			
PROJECT No.	DRAWING No.	REVISION No.	SHEET
20090	TP03	B	04 of 06

TOWN PLANNING

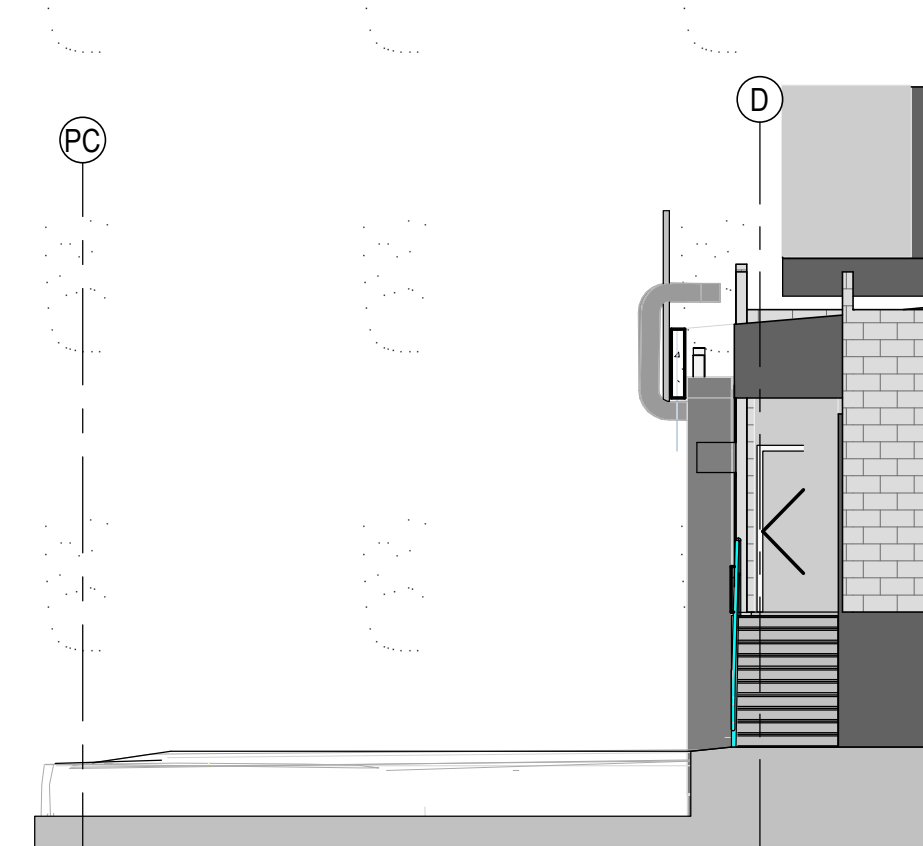
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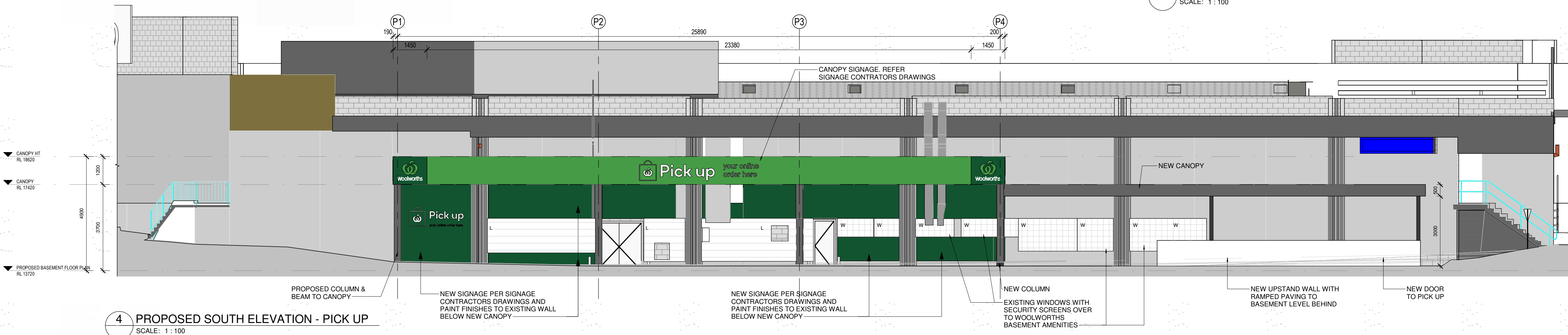
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SCALE: 1 : 100



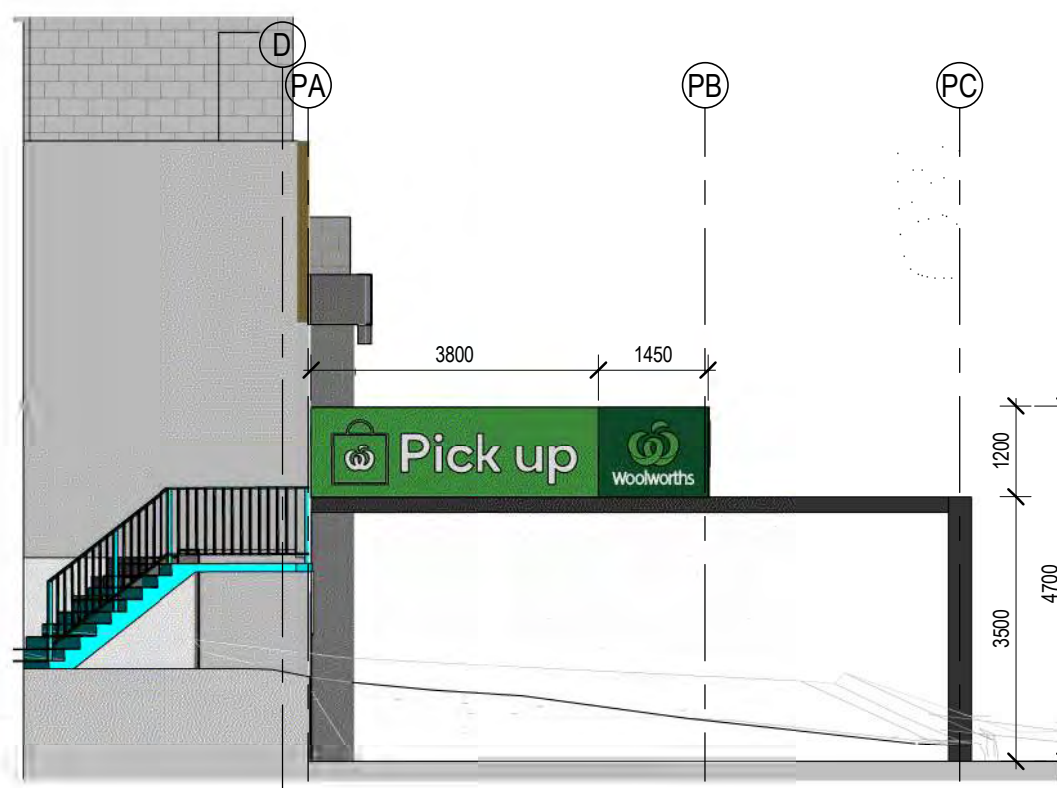
2 EXISTING NORTH WEST ELEVATION
SCALE: 1 : 100



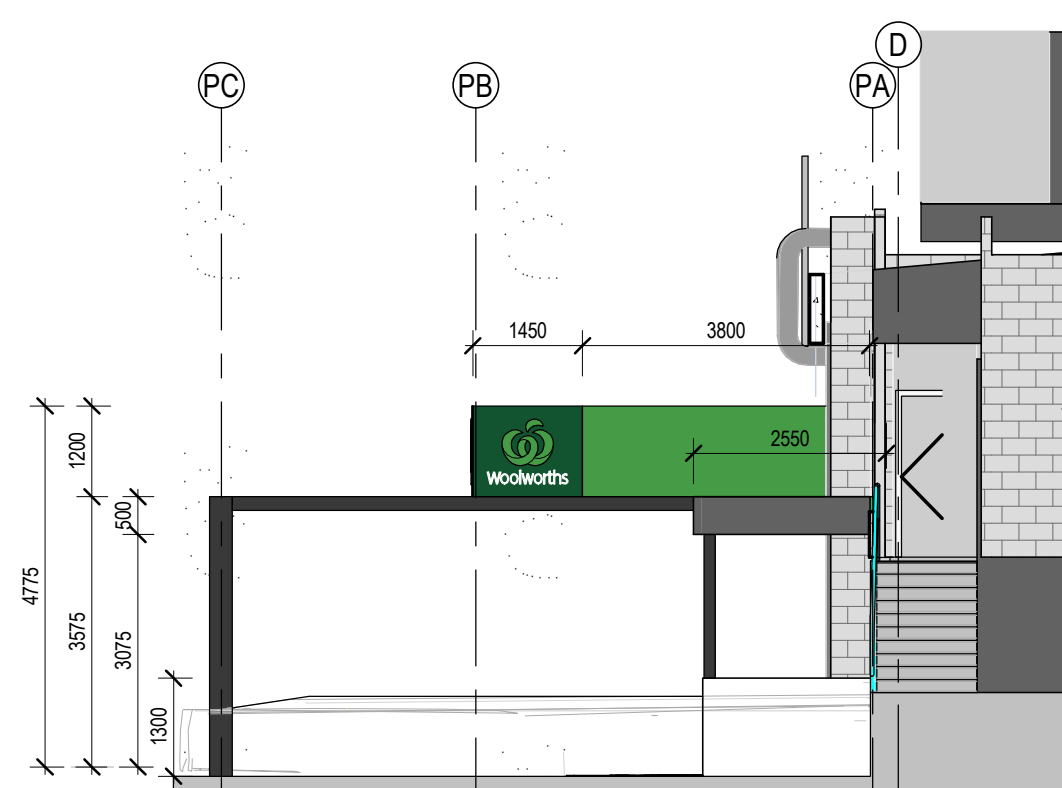
3 EXISTING SOUTH EAST ELEVATION
SCALE: 1 : 100



4 PROPOSED SOUTH ELEVATION - PICK UP
SCALE: 1 : 100



5 PROPOSED NORTH WEST ELEVATION
SCALE: 1 : 100



6 PROPOSED SOUTH EAST ELEVATION
SCALE: 1 : 100

COLOUR & BUILDING MATERIALS...		
CODE	IMAGE	DESCRIPTION
P01		APPLIED FINISH, COLOUR TO MATCH 'DULUX WOOLWORTHS CHARCOAL'
P02		APPLIED FINISH, COLOUR TO MATCH 'DULUX WOOLWORTHS GREY'
P03		APPLIED FINISH, COLOUR TO MATCH 'DULUX WOOLWORTHS GREEN'

B	08/07/2020	Town Planning Issue	TC
A	22/06/2020	PRELIMINARY TP	BY
REV	DATE	AMENDMENTS DETAILS	



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PROJECT
PROPOSED WW PICK UP

PROJECT ADDRESS
SHORELINE SHOPPING CENTRE
6 SHORELINE DRIVE,
HOWRAH, TAS 7018

DRAWING TITLE
EXISTING & PROPOSED
ELEVATIONS

CLIENT
Woolworths
The fresh food people

DATE
JUNE '20
DRAWN
TC
ISSUE

SCALE @ A1
1 : 100
CHECKED
JPH/RR

NORTH

PROJECT No.
20090
DRAWING No.
TP04
REVISION No.
B
SHEET
05 of 06

TOWN PLANNING
Not for construction



1 3D View 1
SCALE:



2 3D View 2
SCALE:

B	08/07/2020	Town Planning Issue	TC
A	22/06/2020	PRELIMINARY TP	
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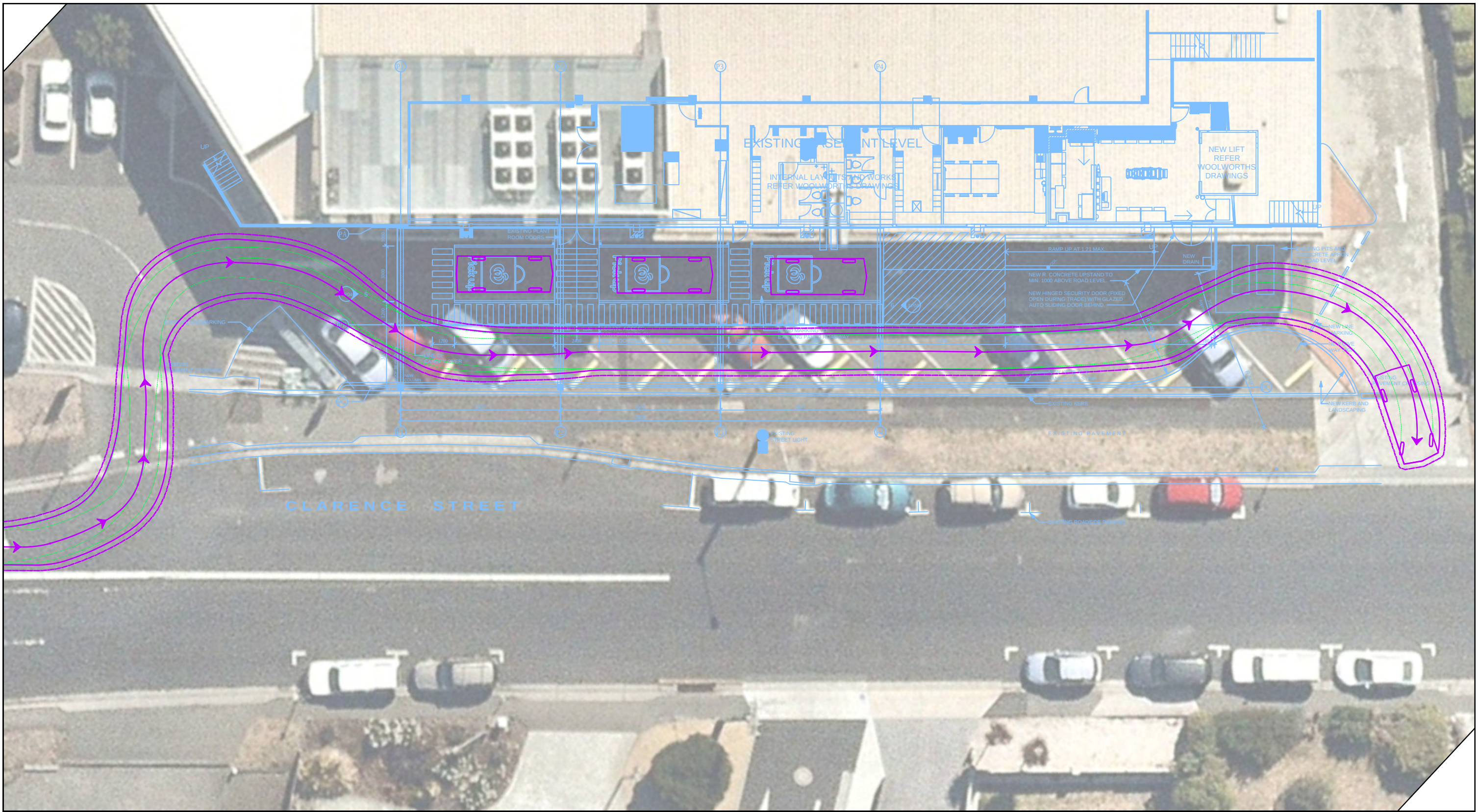
PROJECT
PROPOSED WW PICK UP

PROJECT ADDRESS
SHORELINE SHOPPING CENTRE
6 SHORELINE DRIVE,
HOWRAH, TAS 7018

DRAWING TITLE
PROPOSED 3D
PERSPECTIVES

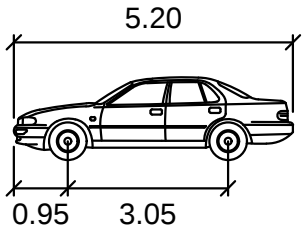
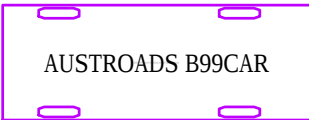
CLIENT Woolworths <i>The fresh food people</i>			
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DRAWN TC	CHECKED JPH/RR		
ISSUE TOWN PLANNING			
PROJECT No. 20090	DRAWING No. TP05	REVISION No. B	SHEET 06 of 06

TOWN PLANNING
Not for construction



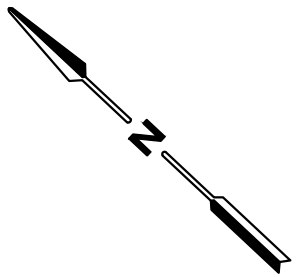
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- B99CAR OVERHANG
- B99CAR FRONT WHEEL LINE
- B99CAR REAR WHEEL LINE
- B99CAR CENTRELINE

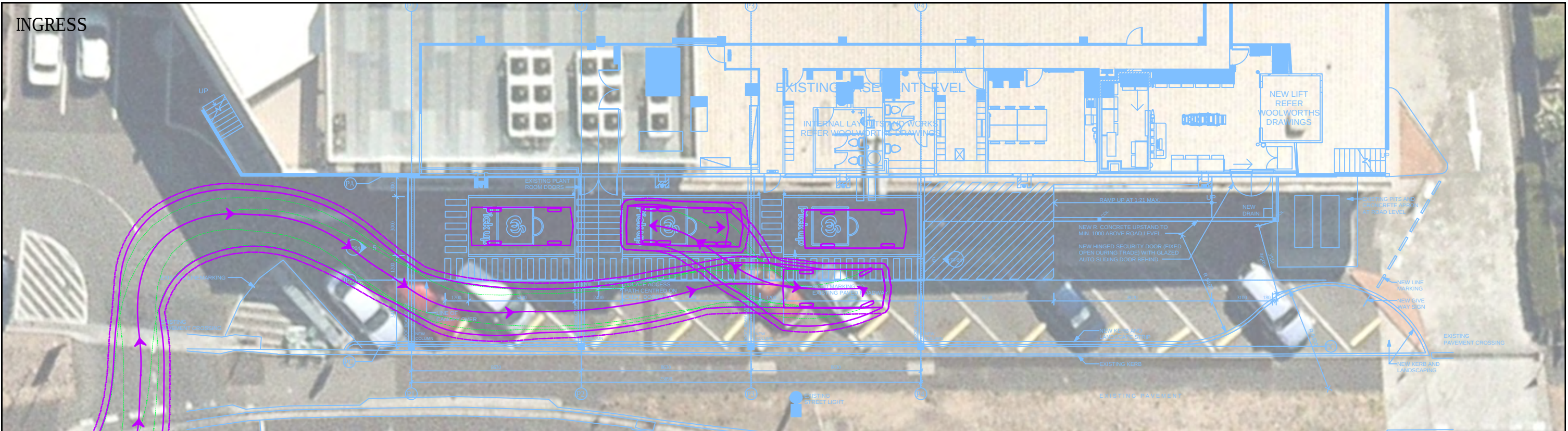


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Track	: 1.84
Lock to Lock Time	: 6.00
Steering Angle	: 33.50

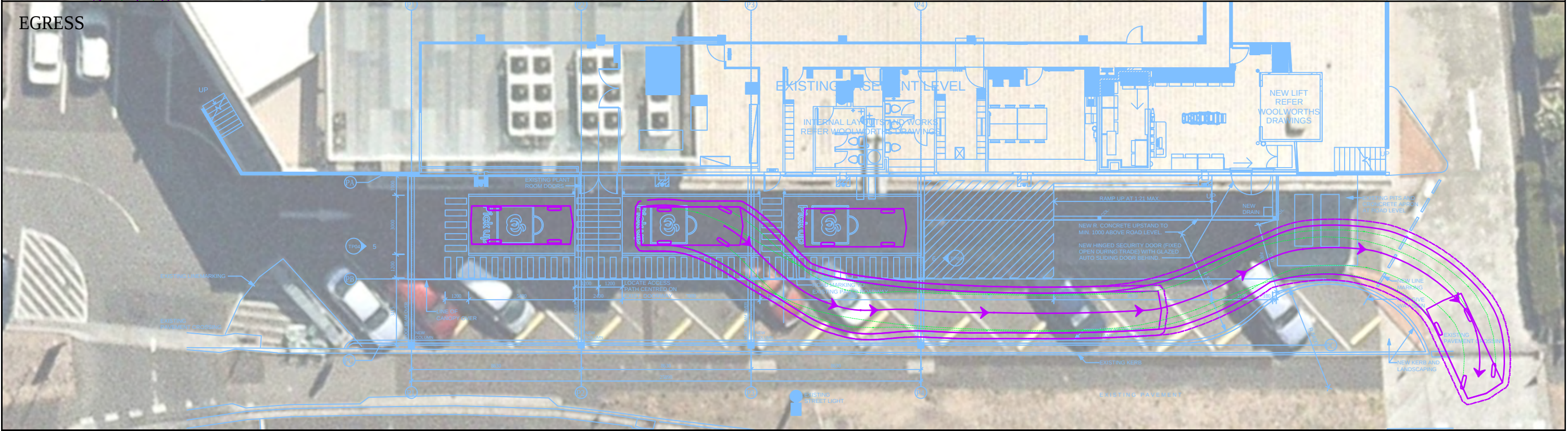
20085T - SK001
B99 CAR SITE INGRESS/EGRESS
SWEEP PATH MANOEUVRE
T.B. 08.07.2020



INGRESS

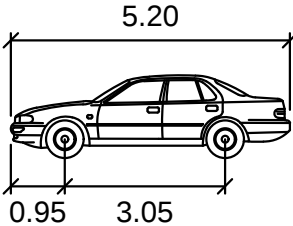
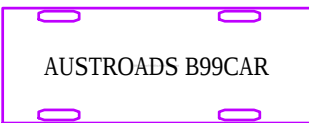


EGRESS



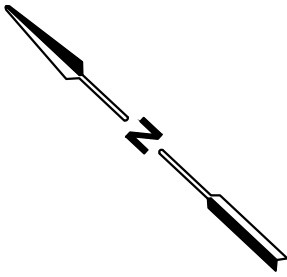
VEHICLE LEGEND

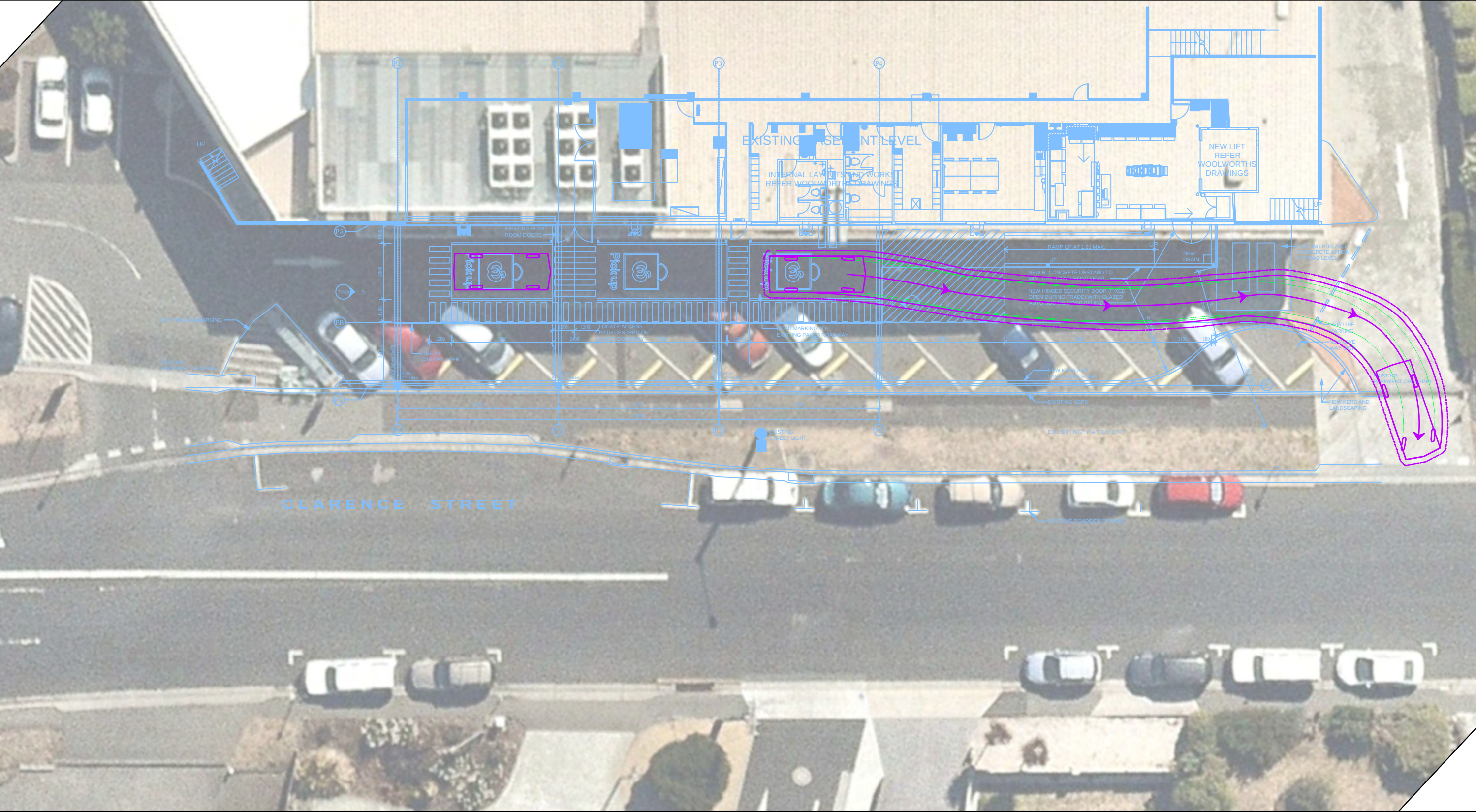
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- B99CAR OVERHANG
- B99CAR FRONT WHEEL LINE
- B99CAR REAR WHEEL LINE
- B99CAR CENTRELINE



B99	meters
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Track	: 1.84
Lock to Lock Time	: 6.00
Steering Angle	: 33.50

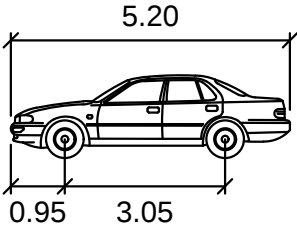
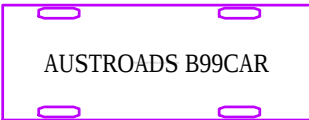
20085T - SK003
B99 CAR SITE PICKUP SPACE 2
SWEEP PATH MANOEUVRE
T.B. 08.07.2020





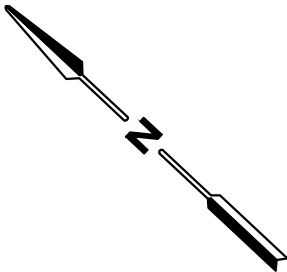
VEHICLE LEGEND

- B99CAR 300mm CLEARANCE
- B99CAR OVERHANG
- B99CAR FRONT WHEEL LINE
- B99CAR REAR WHEEL LINE
- B99CAR CENTRELINE



B99	meters
Width	: 1.94
Track	: 1.84
Lock to Lock Time	: 6.00
Steering Angle	: 33.50

20085T - SK004
B99 CAR PICKUP SPACE 3 EGRESS
SWEEP PATH MANOEUVRE
T.B. 08.07.2020



Attachment 3

Site photo

6 Shoreline Drive, Howrah



View of the site from Clarence Street looking north west



View of the site from Clarence Street looking north east.

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/010800 – SHOP 5, 14 EDGEWORTH STREET, WARRANE - CHANGE OF USE TO BOTTLE SHOP**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a change of use to Hotel Industries (bottle shop) at Shop 5, 14 Edgeworth Street, Warrane.

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Parking & Access, Stormwater Management, Signs and Road & Railway Assets Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 23 September 2020.

CONSULTATION

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

- existing number of bottle shops;
- known harm of alcohol;
- proximity to school/community centre/recreation grounds;
- traffic and noise impacts; and
- site plan detail.

Following the advertising period, a petition containing 173 signatures against the proposal was also received.

RECOMMENDATION:

- A. That the Development Application for change of use to Bottle Shop at Shop 5, 14 Edgeworth Street, Warrane (C1 Ref PDPLANPMTD-2020/010800) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AM5 – Trading Hours
Trading hours must be within the following hours:
Monday – Saturday 9am to 8pm; and
Sundays and public holidays 10am to 6pm.
3. No additional signage is to be displayed on the site without further approval from Council.

ADVICE

- a) **ADVICE 6 – FOOD REGISTRATION ADVICE.**
 - b) A building change of use may be required. Please consult with a Building Surveyor and submit any appropriate documents.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

The property contains seven tenancies currently and historically used for a variety of uses including shops, newsagent, doctor surgery, take away shop and butcher.

Permits have previously been issued for changes to individual tenancies as follows:

- D-1995/49 – (Shop 3) Change of use from shop to consulting room.
- D-1998/44 – (Shop 1) Change of use from shop to consulting rooms and extension.
- D-1999/133 – (Shop 6, shown on plans as Shop 5B) Take away food shop approved.
- D-2012/205 – (Shop 4) Change of use to shop (hairdresser).
- D-2014/178 – (Shop 1) Change of use from consulting room (doctor surgery) to shop (tattoo parlour).
- D-2015/139 – (Shop 6) Signage for shop.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Local Business under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 20 – Local Business Zone;
- Section E5.0 – Road and Railway Assets Code;
- Section E6.0 – Parking & Access Code;
- Section E7.0 – Stormwater Management Code;
- Section E17.0 – Signs Code; and
- Section E26.0 – Hotel Industries Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is located on the western side of Edgeworth Street and runs between the intersections with Bligh Street and Bass Street (refer Attachment 1). The site is a single storey commercial building with seven tenancies.

The site is directly accessible off Bligh, Edgeworth and Bass Street with car parking available in each location. An existing 10 space carpark is accessible off Bligh Street, while the road reserve adjacent the commercial building contains 45 degree car parking for approximately 20 vehicles. A third carpark for four vehicles (including one disabled) is accessible off Bass Street with parking shared amongst the tenancies.

The site abuts or is opposite single dwellings to the north, south and east in an established residential area. It is also opposite the sportsground located at 100 Bligh Street.

3.2. The Proposal

The proposal is for a change of use of the existing Tenancy 5 which is operating as a City Mission charity shop to a bottle shop. The bottle shop would include 108m² retail floor area plus associated storage within an existing 35m² outbuilding located behind the tenancy (refer Attachment 2).

The bottle shop would operate as follows:

- Monday to Saturday – 9am to 8pm; and
- Sunday and public holidays – 10am to 6pm.

Commercial deliveries to the bottle shop will be within the hours specified in the Acceptable Solution.

The proposal would include some internal alterations and replacement of existing signage which would accordingly not require planning approval.

No other development is proposed and there is no change in car parking demand, the rate for a shop and bottle shop is one carpark per 30m².

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,*

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

References to these principles are contained in the discussion below.

4.2. Compliance with Zone and Codes

A bottle shop is included within the Hotel Industry Use Class which is a discretionary use in the Zone. The proposed use is considered consistent with the Zone Purpose and Desired Future Character Statement due to the scale and nature which will provide retail accessible by public transport and within walking distance to land zoned General Residential.

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

Local Business Zone

- **Clause 20.3.1 A1(b)** – the proposal seeks to open on Sundays and public holidays until 6pm which is one hour later than the hours prescribed under the Acceptable Solution on these days.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause 20.3.1 as follows.

Clause	Performance Criteria	Assessment
20.3.1 P1	<i>Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent."</i>	Complies - The proposal is unlikely to result in an unreasonable impact on residential amenity for the following reasons: 1. the use will not involve significant noise emitting activities; 2. the proposed later closing time on Sundays and public holidays is within both the 7am to 6pm daytime period under the Tasmania Noise Measurement Procedures Manual, July 2008; 3. there will be no commercial vehicle movements after 12pm on Sundays and public holidays; and 4. there are no other likely emissions.

Local Business Zone

- **Clause 20.3.2 A1** – the proposal requires mechanical and refrigeration plant for the bottle shop cool room which, subject to appropriate installation will be able to comply with the Acceptable Solution for Noise.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause 20.3.2 as follows.

Clause	Performance Criteria	Assessment
20.3.2 P1	<i>“Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.”</i>	Complies – Council’s Environmental Health Officers have assessed the proposal and are satisfied that noise emissions measured at the boundary of a residential zone will not cause environmental harm within the adjoining residential zone. External doors and windows are orientated to Edgeworth Street and rear access to the storage area is well setback from neighbouring properties.

Hotel Industries Code

- **Clause E26.5.1 A1 (b)** – the bottle shop would be approximately 13m from the nearest residential property and accordingly less than 100m from a residential zone as required by the Acceptable Solution.

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

Clause	Performance Criteria	Assessment
E26.5.1 P1	<i>“The operation of Hotel industry uses must:</i> <i>(a) not have an unreasonable impact on the amenity and safety of the surrounding uses, having regard to the following:</i> <i>(i) the hours of operation and intensity of the proposed use;</i>	Complies – the proposed operating hours variation until 6pm on Sunday and public holidays is not considered unreasonable. Due to the size and scale of the bottle shop, there is unlikely to be a significant impact upon the surrounding area as a result of the hours proposed for these days.
	<i>(ii) the location of the proposed use and the nature of surrounding uses and zones;</i>	Complies - the bottle shop would be located amidst other tenancies within an existing commercial building. The bottle shop would be separated from the residential zone and dwelling south-west of the site due to the location of the rear carpark. The bottle shop would be separated from the other nearest dwellings by Edgeworth Street.
	<i>(iii) the impact of the proposed use on the mix of uses in the immediate area;</i>	Complies – as mentioned above, the bottle shop would be within an existing commercial building which contains a mix of uses. Accordingly, the bottle shop is not considered to have an unreasonable impact upon the amenity and safety of surrounding uses. In addition, the bottle shop would be well removed from other hotel industry uses.
	<i>(iv) the cumulative impact of any existing hotel industry uses and the proposed hotel industry on the amenity of the surrounding area;</i>	Complies - There are no existing nearby hotel industry uses for more than 500m of the site and therefore no cumulative impact to take into consideration.

	(v) <i>methods to be employed to avoid conflict with nearby sensitive uses, including houses, schools, community facilities and the like;</i>	Complies - the proposed operating hours coupled with Responsible Serving of Alcohol protocols will be employed to avoid conflict with nearby sensitive uses. Any variation on the proposed operating hours would be subject to planning approval and there is no increase in car parking demand resulting from the proposal.
	(vi) <i>the impacts of light spill on adjacent properties;</i>	Not applicable - no additional external lighting is proposed. Any existing lighting will be turned off after closing time other than security lighting which will be baffled to avoid light spill or glare to nearby properties.
	(vii) <i>possible noise impacts and proposed noise attenuation measures, including no amplified music audible outside the property;</i>	Complies - the proposal does not include amplified music audible from outside the premises or any other significant noise emitting activities.
	(viii) <i>impacts on traffic and parking in the vicinity;</i>	Complies - Council's Development Engineer has not raised any concern in relation to traffic and parking impacts. The proposal does not generate demand for additional car parking and there are three existing car parking areas at the property which provide a combined total of 34 parking spaces.
	(ix) <i>any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises during and after opening hours;</i>	Not applicable – no measures are proposed or considered necessary due to the scale of the bottle shop.
	(x) <i>the need for security personnel to control behaviour around the site;</i>	Complies – the small scale and nature of the proposal is unlike other Hotel Industry uses such as a bar or nightclub and is not considered to require the employment of security personnel to control antisocial behaviour.

	(xi) <i>the use of landscaping to enhance the appearance of the site used for hotel industry; and</i>	Not applicable – landscaping for the change of use is considered unnecessary as there will be a similar impact to the existing shop use.
	(xii) <i>demonstration that the outcomes of the Hotel Industry Impact Assessment have been satisfied.</i>	Complies – a Hotel Industry Impact Assessment has been prepared for the proposal which demonstrates the required outcomes have been satisfied.
	(b) <i>ensure that signage is limited in order to avoid clutter and reduced streetscape qualities, especially where shared with a residential zone.</i>	Not applicable – other than the replacement of existing signage, no new signage is proposed.
	(c) <i>not provide outdoor seating on a free standing bottle shop site.</i>	Not applicable – no outdoor seating is proposed.
	(d) <i>not provide a drive through facility on a free standing bottle shop site.</i>	Not applicable – the proposal does not involve a drive through facility.
	(e) <i>be designed and operated in accordance with the principles of Crime Prevention Through Environmental Design, including:</i> (i) <i>reducing opportunities for crime to occur;</i> (ii) <i>providing safe, well designed buildings with appropriate opportunities for surveillance of the surroundings;</i>	Complies – the proposed change of use is not considered likely to result in an unreasonable loss of amenity or impact on safety of the surrounding uses. While there are no works to the building included in the proposal, the bottle shop will be operated in accordance with Crime Prevention Through Environmental Design principles. Security lighting will reduce opportunities for crime to occur and provide surveillance whilst promoting safety on adjoining land.

	(iii) <i>minimising the potential for vandalism and anti-social behaviour; and</i> (iv) <i>promoting safety on neighbouring public and private land."</i>	
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5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and eight representations were received. There was also a petition with 173 signatures, received after the closure of the advertising period. A report on the petition is also included on this Agenda (refer Item 11.2.1)

The following issues were raised by the representors.

5.1. Existing Number of Bottle Shops

Concern has been raised by a number of representors that there is a large number of existing bottle shops in the surrounding area. Bottle shops within a 2km radius are said to include Big Bargain Bottle Shop Mornington, 9/11 Bottle Shop Bellerive along with BWS and Cellarbrations at Eastlands.

The change of use from a charity shop to a bottle shop is also raised as a concern in terms of the existing use being preferred.

- **Comment**

While the cumulative impact of existing and proposed Hotel Industry Uses requires consideration under the Scheme, it is noted that the nearest bottle shop is over 1km from the site. Furthermore, the number of existing bottle shops in the area and adjacent suburbs in terms of community best interest will be a consideration for the Department of Treasury as part of the Liquor Licensing approvals process.

A review of the appropriateness of an existing use is not subject to an assessment under the Scheme in comparison to a proposed use. A proposed use must not have an unreasonable impact on amenity and safety of surrounding uses in accordance with Clause E26.5.1 P1. Compliance with this requirement has been discussed in the Assessment Section of this Report.

5.2. Known Harm of Alcohol

It is reported that the density of alcohol retailers in a community is a critical consideration with evidence linking the number of licence outlets to alcohol related harm. One representor has advised that the site is within predominantly low income area with existing substance abuse issues and a lack of individual car ownership. Another representor has quoted sections of the Tasmanian liquor licensing guidelines and its objective.

- **Comment**

While the proposed change of use is subject to an assessment under the Scheme in terms of the land being used as a bottle shop, the Department of Treasury as part of the Liquor Licensing approvals process are the relevant authority for determining whether the application is in the best interests of the community. The purpose of the Hotel Industries Code is to provide for hotel industries, while protecting the amenity of adjacent areas.

5.3. Proximity to School/Community Centre/Recreation Grounds

Concern is raised in relation to the proximity of the bottle shop to Warrane Primary School, Warrane/Mornington Neighbourhood Centre, children's playground and sportsground nearby the site. Impacts upon safety are also raised as concern in this regard.

- **Comment**

As the School is for children aged 4-12, the bottle shop is not considered to pose an increased safety risk to students attending the school. There are bottle shops in the municipality located closer to Clarence High School and Rosny College.

For example, RMPAT Tribunal decision 131/09P relates to the approval of the Big Bargain Bottle Shop at 172 Clarence Street which is directly opposite Clarence High School.

The Neighbourhood Centre is one of 34 houses state-wide in Tasmania that focus on community development and provides programs and services including yoga/craft/computer/exercise classes, a community garden and a Youth Group.

Owing to the above, it is not considered that the proposal will have an unreasonable impact upon other uses in the surrounding area.

5.4. Traffic and Noise Impacts

Representators have raised concern in relation to potential traffic noise impacts such as increase in vehicles, truck deliveries and noise emanating from plant, machinery and customers. Manoeuvring and access for delivery vehicles has been raised as an issue along with the lack of mechanical plant shown on the advertised plans.

- **Comment**

Council's Development Engineer has reviewed the proposal and is satisfied that the site can efficiently accommodate the proposal without causing an unreasonable impact upon traffic in the immediate and surrounding area. It should be noted, the proposal is of a small scale with no associated works and no variation in car parking required by the Scheme.

Council's Environmental Health Officers have raised no concern in relation to the proposal in terms of noise causing an unreasonable loss of amenity to the adjoining and nearby residential properties.

5.5. Site Plan Detail

One representor queried whether the submission is correct, as there are seven tenancies on-site and not six as shown in the advertised plans.

- **Comment**

Clarification was sought from the applicant who confirmed that while the proposed change of use for Shop 5 has been correctly shown on the advertised plans, however the adjacent tenancy at Shop 6 has been split into two tenancies.

Council records confirm there are seven tenancies at the site.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

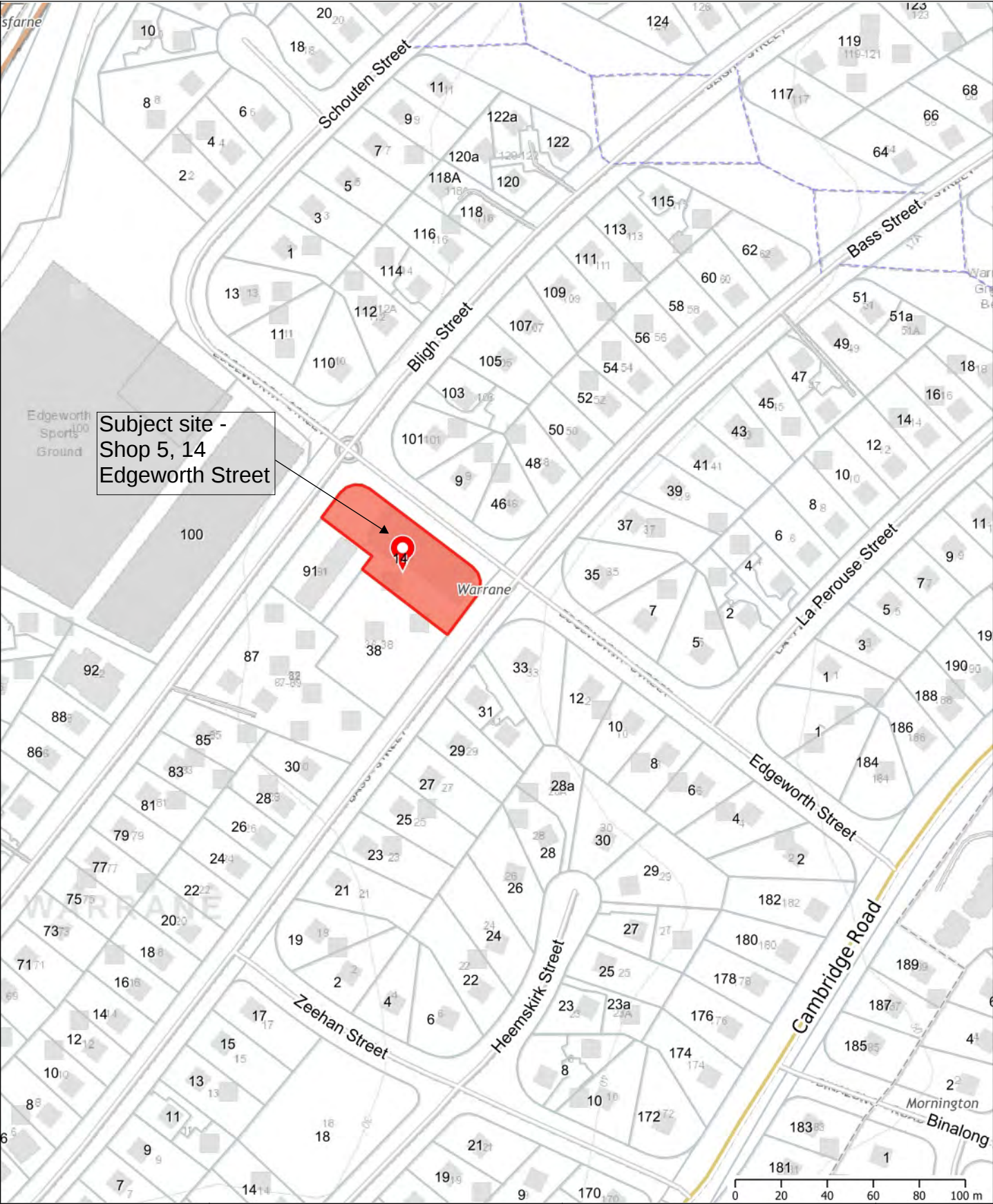
9. CONCLUSION

The proposal seeks approval for a change of use (general retail and hire to hotel industries) at Shop 5, 14 Edgeworth Street, Warrane. The proposal is considered to meet the relevant Acceptable Solutions and Performance Criteria of the Scheme and is recommended for approval subject to conditions.

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

Ross Lovell
MANAGER CITY PLANNING

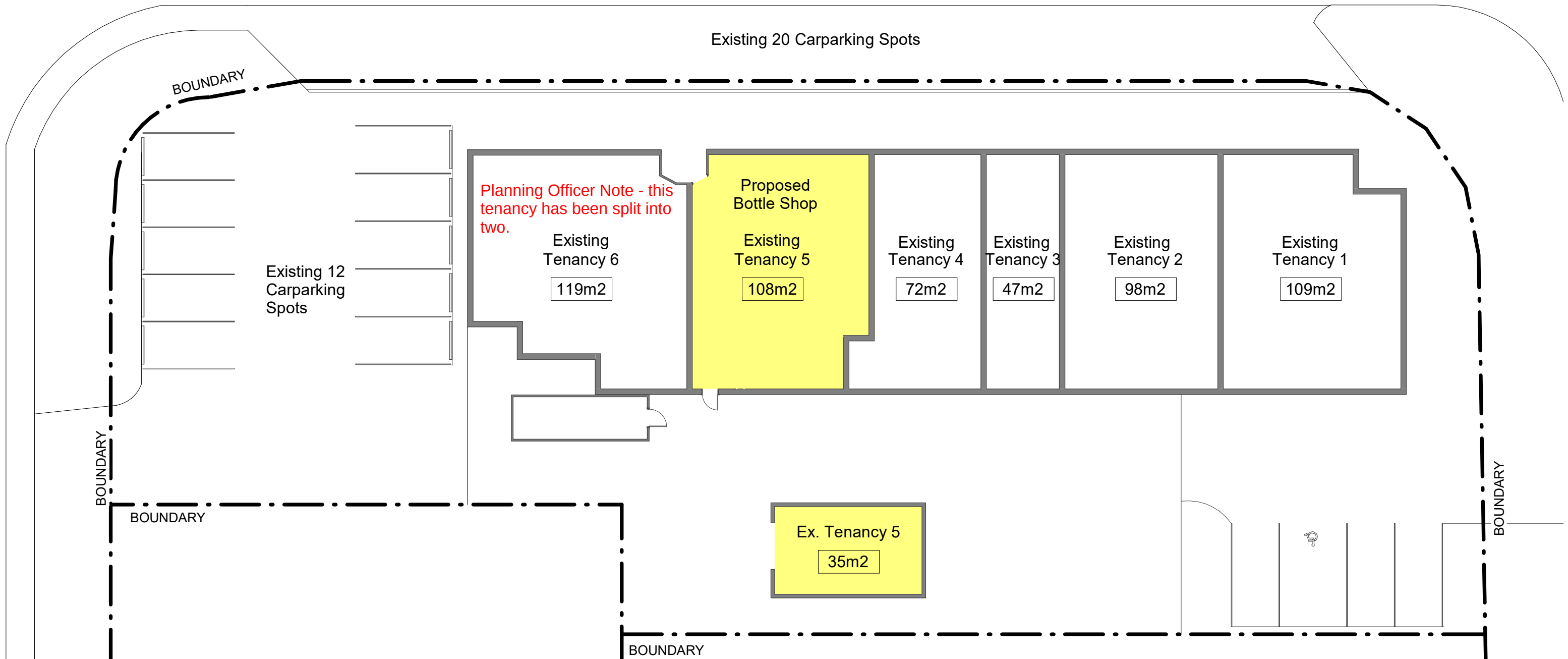
Attachment 1 - Location Plan 14 Edgeworth Street, Warrane



	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.		
	9/11/2020		
		1:2257	

Attachment 2 - Proposal Plans Shop 5, 14 Edgeworth Street

Edgeworth St



1

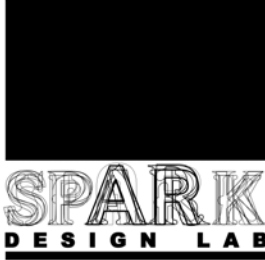
Tenancy Plan

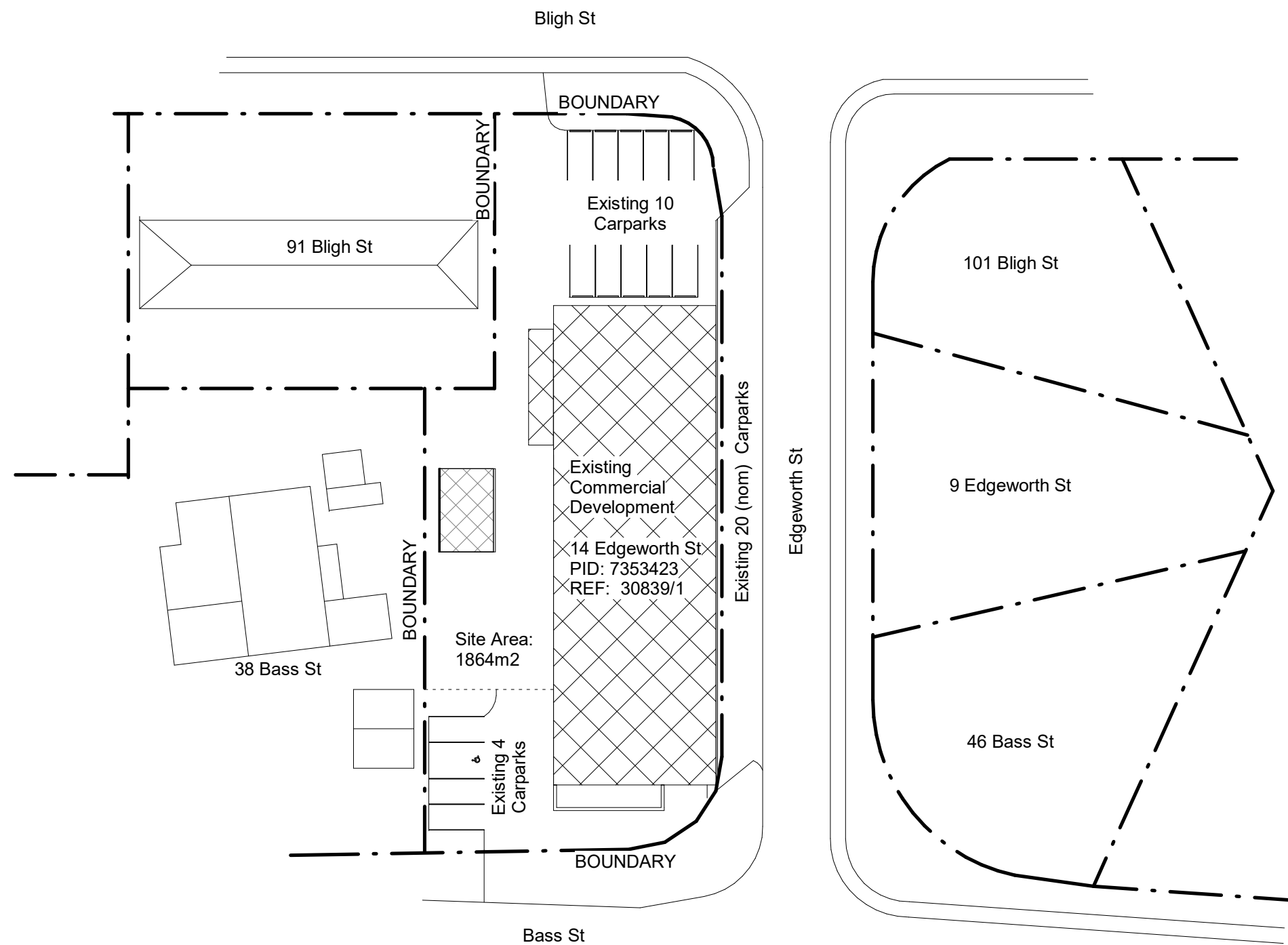
1 : 200

Total Floor Area of Proposed Bottle Shop: 143m²

No	Description	Date

Cemcon Developments 14 Edgeworth St, Warrane Shop 5 Proposed Bottle Shop		
Tenancy Plan		
Project number	P2013	A01.1
Date	10/07/2020	
Drawn by	LB	
BSP Lic#	CC6171B	
Scale		1 : 200



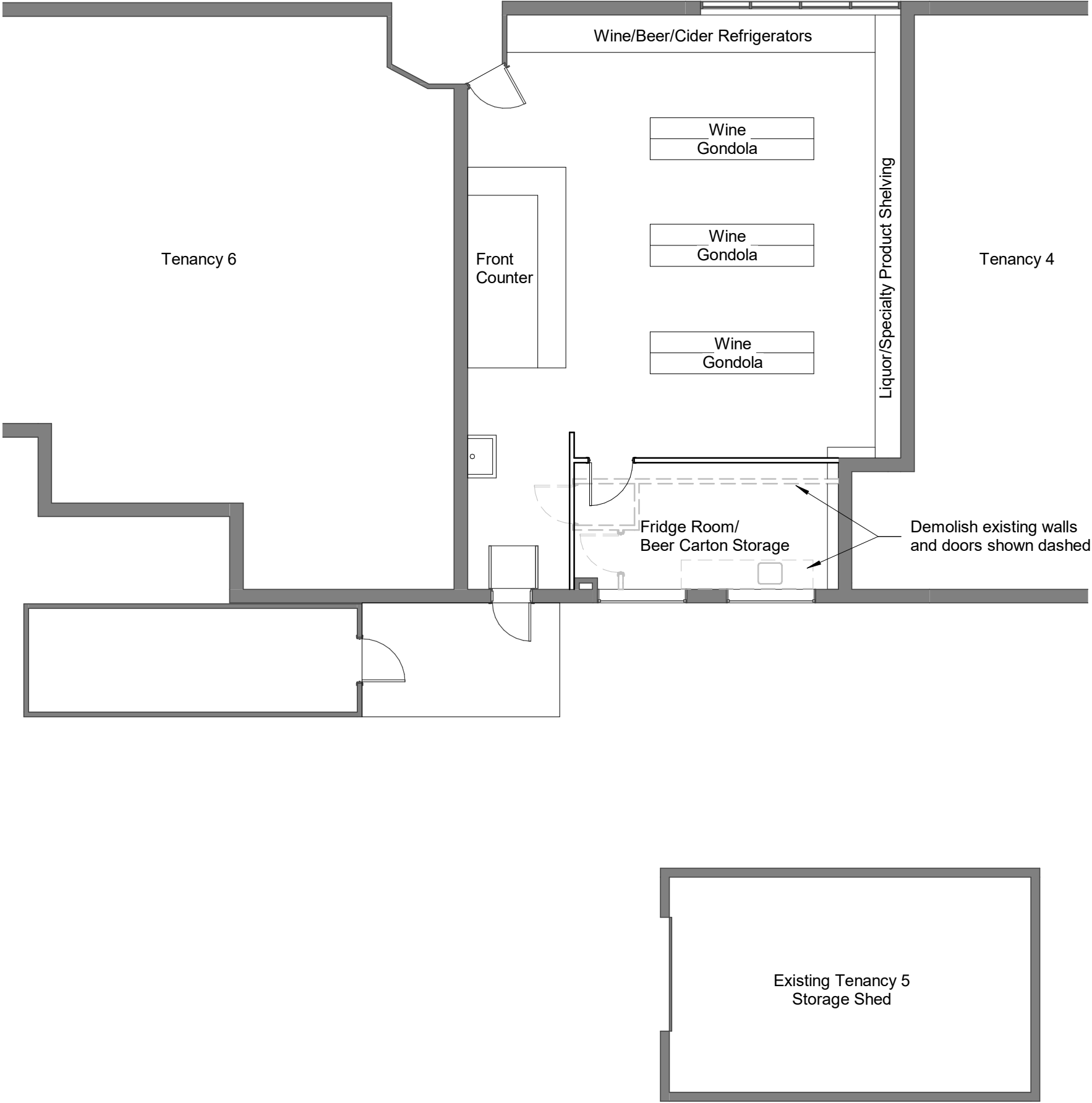


1 Site
1 : 500

No	Description	Date

Cemcon Developments		Site Plan	
14 Edgeworth St, Warrane		Project number	P2013
Shop 5		Date	10/07/2020
Proposed Bottle Shop		Drawn by	LB
		BSP Lic#	CC6171B
		Scale	1 : 500





1

Ground Floor

1 : 100

No	Description	Date

Cemcon Developments

14 Edgeworth St, Warrane
Shop 5

Proposed Bottle Shop

Bottle Shop Indicative Layout

Project numberP2013

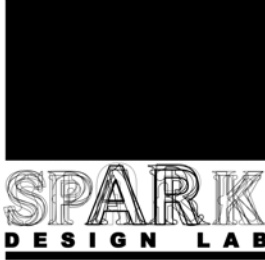
Date10/07/2020

Drawn byLB

BSP Lic#CC6171B

A01.2

Scale1 : 100



21 July 2020

Ross Lovell
Manager City Planning
PO Box 96
ROSNY PARK 7018

Dear Ross

Application for a Planning Permit – Change of Use to Bottle Shop – Shop 5, 14 Edgeworth Street, Warrane

All Urban Planning Pty Ltd has been engaged by Cemcon Developments, the owner of 14 Edgeworth Street, Warrane, to prepare an application for a planning permit to change the use of the existing tenancy 5 from a shop to a bottle shop.

The Site

14 Edgeworth Street is an existing group of 6 local shops on the southern side of Edgeworth Street between Bass and Bligh Streets, Warrane. The title, CT 30839/1 is approximately 1864m² and includes 14 on site car parking spaces. The adjacent road reserve on Edgeworth Street is also arranged to accommodate approximately 20 on street, 45 degree car parking spaces along the shop frontages.

Proposal

It is proposed to change the existing tenancy 5 from a shop to a bottle shop. The use will include 108m² retail floor area plus associated storage within an existing 35m² rear outbuilding.

The proposal is for a change of use and internal alterations only. No development is proposed.

The existing on-site car parking spaces are shared between the tenancies.

Hours of operation

The bottle shop will operate:

- Mon-Sat – 9am- 8pm
- Sundays and public holidays - 10am-6pm

Commercial vehicle movements

Deliveries to the bottle shop will be within the acceptable solution hours for the Local Business Zone of 7am to 5pm Mondays to Friday, 9am to 5pm Saturday and 10am to 12pm Sundays and public holidays.

Signage

The proposed use will reface existing tenancy signage. No new signage is proposed.

Planning Scheme

The site is subject to the *Clarence Interim Planning Scheme 2015 (planning scheme)*.

Under Clause 8.10.1 of the planning scheme the planning authority must, in addition to the matters required by s.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 s57(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.

Relevantly, a standard is applicable if the site is within the relevant zone and the standard deals with a matter that could affect or be affected by the proposed development; cl.7.5.2.

A standard is defined to mean the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or corresponding performance criterion.

Compliance with a standard is achieved by complying with either the acceptable solution or corresponding performance criterion; cl.7.5.3.

The objective of the standard may be considered to help determine whether the proposed use or development complies with the performance criterion of that standard; cl.7.5.4.

Local Business Zone

The site is zoned Local Business under the planning scheme.

Use

The proposed use of the existing shop tenancy for a bottle shop falls within the *Hotel Industry Use Class* meaning:

use of land to sell liquor for consumption on or off the premises. *If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. **Examples include** a hotel, bar, **bottle shop**, nightclub and tavern.*

Hotel Industry is a Discretionary Use in the Zone under Table 20.2.

Under Clause 8.10.2, a discretionary use is to be assessed having regard to the purpose of the zone, any relevant desired future character statement and the purpose of any relevant Code.

20.1.1 Zone Purpose Statements

- *To provide for business, professional and retail services which meet the convenience needs of a local area.*
- *To ensure that facilities are accessible by public transport and by walking and cycling.*
- *To allow for small scale dining and entertainment activities at night provided that residential amenity of adjoining residential zoned land is protected.*
- *To encourage residential use provided that it supports the viability of the activity centres and an active street frontage is maintained.*

- To ensure that building design and use is compatible with surrounding development and use, particularly on land in residential zones.
- To allow for small shopping centres that might include a supermarket and specialty shops.
- To allow for limited office based employment provided that it supports the viability of the activity centre and maintains an active street frontage.
- To allow for dining and entertainment activities at night within food premises or local hotel.

20.1.2 Local Area Objectives

There are no applicable Local Area Objectives.

20.1.3 Desired Future Character Statements

Local Business zoned areas will provide for daily needs of the local community. They will be part of the local urban fabric and so will be of domestic scale, with signage and parking compatible with the typically residential character of adjacent land.

The proposal is consistent with the Zone Purpose and Desired Future Character Statements in that the proposed bottle shop will serve the local community in a convenient location clustered with other local services in an existing local shopping strip.

Use Standards

20.3.1 Hours of Operation

Use Standard	Assessment
A1 <i>Hours of operation of a use within 50 m of a residential zone must be within:</i> <i>(a) 7.00 am to 9.00 pm Mondays to Saturdays inclusive;</i> <i>(b) 9.00 am to 5.00 pm Sundays and Public Holidays.</i> <i>except for office and administrative tasks.</i>	The site is adjacent to the General Residential Zone and this standard therefore applies. The proposed hours conform with those in A1 with the exception of a 6pm closing time on Sundays and public holidays. This is 1 hours after the permitted hours under A1 and the proposal is therefore to be assessed under P1.

P1 <i>Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</i>	The proposal is considered likely to avoid unreasonable impact on residential amenity and to satisfy P1 in that: • The use will not involve significant noise emitting activities; • The proposed 6pm closing on Sundays and public holidays is within both the 7am to 6pm daytime period under the <i>Tasmanian Noise Measurement Procedures Manual, July 2008</i> and the 7am to 7pm daytime hours of the Noise Standard 20.3.2 A1; • There will be no commercial vehicle movements after 12pm on Sundays and public holidays; and • There are no other likely emissions.
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20.3.2 Noise

Use Standard	Assessment
A1 <i>Noise emissions measured at the boundary of a residential zone must not exceed the following:</i> (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmx) at any time. <i>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</i> <i>Noise levels are to be averaged over a 15 minute time interval.</i>	The proposal will incorporate mechanical refrigeration plant for the cool room. Subject to appropriate installation, the mechanical plant and the use will be able to comfortably comply with the Acceptable Solution for Noise. A condition could be included on the permit to this effect.

20.3.3 External Lighting

Use Standard	Assessment
A1 <i>External lighting within 50 m of a residential zone must comply with all of the following:</i> (a) <i>be turned off between 10:00 pm and 6:00 am, except for security lighting;</i> (b) <i>security lighting must be baffled to ensure they do not cause emission of light outside the zone.</i>	The proposal will comply with this requirement in that no new external lighting is proposed.

20.3.4 Commercial Vehicle Movements

Use Standard	Assessment
A1 <i>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:</i> (a) <i>7.00 am to 5.00 pm Mondays to Fridays inclusive;</i> (b) <i>9.00 am to 5.00 pm Saturdays;</i> (c) <i>10.00 am to 12 noon Sundays and public holidays.</i>	Commercial movements for the use will comply with these hours for commercial vehicle movements. A condition to this effect could be included on the permit.

Parking and Access Code (E6.0)

The proposed Hotel Industry Use generates the same parking requirement as the approved Shop use of the tenancy.

The proposal therefore involves no net change in parking requirement for the site.

Conclusions

The proposed change of use within the existing shop tenancy is a Discretionary use and complies with the relevant Use Standards. It will contribute to the range of services available to serve the local area and is considered consistent with the Zone Purpose and Desired Future Character Statement.

The proposal does not involve development and does not alter the parking generation for the site.

In my assessment the proposal satisfies all relevant provisions of the planning scheme and is a Discretionary, section 57 application for the purposes of the Act.

I trust Council has sufficient information to determine this application however please contact the undersigned as necessary for further information or clarification.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Frazer Read', with a stylized, cursive script.

Frazer Read
Principal
All Urban Planning Pty Ltd

Attachment 3 – Site Photos

Shop 5, 14 Edgeworth Street



Existing City Mission Shop (Shop 5) viewed from Edgeworth Street.



Commercial building showing existing 7 tenancies viewed from Edgeworth Street.

11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2020/010785 – 3 KELLATIE ROAD, ROSNY - ADDITION TO DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to Dwelling at 3 Kellatie Road, Rosny.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42-day period which expires on 2 October 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and five representations (including two in respect of 1 property) were received raising the following issues:

- loss of privacy;
- loss of property values;
- use of dwelling;
- noise;
- overshadowing;
- inaccuracy of plans;
- on-site parking; and
- density.

RECOMMENDATION:

- A. That the Development Application for addition to Dwelling at 3 Kellatie Road, Rosny (Cl Ref PDPLANPMTD-2020/010785) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

This Permit is issued for the purposes of a single dwelling use. In the event that conversion to visitor accommodation or multiple dwelling use were to be contemplated in the future, the owner should ascertain first whether planning approval is required.

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

ASSOCIATED REPORT

1. BACKGROUND

Planning permit D-2017/2 was granted on 31 January 2017 for change of use to visitor accommodation.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
 - Section 10 – General Residential Zones;
 - Section E6.0 – Parking and Access Codes; and
 - Section E7.0 – Stormwater Management Code.
- 2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is 494m² allotment located at the western end of Kellatie Road. The site is located within an established residential area at Rosny. The site supports an existing single dwelling with frontage onto Kellatie Road. The existing dwelling is currently being used as visitor accommodation.

The site is relatively westwards sloping.

The site is adjoined by single dwellings to the south and west. The north boundary adjoins a multiple dwelling development encompassing two units both of which are two storey dwellings.

The Proposal

The proposal is made for an upper level dwelling addition encompassing a living area, a third bedroom with an ensuite, a kitchen and a deck. The total floor area for the proposed dwelling addition would be 106m². Although this provides a second kitchen within the dwelling, the owner has advised that the dwelling is to be their principle place of residence and the internal layout is necessary to accommodate an adult family member.

The proposed addition would be setback 6.6m from the primary frontage, 3m from the northern boundary, 1.8m from the southern boundary and 4m from the rear boundary.

The proposed dwelling addition would be 7.7m at its highest point above the natural ground level.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

(b) any representations received pursuant to and in conformity with ss57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”

References to these principles are contained in the discussion below.

4.2. Compliance with Zone and Codes

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

General Residential Zone

- **Clause 10.4.2 A3** – the proposal requires a variation to the building envelope standards as part of the proposed dwelling addition extends out of the building envelope. The proposed dwelling is setback 3m and 1.8m from the side boundaries.

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

Clause	Performance Criteria	Assessment
10.4.2 P3	<i>“The siting and scale of a dwelling must:</i>	See assessment below
	<i>(a) not cause unreasonable loss of amenity by:</i> <i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i>	The shadow diagrams provided with the application, which have been checked for accuracy, show that the proposed development will not cause any loss of sunlight to habitable rooms of dwellings to the north at 2/20 Rosny Esplanade and also the west at 21 Rosny Esplanade.

		The proposed dwelling addition will result in loss of morning sunlight to habitable room windows of the dwelling at 3A Kellatie Road, the shadows cast by the proposed dwelling addition will be clear of habitable room windows by midday therefore the proposed development will not be considered to have a detrimental impact on the amenity of the dwelling on the adjoining lot at 3A Kellatie Road. The shadow diagrams provided with the application, which have been checked for accuracy, show that overshadowing impacts from the proposed dwelling addition will affect the habitable room windows at 5 Kellatie Road from approximately 1pm, however, the north facing living room windows will remain unaffected for the greater part of the day. Therefore, the proposed dwelling addition will not cause any unreasonable loss of amenity through loss of solar access to habitable rooms of dwellings on adjoining lots.
	<i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i>	Overshadowing impacts from the proposed dwelling addition will affect a portion of the backyard private open space at 21 Rosny Esplanade and 3A Kellatie Road in the morning. Shadow diagrams provided with the application, which have been checked and confirmed to be accurate, show that while there will be overshadowing impact onto the adjoining properties to the north-west during the morning, the overshadowing will be well clear of the properties by midday and onwards.

		Therefore, the proposed dwelling is not considered to result in an unreasonable loss of amenity to the adjoining lots at 21 Rosny Esplanade and 3A Kellatie Road. The shadow diagrams also show that the proposed dwelling addition will overshadow part of the backyard of 5 Kellatie Road in the morning, which contains an outbuilding currently being used as a home office. The designated private open space for 5 Kellatie Road is contained on the western and northern side of the dwelling. A deck, which forms part of the private open space is not impacted in the morning therefore will receive adequate solar access. The private open space to the northern end of the dwelling will be impacted in the afternoon from 3pm. As this is only for a short part of the day in the late afternoon, it cannot be considered to have an unreasonable detrimental impact on the amenity of the dwelling on the adjoining lot.
	<i>(iii) overshadowing of an adjoining vacant lot; or</i>	Not applicable as all adjoining lots are developed.
	<i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	The proposed development is surrounded by double storey dwellings apart from the dwelling on the adjoining lot to the south at 5 Kellatie Road which is a single storey dwelling. Therefore, the proposed development is consistent with the bulk and proportions of dwellings in the area.

		Due to the topography and height of the proposed dwelling addition, the proposal is visually prominent when viewed from an adjoining lot at 2/20 Rosny Esplanade and 21 Rosny Esplanade. However, the existence of established vegetation and the privacy fence on the south-western boundary will create a visual buffer between the dwelling on the adjoining lot and the proposed development On this basis, it is considered that the proposal will not cause unreasonable loss of amenity by visual impact when viewed from adjoining lots.
	<i>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area."</i>	The dwellings at 5 Kellatie Road, 7 Kellatie Road and 21 Rosny Esplanade offer similar side setbacks to the proposed development therefore the proposed separation distances are considered compatible with the separation distances evident in the surrounding area.

5. REPRESENTATION ISSUES

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

5.1. Loss of Privacy

Concern was raised that the proposal will have an unreasonable impact upon amenity by overlooking private open space and habitable rooms on adjoining lots.

- **Comment**

The proposed upper level living room window is 4m from the southern boundary and the proposed deck is 4m from the rear boundary and it meets the Acceptable Solutions under Clause 10.4.6 of the *Scheme* regarding privacy for dwellings. This issue therefore has no determining weight.

5.2. Loss of Property Values

Concern was raised that the proposed dwelling addition will have an adverse impact upon the value of property due to loss of the views and amenity.

- **Comment**

Impact upon property value is not a relevant consideration under the scheme and therefore not of determining weight.

5.3. Use of Dwelling

Concern was raised that the existing dwelling is being used as visitor accommodation and the proposed addition will be an extension of the current use.

- **Comment**

Planning permit D-2017/2 was granted on 31 January 2017 for change of use to visitor accommodation therefore the current use is consistent with the existing permit and this issue is not of determining weight.

The applicant has advised that the proposed dwelling addition is associated with residential use not visitor accommodation. If the addition is to be used for visitor accommodation or a multiple dwelling in the future, planning approval may be required. It is appropriate to confirm this through advice.

5.4. Noise

Concern was raised about the potential impact from noise associated with visitor accommodation.

- **Comment**

As stated previously, the applicant has advised that the proposed dwelling addition is associated with the single dwelling use.

5.5. Overshadowing

Concern was raised that the proposal will result in an unreasonable reduction of sunlight to habitable rooms and private open space for an adjoining property.

- **Comment**

As previously mentioned under the assessment section of this Report, shadow diagrams demonstrating the extent of overshadowing to the adjoining properties reveal that the level of overshadowing meets the relevant performance criteria.

5.6. Inaccuracy of Plans

Concern was raised in relation to the inaccuracies contained within the application documentation and plans. The inaccuracies relate to the reference of the dwelling at 5 Kellatie Road as a double storey dwelling on the site plan and also the omission of the south-west elevation for the existing dwelling.

- **Comment**

The concerns of the representor are noted, however the plans submitted with the application provides adequate information for the assessment of this proposal under the Scheme. The omission and incorrect referencing of the dwelling at 5 Kellatie Road does not change the nature of the assessment under the Scheme therefore this issue is of no determining weight.

5.7. On-site Parking

One representation is concerned with the lack of adequate on-site parking provision for the development. It is submitted that there should be 3 parking spaces provided for the proposed development.

- **Comment**

The Parking and Access Code requires the provision of two parking spaces for a single dwelling. The proposed development is for a single dwelling use and the site provides adequate space for the required number of vehicular parking space. Therefore, there is no scope for additional on-site parking to be required under the Code.

5.8. Density of Dwellings

Concern was raised in relation to the density of dwelling in relation to the proposed dwelling addition which can potentially be used as a self-contained unit.

- **Comment**

As mentioned previously the owner advised that proposed dwelling addition is associated with the single dwelling use. However, given the floor layout it could be suited to alternative use in the future. Therefore, as discussed above it is appropriate to provide advice regarding the relevant planning requirements.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

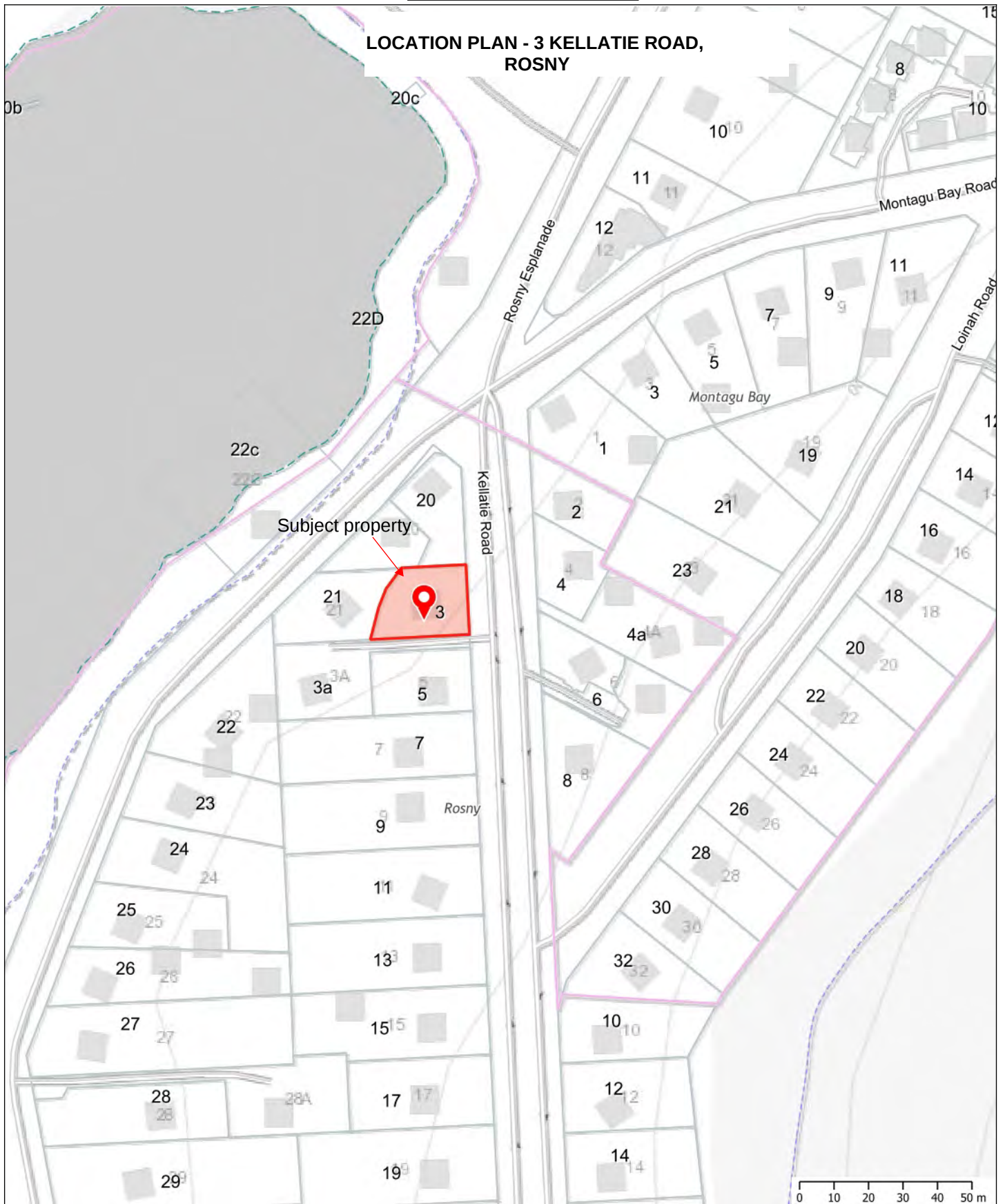
9. CONCLUSION

The proposal is for a dwelling addition at 3 Kellatie Road, Rosny. The proposal satisfies the relevant requirements of the Scheme and is recommended for conditional approval.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



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

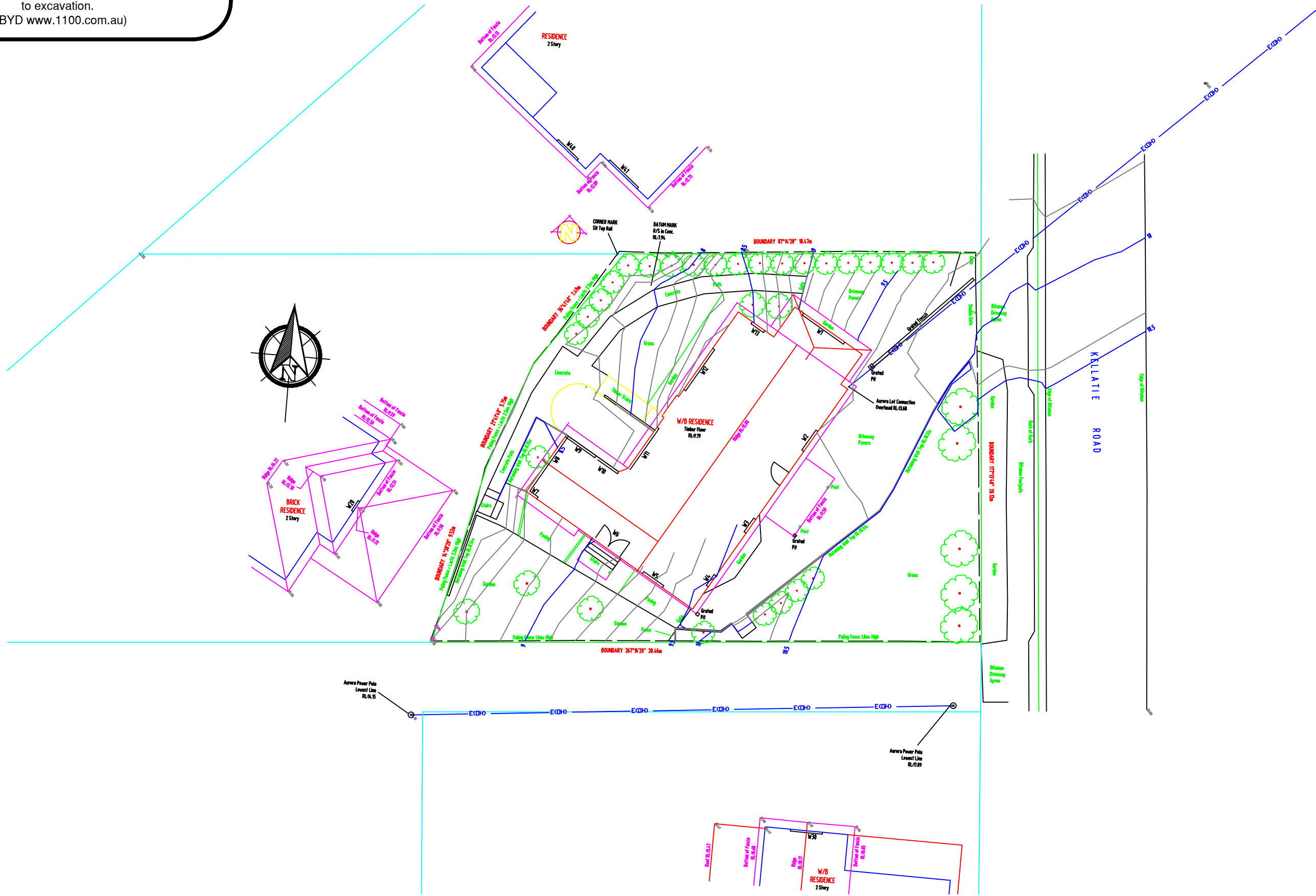
9/10/2020

1:1500



Attachment 2

Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation.
(DBYD www.1100.com.au)



Date	Rev.	Description
17-7-20		Issued for planning approval

Title: Lot 2 SP105693 - 494m²
Wind speed to AS4055 : N
Soil Class to AS 2870 : -
Energy: refer report
BAL: N/A>100m from unmanaged vegetation

Existing Site plan

R & M Jackson
Drafting Services
P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y

A1
Scale 1:200

Client : M&J Butler 3 Kellatie Road, Rosny	Issue : DRAFT (not to be used for construction)
Drawn by : RJ	Project No 20P0405
Date : April 2020	Sheet size A3

Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation. (DBYD www.1100.com.au)

ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT. DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

Clarence City Council
Interim Planning Scheme 2015
Zone : General Residential
Overlays : nil

EXISTING FLOOR AREAS
living - 115m²
decks - 15m²
portico - 8m²
TOTAL - 138m²

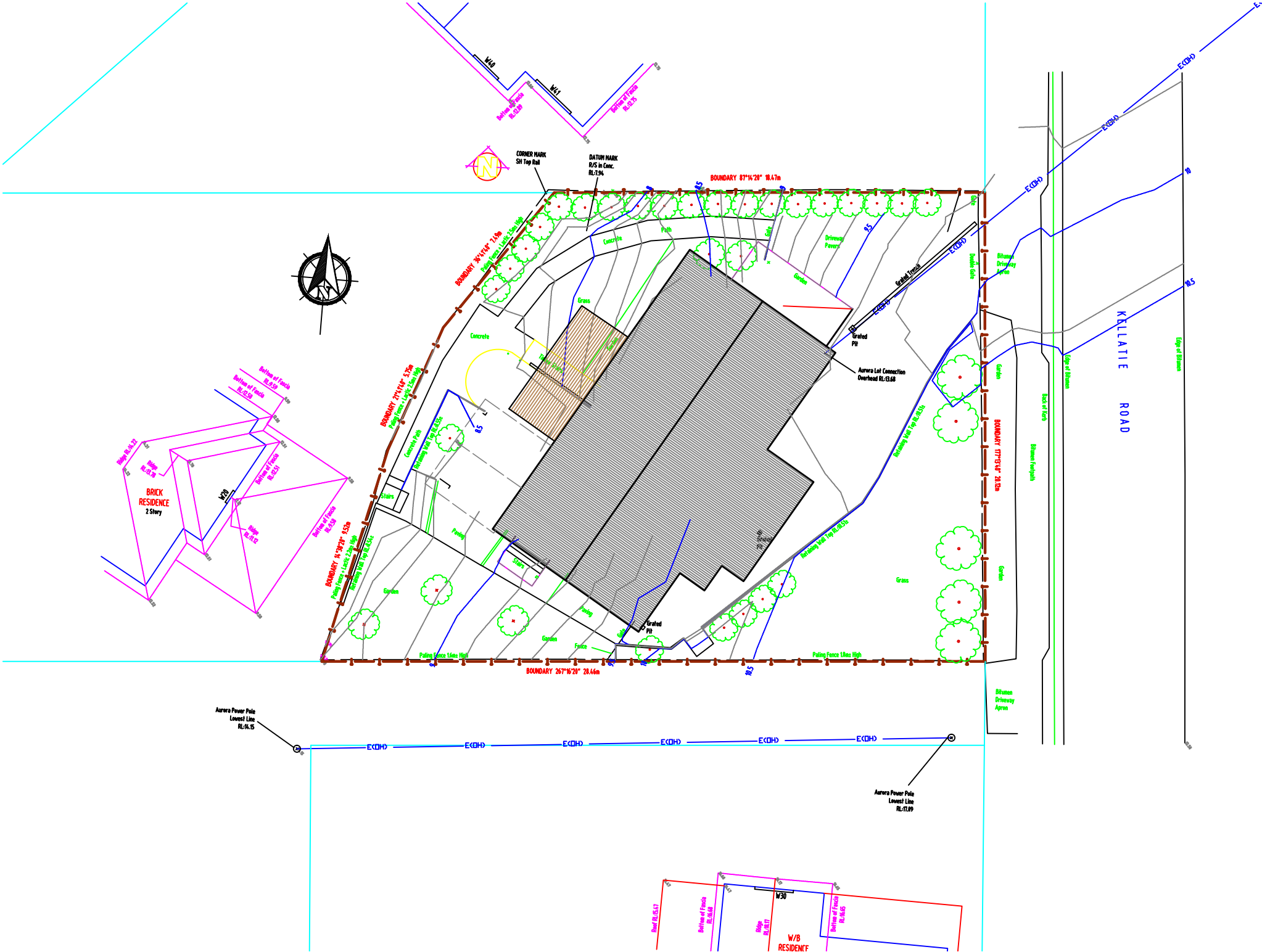
NEW FLOOR AREAS (additional)
living - 106m²
decks - 16m²

TOTAL (overall) - 252m²

SITE COVERAGE
site - 494m²
footprint - 142m²
= 28.7%

BAL - N/A

OH&S HAZARD
Type: public safety
Solution: provision of safety fencing around construction area



AMENDED PLANS

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BAL: N/A>100m from unmanaged vegetation

Proposed Site plan

R & M Jackson

Drafting Services

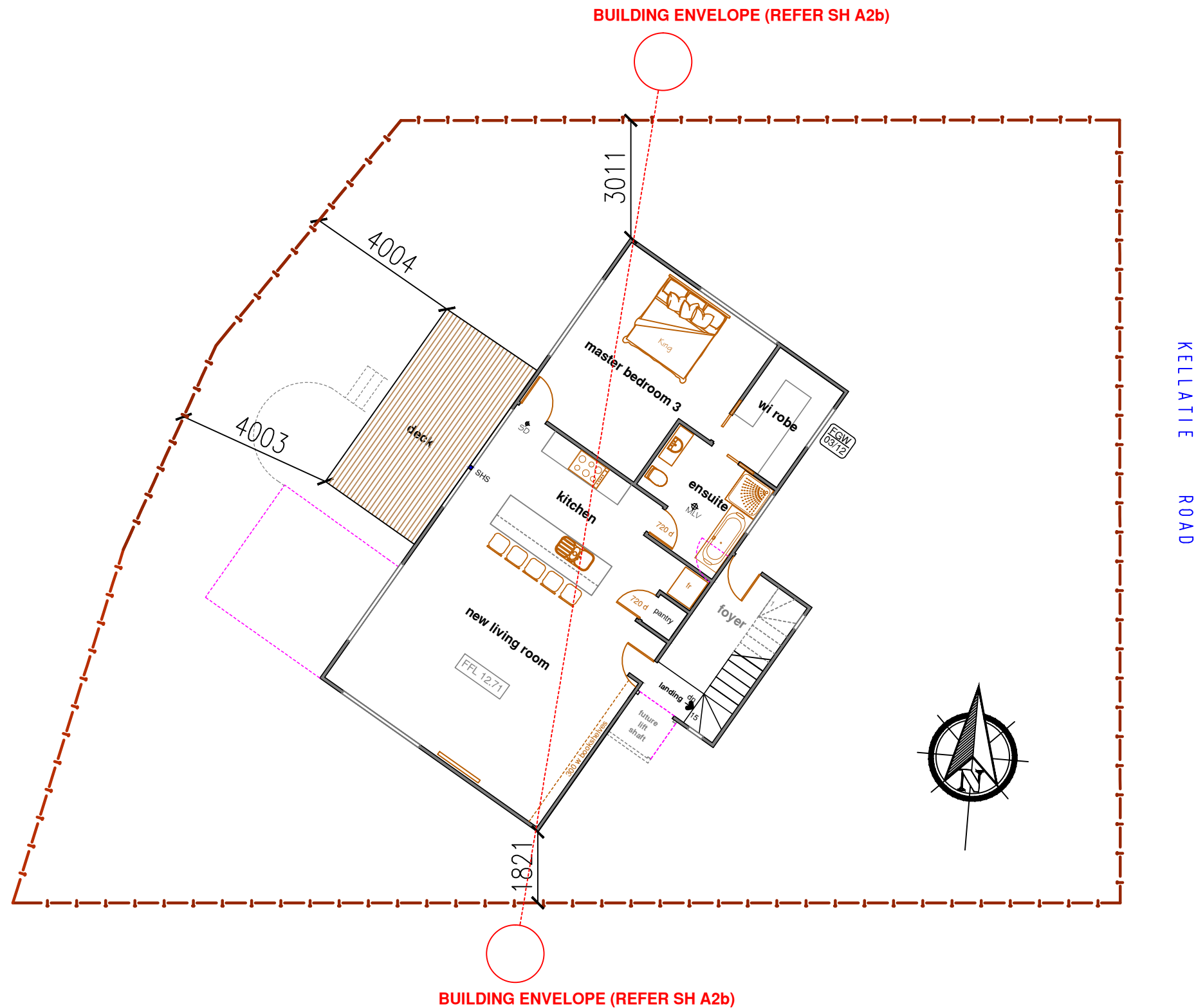
P. 03 62391019 E. jacksondrafting@gmail.com

Accredited Building Practitioner Licence No: CC340Y

A2

Scale 1:200

Client : M&J Butler	3 Kellatie Road, Rosny
Drawn by : RJ	Issue : DRAFT (not to be used for construction)
Date : April 2020	Sheet size A3 Project No 20P0405



AMENDED PLANS

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Building setbacks

R & M Jackson

Drafting Services

P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y

A2a

Scale 1:125

Client : **M&J Butler**
3 Kellatie Road, Rosny

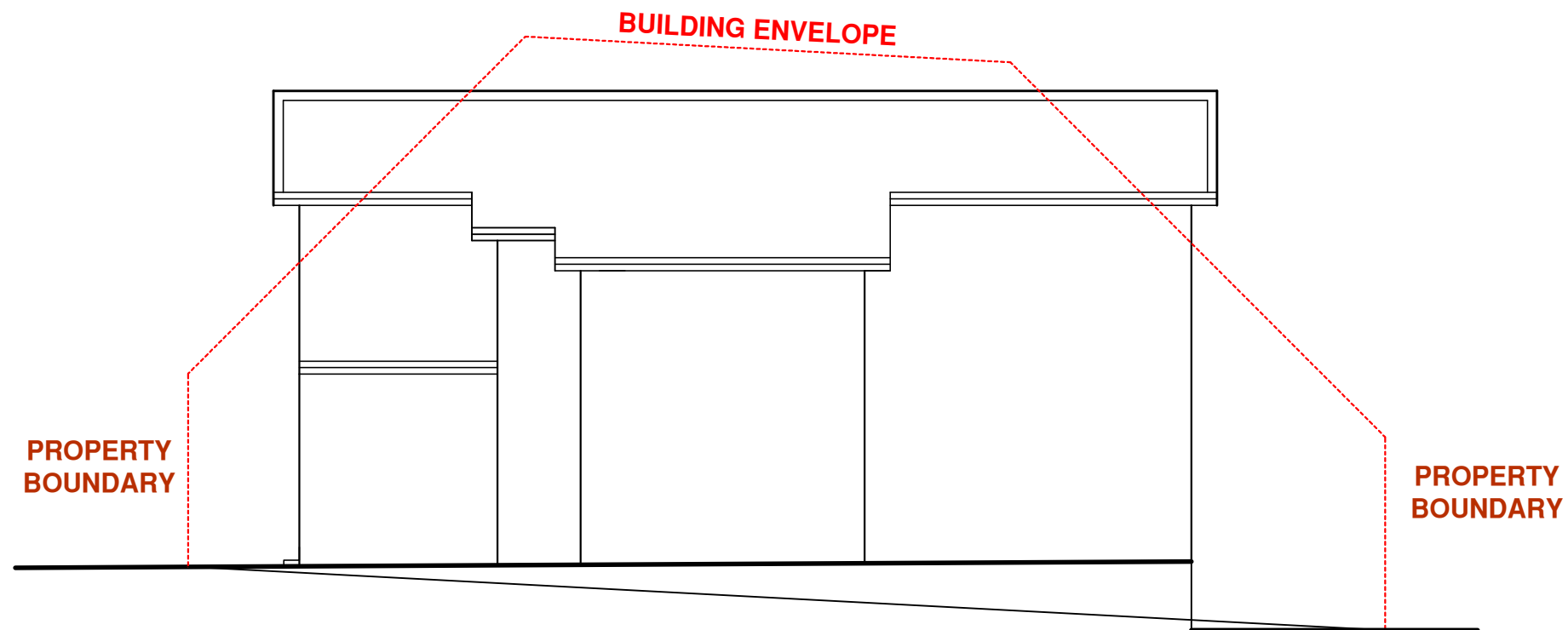
Drawn by : RJ

Issue : DRAFT
(not to be used for construction)

Date : April 2020

Sheet size
A3

Project No
20P0405



AMENDED PLANS

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Soil Class to AS 2870 :	-
Energy:	refer report
BAL:	N/A>100m from unmanaged vegetation

**Building
Envelope**

R & M Jackson
Drafting Services
P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y



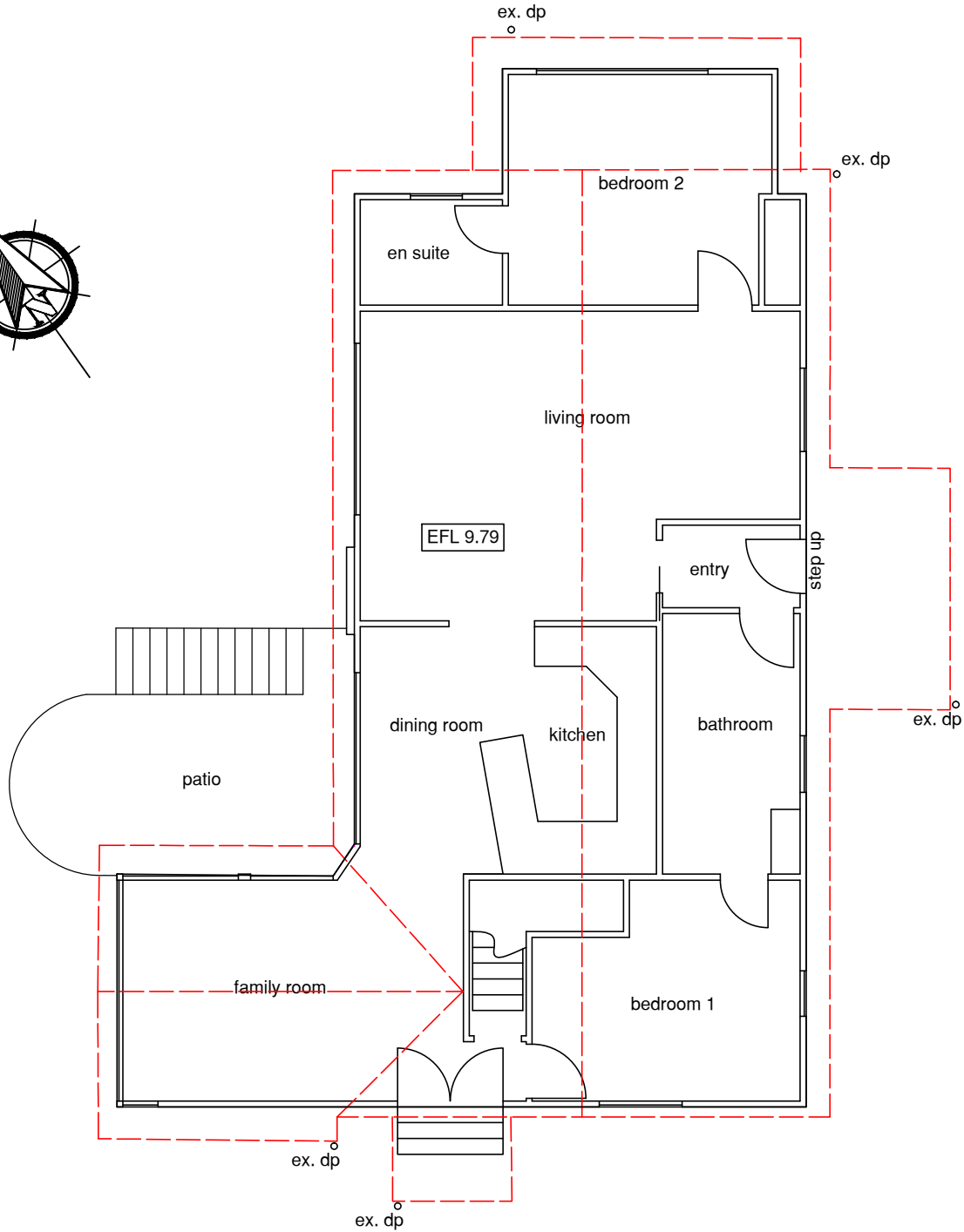
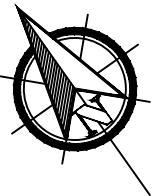
A2b

Scale 1:100

Client :	M&J Butler 3 Kellatie Road, Rosny		
Drawn by :	RJ	Issue : DRAFT (not to be used for construction)	
Date :	April 2020	Sheet size A3	Project No 20P0405

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Wind speed to AS4055 :	N
Soil Class to AS 2870 :	-
Energy:	refer report
BAL:	N/A-100m from unmanaged vegetation

Existing floor plan

R & M Jackson

Drafting Services

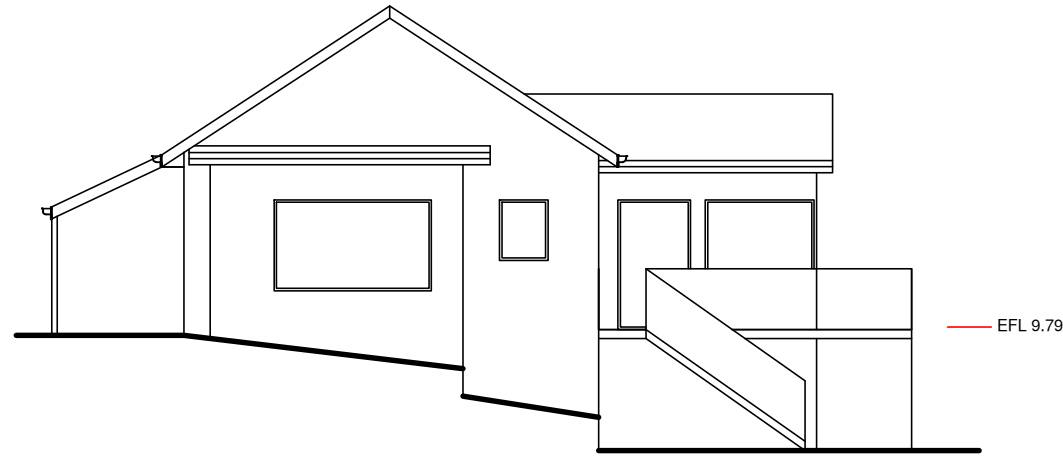
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Accredited Building Practitioner Licence No: CC340Y

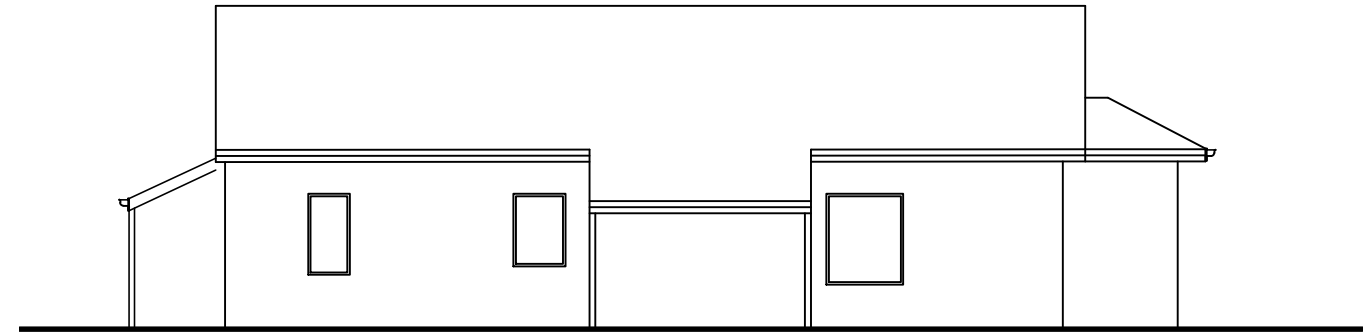
A3

Scale 1:100

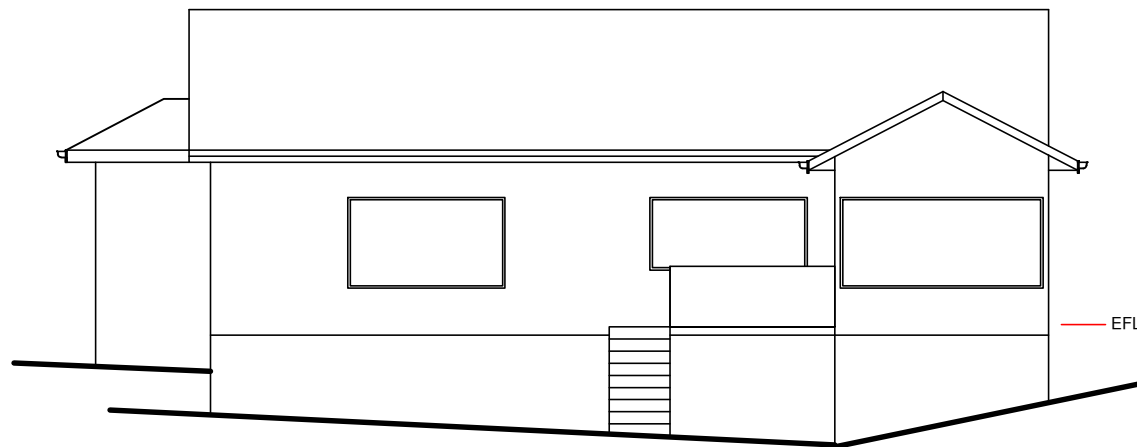
Client :	M&J Butler
	3 Kellatie Road, Rosny
Drawn by :	RJ
	Issue : DRAFT (not to be used for construction)
Date :	April 2020
	Sheet size A3
	Project No 20P0405



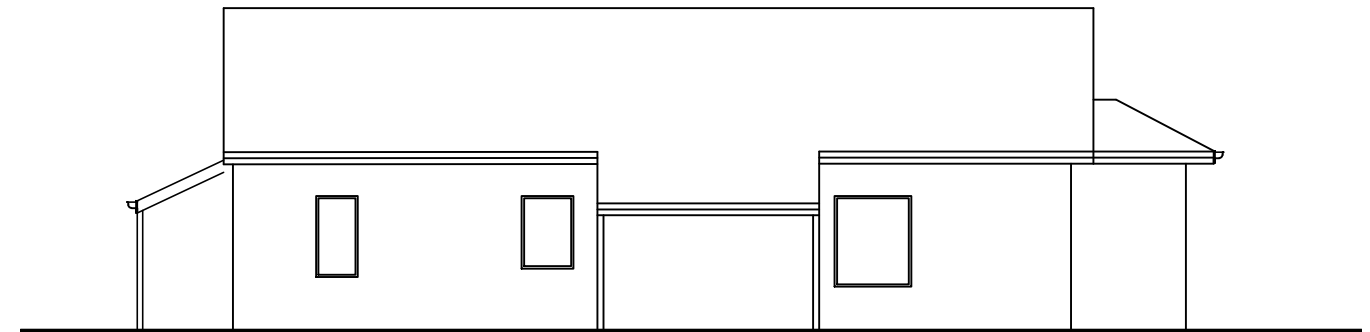
NORTH EAST



SOUTH EAST



NORTH WEST



SOUTH EAST

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Soil Class to AS 2870 :	-
Energy:	refer report
BAL:	N/A>100m from unmanaged vegetation

Existing Elevations

R & M Jackson
 Drafting Services
 P. 03 62391019 E. jacksondrafting@gmail.com
 Accredited Building Practitioner Licence No: CC340Y

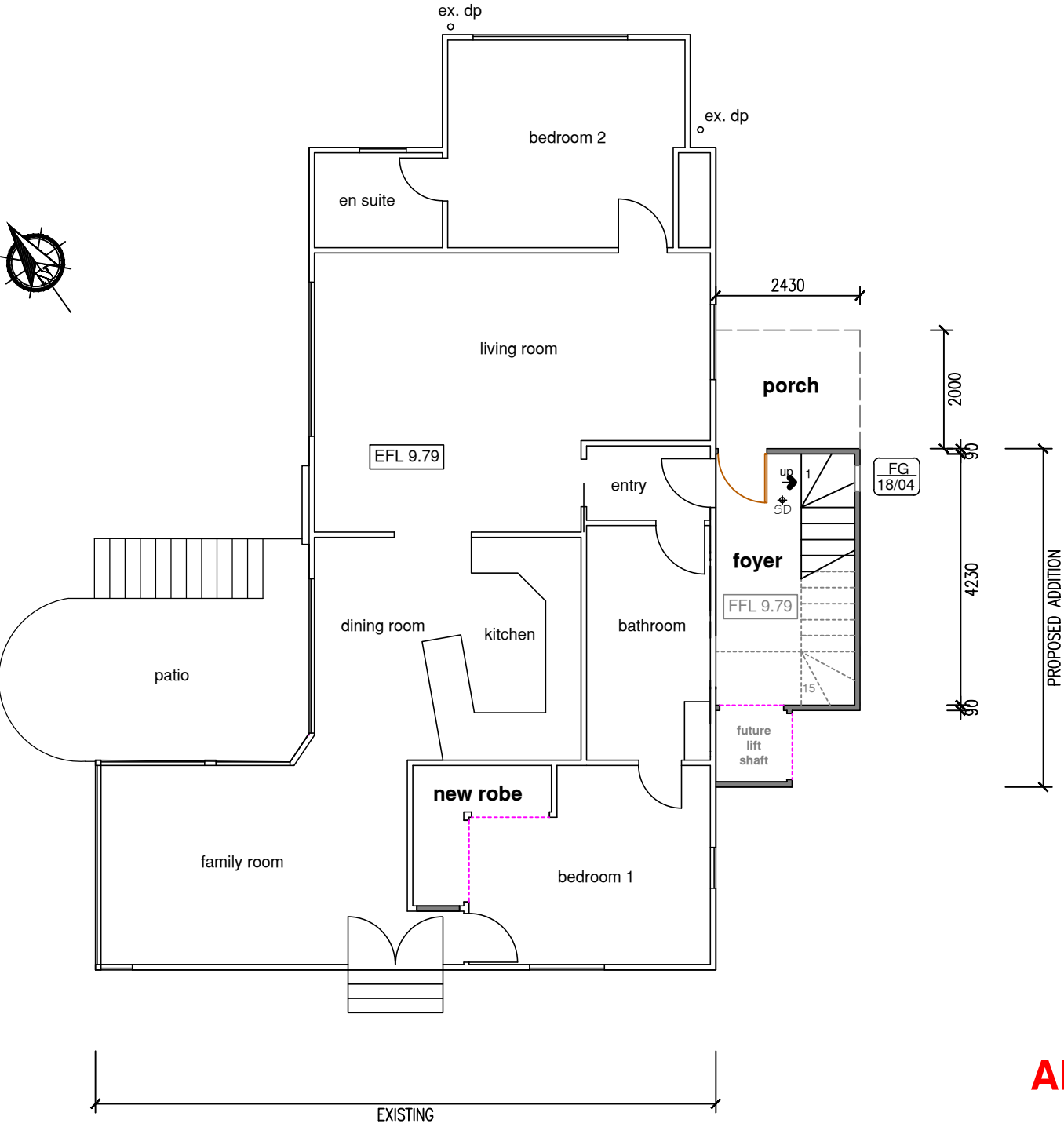


A3a
 Scale 1:100

Client :	M&J Butler 3 Kellatie Road, Rosny		
Drawn by :	RJ	Issue : DRAFT (not to be used for construction)	
Date :	April 2020	Sheet size A3	Project No 20P0405

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Soil Class to AS 2870 :	-
Energy:	refer report
BAL:	N/A>100m from unmanaged vegetation

Proposed floor plan - lower level

R & M Jackson

Drafting Services

P. 03 62391019 E. jacksondrafting@gmail.com

Accredited Building Practitioner Licence No: CC340Y

A4

Scale 1:100

Client :	M&J Butler
	3 Kellatie Road, Rosny
Drawn by :	RJ
	Issue : DRAFT
	(not to be used for construction)
Date :	April 2020
	Sheet size A3
	Project No 20P0405

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ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT. DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

NOTES:-

1. Kitchen to be provided with rangehood vented externally.
2. All MLV's to be vented externally (can interconnect in roof space) and to be provided with time delay switches.
3. All cupboards adjacent to external walls to be provided with air vents
4. ARTIFICIAL LIGHTING - max. 5 watts/m² for living areas max. 4 watts/m² for balconies, verandahs max. 3 watts/m² for Class 10a buildings (assoc. with Class 1a)
5. All windows are to be positioned centrally within walls UNO
6. Provide 12mm ply blocking between studs at positions of handrails etc in WC's and bathrooms etc.
7. All doors UNO to be 2040x820
8. WC door to either inward swing with removable hinges, outward swing, slide, or inward swing with 1200mm min. between doorway and pan

Door & window Tag Legend

(sizes examples only - refer to floor plan for actual)

	Single Glazed Safety Glass Window (1000h x 900w)
	Single Glazed Window (1000h x 1800w)
	Double Glazed Window (1000h x 1800w)
	Single Glazed Sliding Doors (2100h x 1800w)
	Double Glazed Sliding Doors (2100h x 1800w)
	Fixed Glass Window (1000h x 900w)
	Double Glazed Safety Glass Window (1000h x 900w)

d/h denotes double hung / slid. denotes sliding / aw. denotes awning

NOTE: * bathroom and wc glazing to be obscure unless directed otherwise by owners

* Where windows are > 2m (bedrooms) and > 4m (all others) above external surface refer table above

	Denotes mech. light & ventilation to AS1668.2
	Denotes wired-in smoke detector to AS 3786
NOTE: All to be interconnected to operate simultaneously	

NOTE: ALL WINDOWS TO BE ALUM. FRAMED

REFER ENERGY ASSESSMENT RE: U and SHGC values

WINDOW / DOORS TO BE MANUFACTURED TO - **BAL N/A - N2**

WINDOW SPECIFICATIONS TO NCC :-

BEDROOMS where external fall height >2m

- * where opening is more than 1700mm (sill) above floor NO opening restrictions.
- * where opening is within 1700mm above floor and has climbable element between 150mm and 750mm, opening to be restricted to 125mm or fitted with a non-removable robust screen.
- * where opening is between 865mm and 1700mm above floor and has no climbable element between 150mm and 760mm above floor, opening to be restricted to 125mm or fitted with a removable robust screen.
- * where opening is within 865mm above floor and has climbable element between 150mm and 760mm above the floor, opening to be restricted to 125mm or fitted with non-removable robust screen.

ALL OTHERS where external fall height >4m

- * where window transom is above 865mm above floor and a sill height less than 150mm and no opening within 865mm above floor, NO opening restriction required.
 - * as above - where sill is greater than 150mm, opening to be restricted.
 - * where window transom is below 856mm above the floor and sill is less than 150mm, opening is to be restricted.
- This note is for information only - manufacturer to confirm and liaise with builder and owner.

WINDOWS AND DOORS

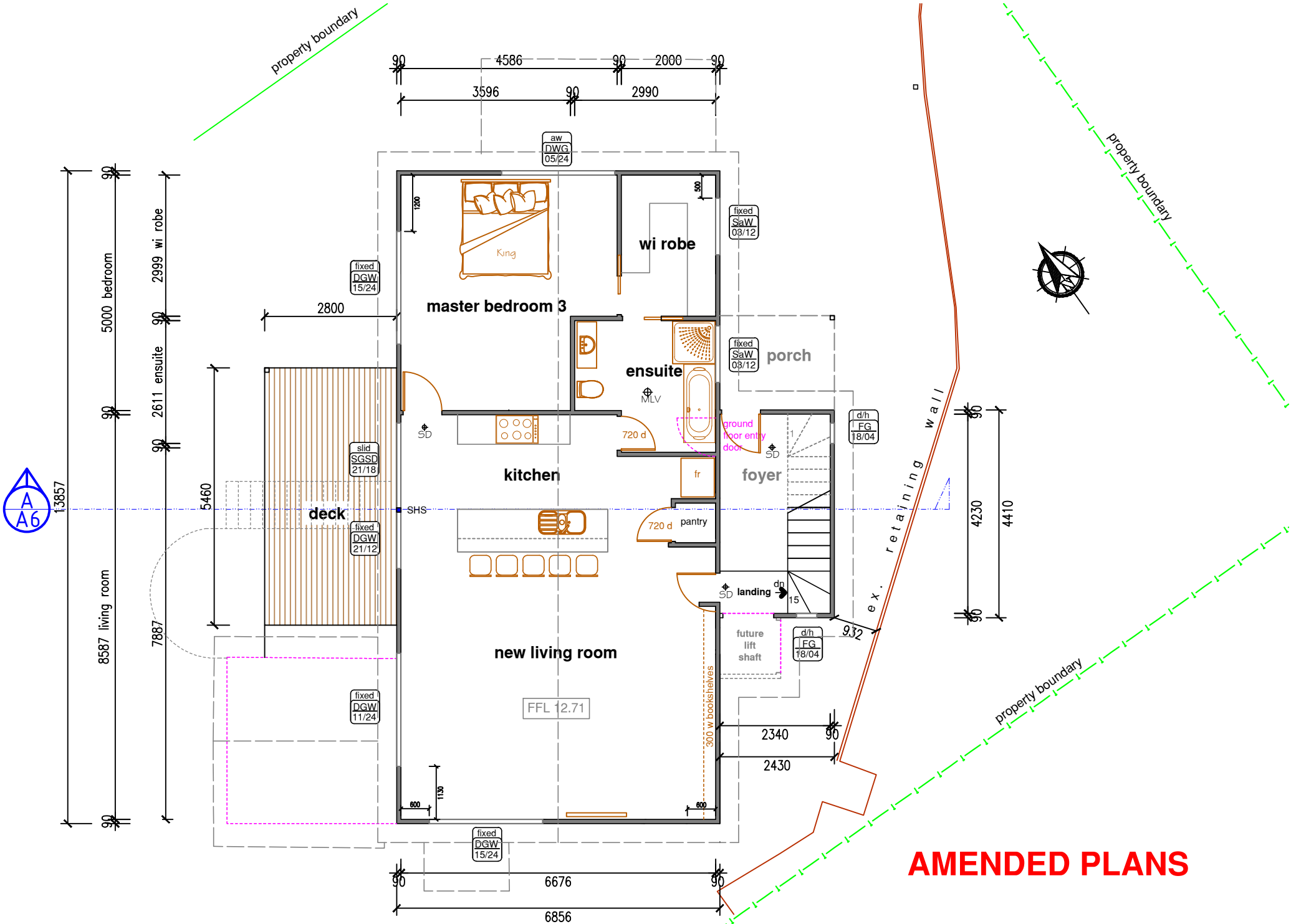
FRAME - aluminium

LIGHT COMPLIANCE

LIVING/KIT	5.2m² REQU'D	14.43m² PROVIDED
BEDROOM 3	2.1m² REQU'D	4.32m² PROVIDED

VENTILATION COMPLIANCE

LIVING/KIT	2.6m² REQU'D	2.65m² PROVIDED
BEDROOM 3	1.05m² REQU'D	1.20m² PROVIDED



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Proposed floor plan - upper level

R & M Jackson

Drafting Services

P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y

A4a

Scale 1:100

Client : **M&J Butler**
3 Kellatie Road, Rosny

Drawn by : **RJ** **Issue : DRAFT**
(not to be used for construction)

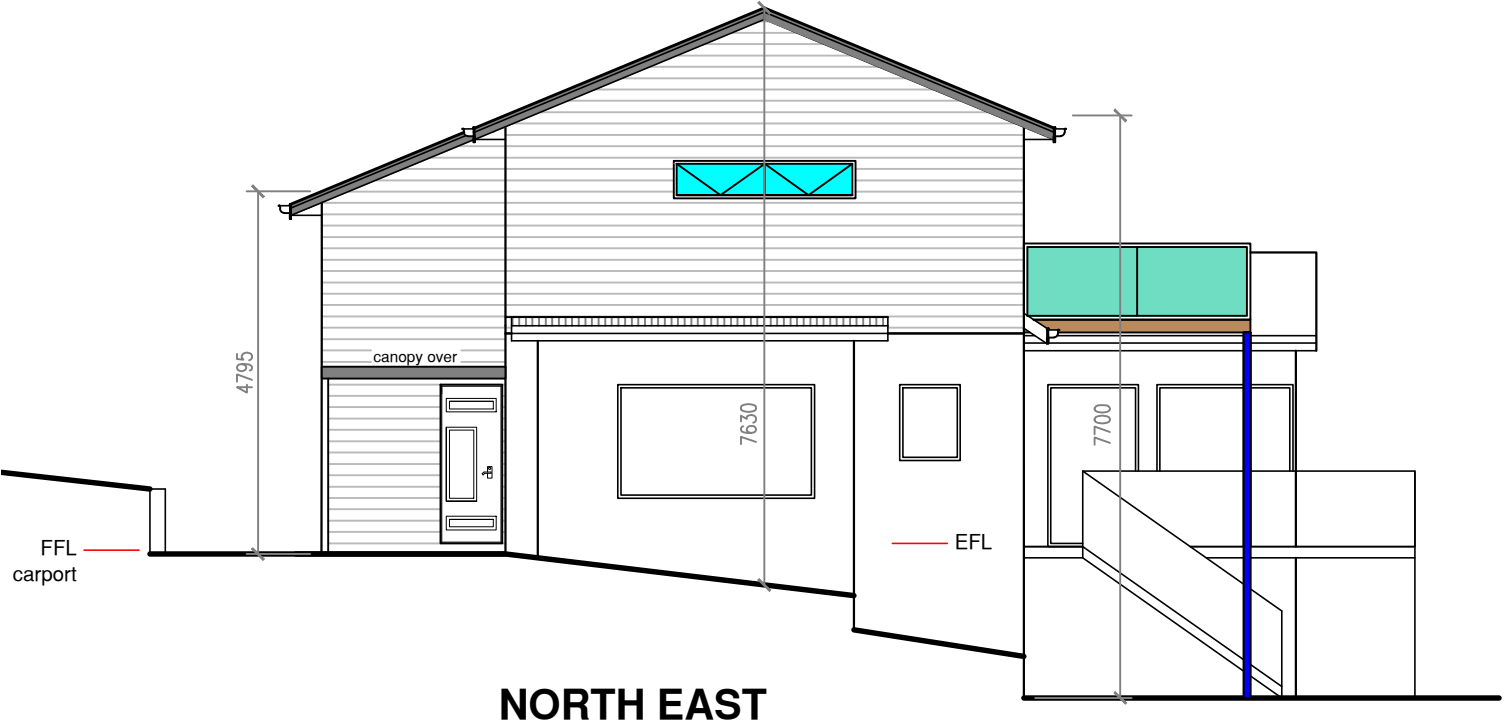
Date : **April 2020** Sheet size **A3** Project No **20P0405**

NOTES :

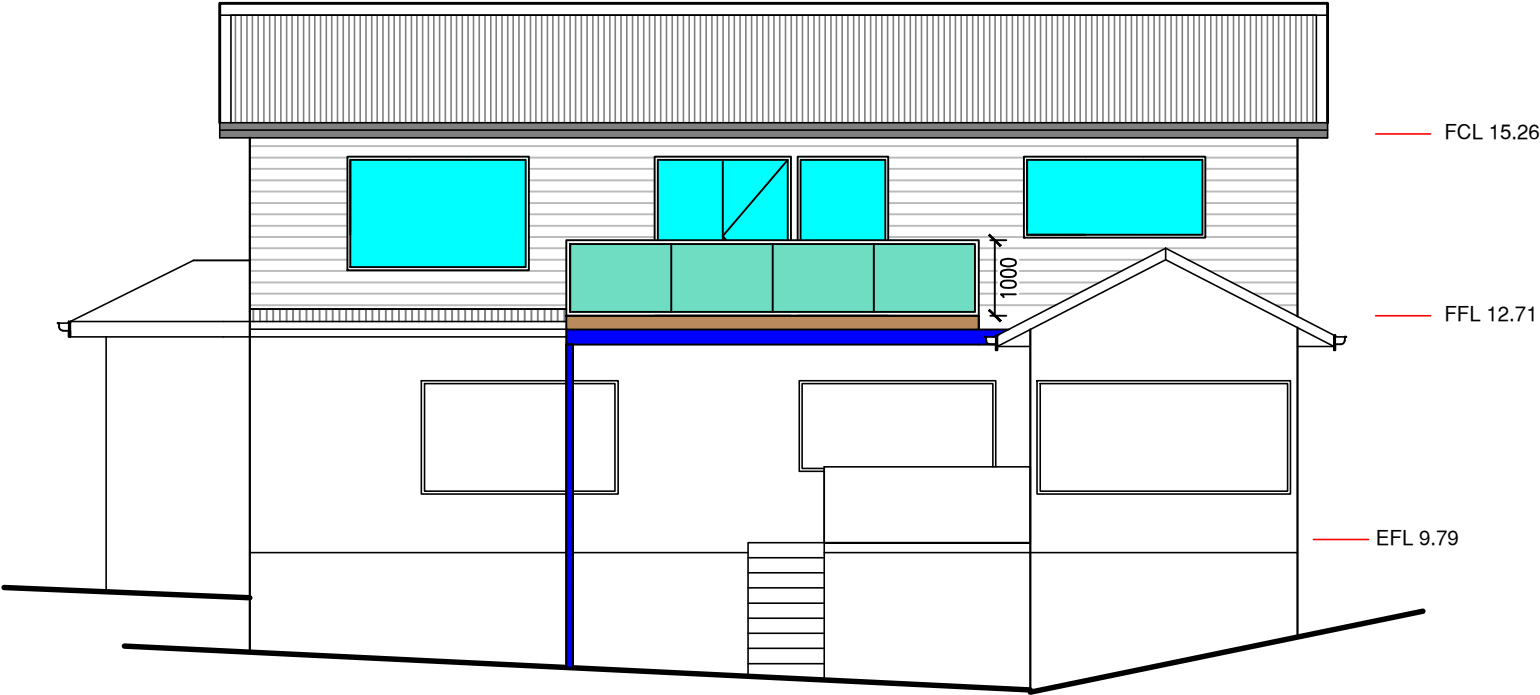
- * Subfloor vents in accordance with Tas. attachment
- * Articulation joints (AJ) indicative only and to be in accordance with details as per Sh BC1
- * All external cladding to be provided with timber battening (eg- 42x19 treated pine) fixed to studs over wall sarking.

Schedule

- Windows / doors
- James Hardie Scyon Linea weatherboards - 'Paperbark'
- Custom Orb colourbond roofing - 'Woodland Grey'
Solar absorption - 0.71
BCA classification - Dark
- Balustrade to details Sh A6a



NORTH EAST



NORTH WEST

AMENDED PLANS

- ABBREVIATIONS
- NSL - natural surface level
 - ESL - existing surface level
 - FSL - final surface level
 - EFL - existing floor level
 - FFL - finished floor level
 - FCL - finished ceiling level
 - U/S - underside
 - JH - joinery height

Date	Rev.	Description
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Title:	Lot 2 SP105693 - 494m ²
Wind speed to AS4055 :	N
Soil Class to AS 2870 :	-
Energy:	refer report
BAL:	N/A>100m from unmanaged vegetation

Elevations

R & M Jackson
Drafting Services
P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y

A5
Scale 1:100

Client :	M&J Butler 3 Kellatie Road, Rosny
Drawn by :	RJ Issue : DRAFT (not to be used for construction)
Date :	April 2020
Sheet size	A3
Project No	20P0405

NOTES :

- * Subfloor vents in accordance with Tas. attachment
- * Articulation joints (AJ) indicative only and to be in accordance with details as per Sh BC1
- * All external cladding to be provided with timber battening (eg- 42x19 treated pine) fixed to studs over wall sarking.

Schedule

- Windows / doors
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AMENDED PLANS

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Elevations

R & M Jackson

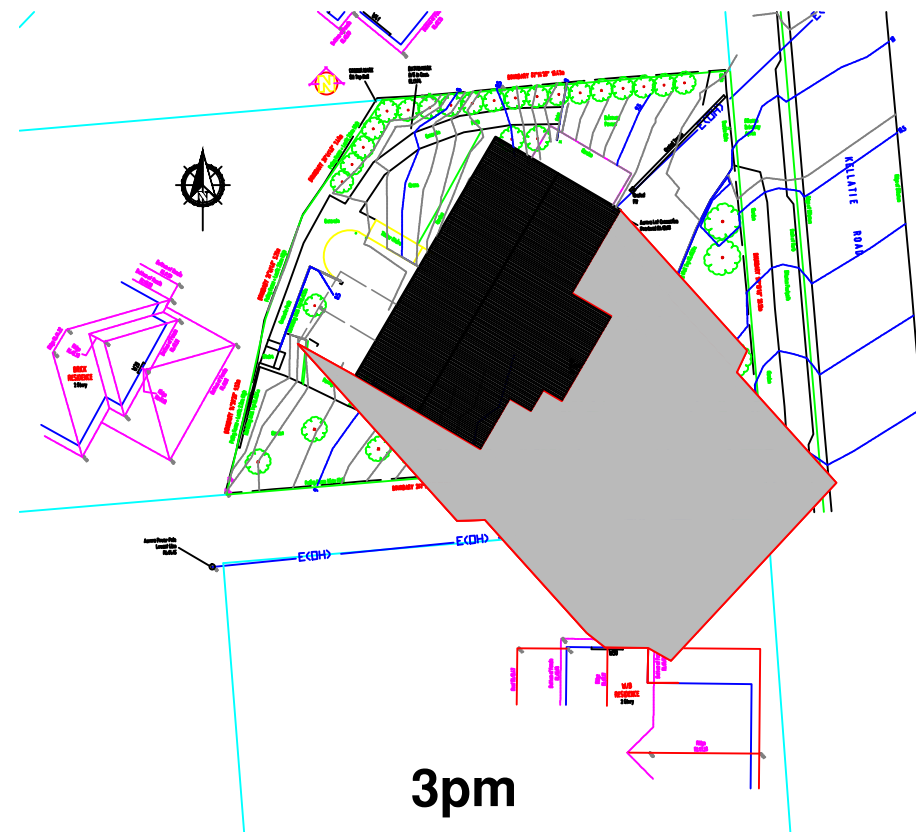
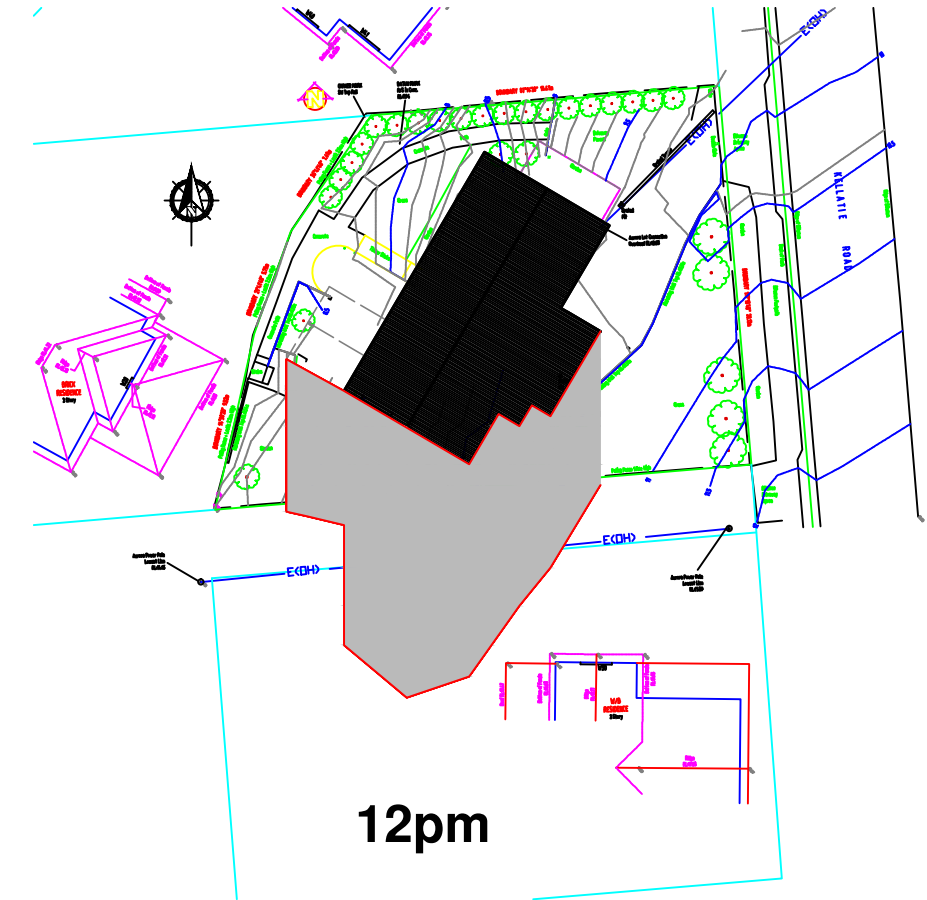
Drafting Services
P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y



A5a

Scale 1:100

Client :	M&J Butler 3 Kellatie Road, Rosny
Drawn by :	RJ
Date :	April 2020
Issue :	DRAFT (not to be used for construction)
Sheet size	A3
Project No	20P0405



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**Sun shading
diagram June
Solstice**

R & M Jackson
Drafting Services
P. 03 62391019 E. jacksondrafting@gmail.com
Accredited Building Practitioner Licence No: CC340Y



A5b
Scale 1:400

Client : M&J Butler 3 Kellatie Road, Rosny	Issue : DRAFT (not to be used for construction)
Drawn by : RJ	Project No 20P0405
Date : April 2020	Sheet size A3

Attachment 3



Photo 1: Site viewed from Kellatie Road.



Photo 2: Site viewed from northern property boundary

**11.3.4 SECTION 43A AMENDMENT APPLICATION PROPOSED ORDINANCE
AMENDMENT TO GENERAL RESIDENTIAL ZONE USE TABLE AND
CHANGE OF USE TO BUSINESS AND PROFESSIONAL SERVICES
(OFFICE) (PDPSPAMEND-2020/010193) – 7 GORDONS HILL ROAD,
BELLERIVE**

(File No PDPSPAMEND-2020/010193)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a combined Section 43A application for a planning scheme amendment and change of use to Business and Professional Services (Office) at 7 Gordons Hill Road, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the provisions of the Clarence Interim Planning Scheme 2015 (the Scheme). No change to the zoning of the land is proposed. It is also subject to the Road and Rail Assets Code, Parking and Access Code and Stormwater Management Code.

The use of the land for Business and Professional Services (Office) is currently Prohibited in the General Residential Zone.

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

Essentially, the savings and transitional provisions apply to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule and includes the Scheme.

Section 43A(1) of LUPAA provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

Applications made under Section 43A are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised. Draft Permit conditions would also be advertised for public comment as part of the public consultation process for the combined amendment and change of use.

RECOMMENDATION:

- A. That Council resolves, under Section 30O(1) of the Land Use Planning and Approvals Act 1993 that the draft Amendment PDPSPAMEND-2020-0010193 to amend the General Residential Use Table is:
- (i) limited to a local provision;
 - (ii) practical; and
 - (iii) consistent with the Southern Tasmanian Regional Land Use Strategy 2010-2035.
- B. That Council resolves, under Section 34(1) of the Land Use Planning and Approvals Act 1993 to initiate draft Amendment PDPSPAMEND-2020-010193.
- C. That Council resolves, under Section 35(1) of Land Use Planning and Approvals Act 1993 that draft Amendment PDPSPAMEND-2020-010193 meets the requirements specified under Section 32.
- D. That Council resolves, under Section 35(2) of Land Use Planning and Approvals Act 1993, to prepare and certify draft Amendment PDPSPAMEND-2020-010193, sign the instrument as required and to forward it to the Tasmanian Planning Commission.
- E. That the change of use to Business and Professional Services (Office) at 7 Gordons Hill Road, Bellerive be approved subject to the following conditions and advice.
- 1. GEN AP1 – ENDORSED PLANS.
 - 2. GEN C1 – ON-SITE CAR PARKING [6].
 - 3. ENG A1 – NEW CROSSOVER [5.5M] [TSD-R09 (Urban)].
 - 4. ENG A5 – SEALED CAR PARKING.
 - 5. ENG M1 – DESIGNS DA.
 - 6. GEN S1 – SIGN CONSENT.
 - 7. ENG S1 – INFRASTRUCTURE REPAIR.
 - 8. TASWATER CONDITION.
- F. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

SECTION 43A AMENDMENT APPLICATION PROPOSED ORDINANCE AMENDMENT TO GENERAL RESIDENTIAL ZONE USE TABLE AND CHANGE OF USE TO BUSINESS AND PROFESSIONAL SERVICES (OFFICE) (PDPSPAMEND- 2020-010193) – 7 GORDONS HILL ROAD, BELLERIVE /contd...

ASSOCIATED REPORT

1. BACKGROUND

- 1.1.** Draft amendment A-2008/30 to rezone land at 17-17A, 19, 21, 23, 25, 27 and 29 Gordons Hill Road from Residential D to Local Business under the Clarence Planning Scheme 2007 was considered by the former RPDC on 19 May 2009. The principal use of the properties involved in the amendment was residential, however the amendment sought to legalise an office and store use conducted on 19 Gordons Hill Road. The amendment was sought to effectively extend the adjoining Rosny Park business area.
- 1.2.** Permit D-2007/455 for 17 and 17A Gordons Hill Road was approved on 14 December 2007 to convert the existing dwelling (within the Residential D Zone) and motor repairs garage to a consulting room (Podiatry).
- 1.3.** Permit D-2010/546 for 19 Gordons Hill Road was approved on 6 September 2010 to convert the use of the existing dwelling (within the Residential D Zone) to an office/store (Hi-Lite Plastering).
- 1.4.** A home-based business (Financial office) is currently operating from the property at 7 Gordons Hill Road, Bellerive. The Scheme restricts the scale of a home-based business to 50m² floor area. The owner now seeks to expand the business conducted from the site which is the subject of the application before Council.

2. STATUTORY IMPLICATIONS

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

- 2.2.** The proposed use of the land for Business and Professional Services (Office) is a prohibited use in the General Residential Zone. The use is also prohibited on the basis it would displace an existing residential use with a non-residential use. Consequently, a Planning Scheme Amendment would be needed before an application could be entertained.
- 2.3.** The savings and transitional provisions of LUPAA (Schedule 6) specifies that the former Act applies to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule. Section 43A(1) of the former Act provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.
- 2.4.** The proposal is submitted under Section 43A of the LUPAA and is seeking a combined planning scheme amendment and planning approval for a change of use to Business and Professional Services (Office).
- 2.5.** If certified, the application will then be advertised for public comment and subject to further review based on any representations received by Council, prior to it being forwarded to the TPC for final consideration. In addition, should it be considered appropriate, under Section 35 Council has the power to direct that the amendment be modified.
- 2.6.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
 - Section 8.11 – Conditions and Restrictions on a Permit;
 - Section 10.0 – General Residential Zone;
 - Section E5.0 – Road and Railway Assets Code;
 - Section E6.0 – Parking and Access Code;
 - Section E7.0 – Stormwater Management Code.

3. PROPOSAL IN DETAIL

The proposal is described in two parts. Part A involves a site-specific amendment to the General Residential Zone Use Table to allow Business and Professional Services (Office) use at 7 Gordons Hill Road on a discretionary basis. Part B involves the removal of part of the current Business and Professional Services use qualification restricting a residential use from being displaced with a non-residential use. The later part of the amendment seeks to bring the current Scheme into greater conformity with State Planning Provisions (SPPs) which will form part of the TPS once finalised.

In addition to the applicant's Planning Report (Ireneinc Planning and Urban Design – June 2020, a copy of which is included in the Attachments) the applicant submitted the following documents to accompany the proposal (refer Attached):

- Site Plan; and
- Floor Plans.

3.1. The Site

The site is described in Certificate of Title CT71052/3 and is known as 7 Gordons Hill Road, Bellerive. The site has a land area of 617m² and is developed with a two-storey weatherboard residential dwelling with a total floor area of 268m². The site has frontage to and obtains access from Gordons Hill Road. The site is fully serviced. A recent aerial image of the site is contained in the Attachments. Although the site is adjoined by residential properties, the strip is essentially a mixed use one, lying opposite Rosny Park. The map below shows zonings and non-residential uses which support this description.

The site is located primarily within a residential area. The site is adjacent to similar scale residential properties to the north, east and south. However, several existing non-residential uses occur within the General Residential Zone nearby including a podiatry at 17-17A Gordons Hill Road and a plastering business at 19 Gordons Hill Road.

Immediately to the west of the site is the Rosny Park principal activity centre accommodated within the Central Business Zone. Gordons Hill Road currently defines the extent of the Activity Centre except for Local Business zoned land located nearby on the eastern side of Gordons Hill Road to the south (Petrol station at 1 Gordons Hill Road) and north (café, employment agency, early learning centre and veterinary hospital at 31-37 Gordons Hill Road).

A zone map, aerial photograph and map showing the location and type of commercial uses within proximity of the site is included in the attachments.

3.2. The Amendment

It is proposed to modify the General Residential Zone 10.2 Use Table in the following manner:

Delete:

Discretionary Use

Use Class	Qualification
Business and Professional Services	Only if a consulting room, medical centre, veterinary surgery or child health clinic and not displacing a residential use.

and replace with:

Discretionary Use

Use Class	Qualification
Business and Professional Services	Only if a consulting room, medical centre, veterinary surgery or child health clinic. Only if for office use at 7 Gordons Hill Road, Bellerive (CT 71052/3)

The current ordinance provides that a Business and Professional Services use must not displace a residential use. The amendment seeks to remove this qualification to align with the SPP.

3.3. Modified Amendment

Should Council resolve to initiate an amendment, Section 35 of LUPAA specifies that after preparing a draft amendment Council must determine whether (or not) the draft amendment meets the requirements of Section 32. Should Council be satisfied that the amendment is in order, it may certify the Amendment as meeting S.35. However, pursuant to S.35(b), if Council is not satisfied that the amendment meets the requirements of S.32, then it should proceed to modify the amendment until it does. In this instance the proposed amendment is workable and if supported is a form that does not warrant modification.

3.4. The Change of Use

It is proposed to change the use of 7 Gordons Hill Road to Business and Professional Services (Office) to enable the existing building (dwelling) to be used as a financial services office.

The change of use will require minor external modifications including the provision of car parking at the front and rear of the site.

The internal layout of the proposed office is shown in the Attachments. Other details are:

- the proposed hours of operation are 8.00am to 6.00pm;
- external lighting is not proposed;
- the business will not require commercial vehicle movements;
- no signage is proposed.

4. PLANNING ASSESSMENT

An Assessment of the proposed change of use is as follows.

4.1. Zones

As previously stated, the subject land is currently zoned General Residential. The proposal is unable to meet the definition of a Home-Based Business as defined under Section 4.1 of the Scheme in that more than 50m² of floor area of the dwelling would be used for non-residential purpose and the residential occupation of the building is intended to cease.

The proposal is therefore required to be classified under the use classes listed under Table 8.2 of the Scheme.

The proposed financial services office falls within the Business and Professional Services use class which is defined as:

“use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.”

Section 4.1.3 of the Scheme defines an office as: *“means use of land for administration, or clerical, technical, professional or other similar business activities.”*

An office use is currently a prohibited use in the zone and the reason behind the draft amendment.

Should the amendment be approved, the site would be subject to the provisions of the General Residential Zone (as is currently the case) and an office use would be a discretionary use in the zone only on the site at 7 Gordons Hill Road. It will also be possible for non-residential uses listed within the General Residential Use Table to occur in instances where they may be displacing an existing residential use (which is not currently the case) in order to match the SPP.

4.2. General Residential Zone

A copy of the applicant's Planning Report is included in the Attachments. The proposed change of use meets all relevant Acceptable Solutions of the General Residential Zone.

4.3. Codes

The proposal requires assessment against the following Codes:

E5.0 - Road and Rail Assets Code;

E6.0 - Parking and Access Code; and

E7.0 - Stormwater Management Code.

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

Parking and Access Code

The proposed change of use meets all relevant Acceptable Solutions of the Parking and Access Code with the exception of the following.

- **Parking and Access Code Clause E6.6.1 A1 (Number of parking spaces)** – Based on the floor area of 268m², nine on-site car parking spaces are required by the Acceptable Solution. A total of six spaces are proposed, resulting in a shortfall of three spaces.

Performance Criteria	Proposal
<i>“P1 - The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</i>	See below assessment
<i>(a) car parking demand;</i>	For reasons discussed under Clause (k) below, the provision of six car parking spaces is considered to meet the demand generated under Council’s Interim Car Parking Plan which ought to be applied in this instance.
<i>(b) the availability of on-street and public car parking in the locality;</i>	While there is on-street parking available nearby, the proposed parking variation can be supported having regard to the demand for parking generated under the Interim Car Parking Plan. This issue is discussed in further detail below.
<i>(c) the availability and frequency of public transport within a 400m walking distance of the site;</i>	The Rosny Park bus mall is located a 230m walk to the west of the site. The Rosny Park bus mall provides a regular bus service to Hobart. Access to surrounding suburbs by bus generally involves two separate bus trips. While the site is provided with convenient access to public transport, the public transport available is limited to a bus service which is not considered to be of a suitable standard to form a sustainable alternative to car ownership given the distance from the City of Hobart and outer lying suburbs.

	It is therefore considered most staff and clients will be car dependent.
<i>(d) the availability and likely use of other modes of transport;</i>	The other alternative modes of transport available to the site are walking, cycling and taxi services available along Bligh Street. The Rosny Park area lacks dedicated cycle lanes and contains busy streets which may reasonably discourage cyclists from relying on this as a reliable alternative means of transport. The distance to recreation facilities, the City of Hobart and outer lying suburbs also precludes walking as a viable alternative for most clients. It is therefore considered most staff and clients will be car dependent.
<i>(e) the availability and suitability of alternative arrangements for car parking provision;</i>	There are no alternative car parking options available in the area for the use of staff and clients.
<i>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i>	The car parking provided on-site will be designated for the exclusive use of staff and clients associated with the financial services business. There is therefore no practical opportunity for the new carparks to be shared between residential and commercial users.
<i>(g) any car parking deficiency or surplus associated with the existing use of the land;</i>	Not applicable as the site presently does not contain any on-site car parking or an available surplus.
<i>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i>	No credits are available to attribute towards car parking demand.
<i>(i) the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i>	It is not considered reasonable to require a financial contribution in-lieu of the deficient number of car parking spaces for reasons outlined under the response to (k) below.
<i>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</i>	not applicable

<i>(k) any relevant parking plan for the area adopted by Council;</i>	Council's Interim Car Parking Plan applies to commercial zoned land within Rosny Park and provides that despite the car parking rate specific for a particular use in the Scheme, the maximum number of spaces required shall be not more than would have been required for that use under the Clarence Planning Scheme 2007. The parking rate under the Clarence Planning Scheme 2007 was one space per 45m² for office. Based on this rate, the resultant number of spaces required is six. It is considered that this rate should be applied to the proposal given its proximity to the Rosny Park Activity Centre and strategic recognition of this area as a mixed use residential/commercial interface. In consideration of the application of the Interim Car Parking Plan, the proposal would provide the required number of car parking spaces. Accordingly, for the above reasons, the three spaces should be waived having regard to the application of the Interim Car Parking Plan.
<i>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;"</i>	Not applicable as the site is not listed as a place of heritage significance under the Historic Heritage Code.

5. CONSULTATION

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

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who advised that pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1):

“TasWater does not object to the proposed amendment to the Interim Planning Scheme as mentioned above and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings as stated in the attached SPAN.”

7. COUNCIL COMMITTEE RECOMMENDATION

The proposal was not specifically referred to any Council committees. Should the amendment be initiated any committee comments or recommendations received during the public exhibition period may be considered as part of Council’s Section 39 report.

8. STATE POLICIES AND ACT OBJECTIVES

8.1. Section 30O - Amendment of Interim Planning Schemes

Section 30O(1) of LUPAA provides that an amendment to an Interim Planning Scheme may only be made to a *“local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy.”*

The proposed amendment is limited to a local provision, workable and consistent with the future SPPs and relevant elements of the STRLUS discussed in further detail below.

8.2. Southern Tasmania Regional Land Use Strategy (STRLUS)

The STRLUS contains a range of strategies to protect and enhance the regional hierarchy of activity centres. Although the subject site is outside the defined activity centre, it is considered that the proposal will not detract from the centre. It is unlikely to impact on the operation of the Rosny Park Activity Centre, as it will provide a specialist service generally accessed independently of the retail and commercial services provided within the Centre.

The introduction of a single non-commercial use within an area with low residential amenity provide a transition of uses between the Central Business zoned land to the west of Gordons Hill Road and General Residential zoned land to the east, while retaining a generally domestic appearance.

The General Residential Zone currently provides for limited non-residential use and the introduction of an additional use at 7 Gordons Hill Road would not undermine the current zone boundary defined by Gordons Hill Road. The Local Business anchors nearby, to the north and south together with the number of existing non-residential uses effectively provide for a mixed-use transition area as opposed to a typical residential area. This proposal may be seen as an appropriate continuation of this form, in a way that does not impact on STRLUS objectives.

1. Tasmanian Planning Scheme

The General Residential Zone under the SPPs of the Tasmanian Planning Scheme (TPS) allows for Business and Professional Services on a discretionary basis subject to the qualification “*if for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.*” The proposal to remove the existing qualification “*and not displacing a residential use*” will bring the current Scheme into greater alignment with the SPPs.

Modification of the use table is considered the most appropriate method to allow for an office use at the site, as rezoning a single site (or multiple sites) would change the overall purpose of that site (and area), which is not intended. The proposed amendment to enable consideration of a greater range of non-residential uses in the zone is consistent with the zone purpose. The proposed office use is compatible with the current permitted and discretionary uses in the zone and the existing operating uses in the zone.

8.3. Section 32 - Requirements for Preparation of Amendments

Section 32(1) of LUPAA specifies that amendments to planning schemes must:

- “(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
- (ea) must not conflict with the requirements of section 30O; and*
- (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms”.*

In response to (e), the proposal is for a low impact use which will appear generally residential in a low amenity area.

The existing nearby podiatry and plastering businesses occurring within the General Residential Zone are likely to generate a comparable volume of daily vehicle movements than the proposed office. Noise impacts between these operations are likely to be comparable with the proposed office. The existing commercial uses on the western side of Gordons Hill Road also generate substantial noise and vehicle movements throughout the day and substantially reduce residential amenity. Notwithstanding the above, the proposed office use forms a low intensity use when compared to the nature and intensity of surrounding commercial use and number of traffic movements on Gordons Hill Road. The proposed use of the building would therefore not be out of character with the existing non-residential use within the zone and existing commercial activities near the site.

Further, there are comprehensive use standards under the zone that control hours of operation, noise emissions, external lighting, commercial vehicle movements and outdoor storage areas. As the use will be discretionary, the planning authority will have control over the introduction of the new use in the zone. The development controls established under the zone and applicable codes will also ensure external impacts of the proposed use to avoid the potential for land use conflict in the adjacent area.

In response to (ea), the amendment is satisfactory because it relates only to a local provision;

In response to (f) the proposed amendment is not considered to have any direct environmental impacts and supports local economic growth and liveability by providing for diversity of services that are appropriate for their location. However, in a regional planning context, it is of little importance.

Section 32(2) of LUPAA specifies those elements of Section 20 – “*What can a planning scheme provide for*” also apply to amendments to planning schemes. In this instance it is considered that the proposed amendment is consistent with the relevant requirements.

8.4. LUPAA Objectives

An amendment is to further the objectives of LUPAA. The objectives of Schedule 1 of LUPAA are:

PART 1 - Objectives of the Resource Management and Planning System of Tasmania

“(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity”;

Development is generally considered sustainable when there are no demonstrable adverse effects upon natural resources, ecological processes or genetic diversity. The site is currently developed with a dwelling connected to reticulated services and contains no remnant vegetation. It is therefore considered that the proposed amendment would not cause any significant impact on natural physical resources or ecological processes.

“(b) to provide for the fair, orderly and sustainable use and development of air, land and water”;

The proposed amendment will provide for the fair, orderly and sustainable use of land and existing buildings as an office is appropriate to the location and will be subject to appropriate use and development standards such as signage and car parking. The amendment is contextually appropriate given the site's proximity to Rosny Park, Gordons Hill Road and nearby non-residential uses.

“(c) to encourage public involvement in resource management and planning”;

Should Council resolve to initiate and certify the amendment, it (along with any draft permit conditions) will be advertised for public comment.

“(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above”;

If initiated and certified by Council, and ultimately approved by the TPC, the proposed amendment will facilitate economic development.

“(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”.

Development achieved through the amendment requires co-operative planning between the developers, Council and to a degree, the general community.

PART 2 - Objectives of the Planning Process Established by this Act

“(a) to require sound strategic planning and co-ordinated action by State and local government”;

The STRLUS and the Clarence Activity Centre Strategy are the most relevant strategic considerations. As mentioned above the site is located within proximity to the Rosny Park Principal Activity Centre and will provide for a compatible use within a mixed-use strip.

“(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land”;

If ultimately approved the General Residential Zone and applicable codes contain sufficient controls to regulate the future use and development of the land.

“(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land”;

For the locational reasons discussed above, the proposal will provide positive economic outcomes without causing negative environmental or social impacts.

“(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels”;

The site is well serviced and within easy access of public infrastructure and will not conflict with State Policies.

“(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals”;

The amendment has been submitted under the provisions of Section 43A of LUPAA and linked to a development application and is consistent with this requirement. The proposed change of use is supportable subject to standard conditions.

“(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania”;

The amendment provides an additional option for a working environment that is close to transport and open space.

“(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”;

The proposed amendment and associated development will not impact any significant building or place.

“(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community”;

The proposal will make efficient use of existing infrastructure including Gordons Hill Road and utilities.

“(i) to provide a planning framework which fully considers land capability”.

Subject to appropriate conditions the proposal will provide for a suitable use that enhances the land capability.

9. STRATEGIC PLAN/POLICY IMPLICATIONS

The following State Policies are made under the State Policies and Projects Act 1993:

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

The National Environmental Protection Measures (NEPMS) are automatically adopted as State Policies under the State Policies and Projects Act 1993.

9.1. State Coastal Policy

The State Coastal Policy 1996 is not applicable to the proposal.

9.2. State Policy on the Protection of Agricultural Land 2009

The land is not agricultural land and the draft amendment will not result in fettering or constraining of any nearby agricultural use.

9.3. State Policy on Water Quality Management 1997

The purpose of the State Policy on Water Quality Management 1997 is *“To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource Management and Planning System”*.

Given that the site is serviced by reticulated water, sewerage and stormwater the most relevant sections of the policy are 17.2 and 33.1 relating to waste discharge, erosion and stormwater management and can be addressed as applicable through conditions.

9.4. National Environment Protection Measures

National Environment Protection Measures (NEPMs) are also taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation and given effect in Tasmania through the State Policies and Projects Act.

The National Environmental Protection Measures relate to:

- ambient air quality;
- ambient marine, estuarine and fresh water quality;
- the protection of amenity in relation to noise;
- general guidelines for assessment of site contamination;
- environmental impacts associated with hazardous wastes; and
- the re-use and recycling of used materials.

The listed NEPMs are most relevant to subsequent development and not directly applicable to this amendment. However, as a generalisation the Codes within the Scheme contain provisions that address these matters where applicable.

10. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

10.1. Activity Centre Strategy

Guidance is provided under the Clarence Activity Centre Strategy and the Southern Tasmanian Council's Authority Activity Centre Analysis, which is incorporated into STRLUS. The proposed amendment has been considered against both strategies and it is considered the proposal will not impact on the City's retail hierarchy, including the pre-eminence of the Rosny Park centre.

The strategies acknowledge that the rezoning of land for retail purposes on freestanding sites separated from existing centres will not be supported except where adjoining existing retail areas provide for expansion which can reinforce the retail hierarchy. The proposed amendment would not cause an expansion of the existing centre as the proposal is limited to the introduction of a small scale, low-impact commercial use capable of maintaining a residential appearance in an existing mixed-use area.

10.2. Clarence City Council Strategic Plan

The proposed amendment is consistent with the primary goals of the Clarence City Council's Strategic Plan, in particular with the following outcomes:

“Clarence will be a well-planned and liveable city with services and supporting infrastructure to meet current and future needs.

Clarence will develop its economy, improve prosperity, and expand both the level and equity of personal opportunity within its communities”.

The proposed amendment would also further the Clarence City Council Economic Development Plan in that business and professional services are identified as an important growth sector within advanced economies and further growth of this sector can provide a mix of scale and specialisation.

11. CONCLUSION

The proposed change of use to an office at 7 Gordons Hill Road is currently prohibited. The application seeks approval under Section 43A of LUPAA, for a combined planning scheme amendment and planning permit for the conversion of the site to an office.

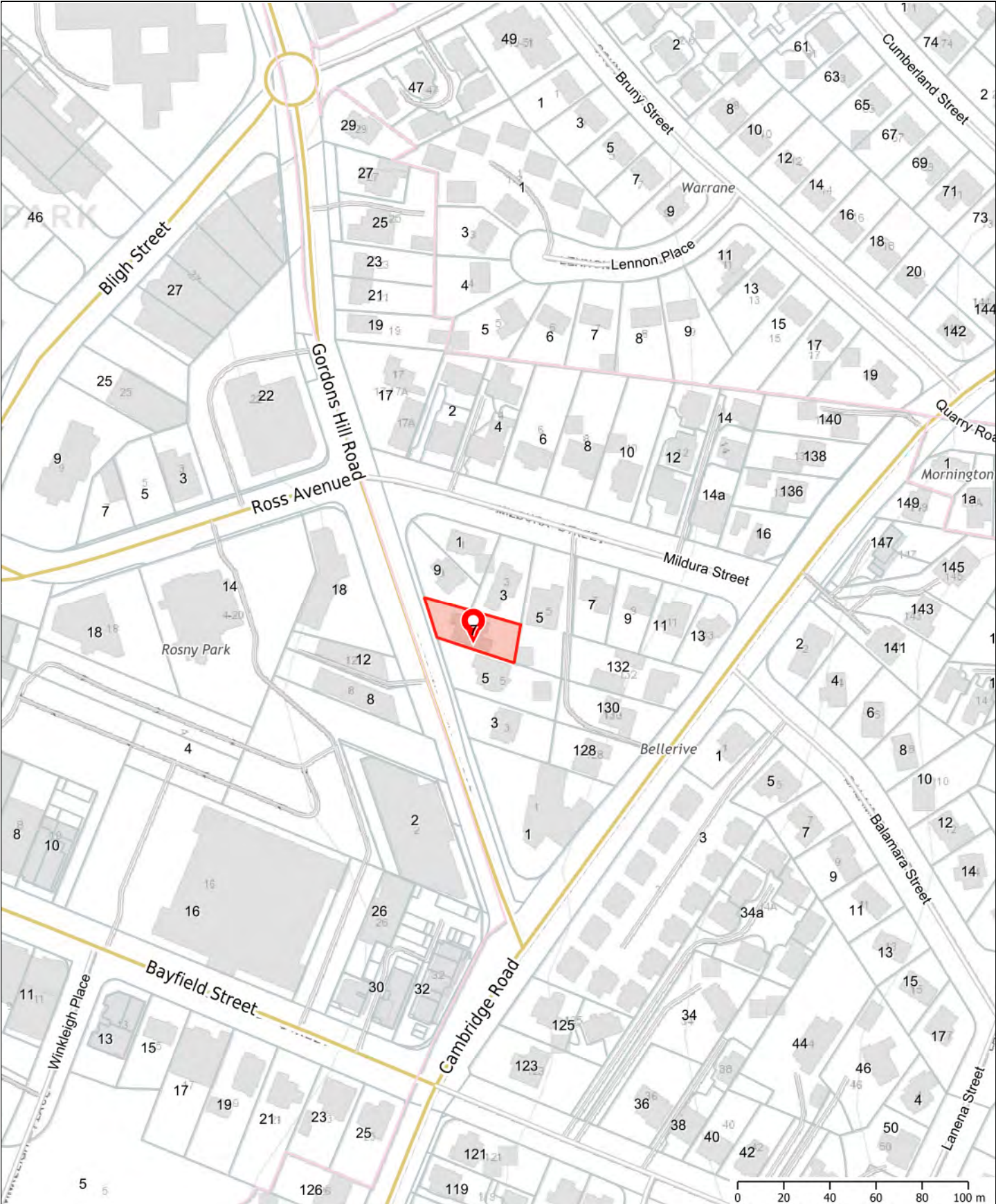
For the reasons detailed within the body of this report it is considered that the proposal is an appropriate outcome for the site and is supported.

Attachments: 1. Location Plan (1)
2. Proposed Amendment (1)
3. Proposed Plans (3)
4. Planning Report (Ireneinc Planning and Urban Design) (43)
5. Location and type of commercial uses within proximity of the site (1)

Ross Lovell
MANAGER CITY PLANNING

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

ATTACHMENT 1
LOCATION PLAN
7 GORDONS HILL ROAD, BELLERIVE



	This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.	9/2/2020	
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Attachment 2



Clarence City Council

CLARENCE INTERIM PLANNING SCHEME 2015

AMENDMENT – PDPSPAMEND-2020/010193

AMENDMENT TO PLANNING SCHEME ORDINANCE

To amend the Clarence Interim Planning Scheme 2015 as follows.

- (1) Delete the discretionary qualification associated with the Business and Professional Services Use Class in the General Residential Zone's Use Table at 10.2 and replace with the following:

Discretionary Use

Use Class	Qualification
Business and Professional Services	Only if a consulting room, medical centre, veterinary surgery or child health clinic. Only if for office use at 7 Gordons Hill Road (CT 71052/3).

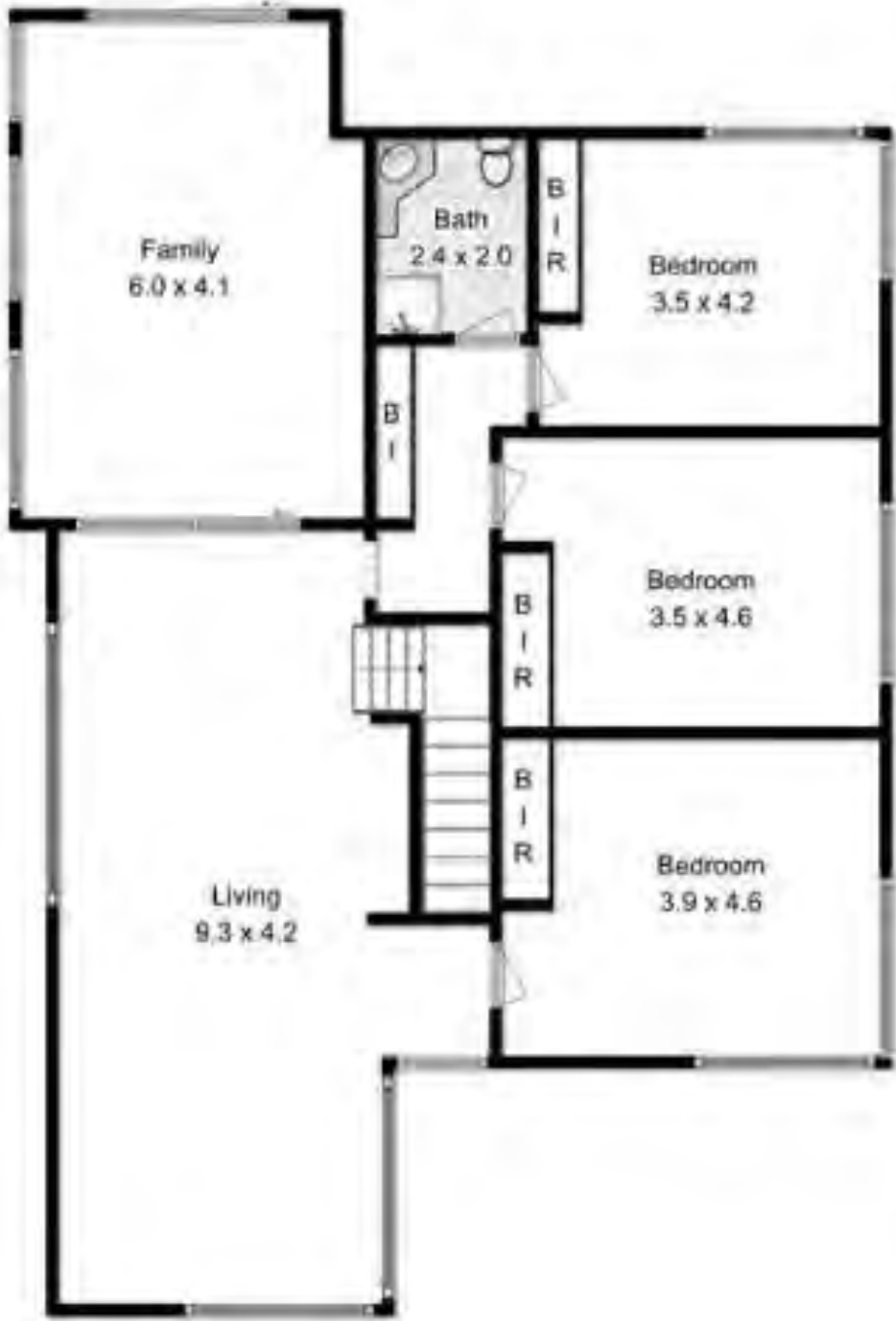
THE COMMON SEAL OF THE CLARENCE CITY
COUNCIL HAS BEEN HERE UNTO AFFIXED
THIS XXXX 2020, PURSUANT TO A
RESOLUTION OF THE COUNCIL PASSED THE
XXXX, IN THE PRESENCE OF:

CORPORATE SECRETARY

Existing Floor Plan



Ground Floor



1st Floor

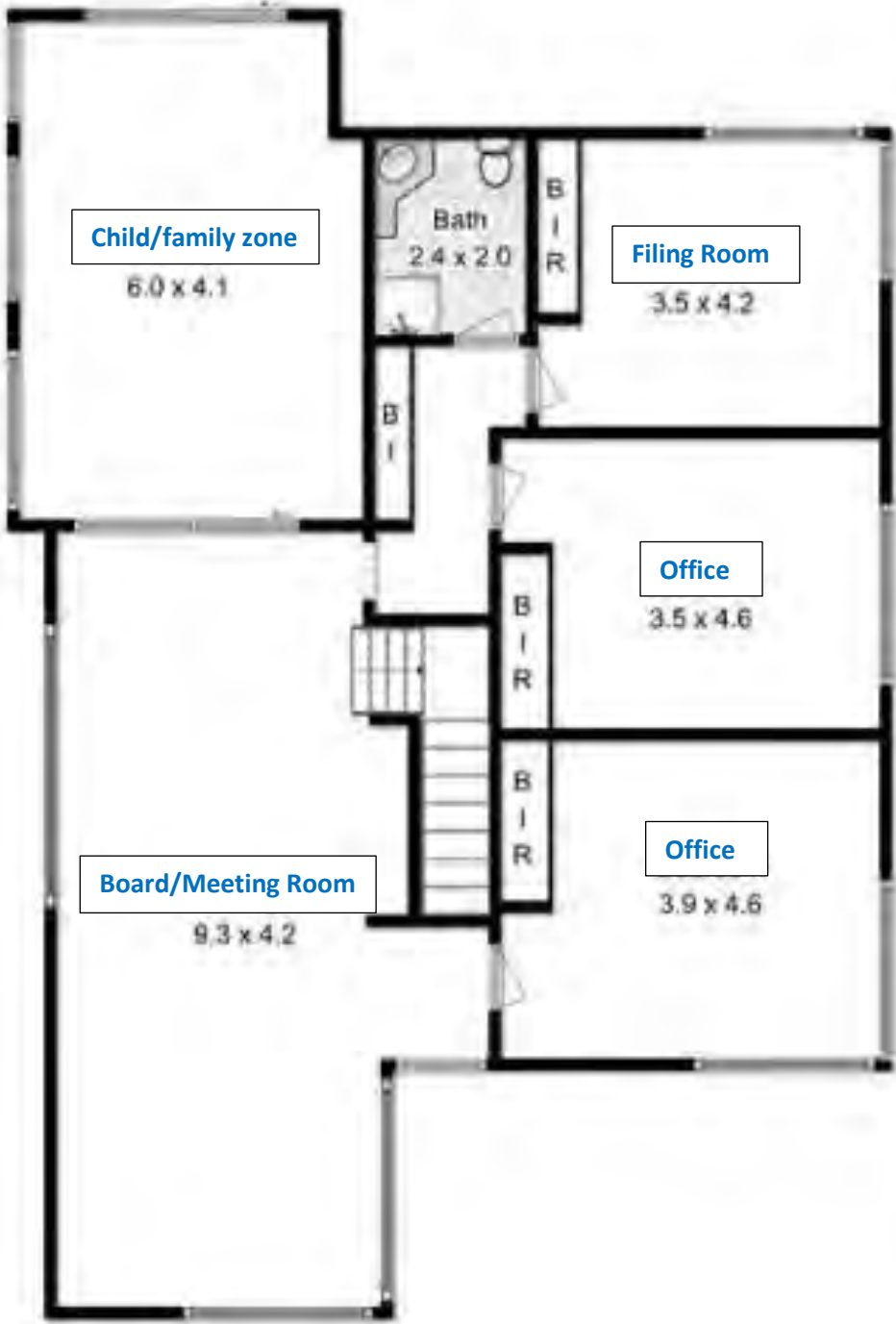
Approx Living Area : 268 Sqm



Proposed Floor Plan



Ground Floor



1st Floor

Approx Living Area : 268 Sqm



Attachment 4

7 GORDONS HILL ROAD, BELLERIVE



7 GORDON'S HILL ROAD

S43A Planning Scheme Amendment Submission

Last Updated - June 2020

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Reviewed - Irene Duckett

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INTRODUCTION

Ireneinc Planning and Urban Design has been engaged by One Plus One Financial Solutions Pty Ltd (One Plus One) to prepare a request for an S43A application with regard to the site at 7 Gordons Hill Road, Bellerive.

This report forms part of that request for an amendment to the *Clarence Interim Planning Scheme 2015*. In accordance with S8C and the Savings and Transitional Provisions of Schedule 6 of the *Land Use Planning and Approval Act 1993* (the Act), requests for amendments to the Scheme are to be made in accordance with the former requirements of the Act under S43A.

The report is divided into two parts. Part A deals with the proposed amendments to the Planning Scheme including the strategic background and consideration against the requirements of LUPAA and State Policies. The amendment proposed is to modify existing use qualifications for Business and Professional Services within the General Residential zone, to facilitate use of the existing dwelling on the site for a financial business. The amendment will bring the site into greater conformity with the State Planning Provisions, which will be detail further in this report.

Part B deals with the proposed change of use from residential to business and professional services, specifically office use. This section will consider the relevant provisions of the CIPS 2015 (as if amended).

Part A - Amendment

1. SITE DESCRIPTION

The site current possesses an existing residential dwelling and is located at 7 Gordon's Hill Road (CT 71052/3), in close proximity to Eastlands shopping complex and wider Rosny Park Activity Centre. The site currently possesses an existing two-storey weatherboard residential dwelling with a total floor area of approximately 268m². The site has a lot size of approximately 600m² and is adjoined by similar scale residential properties to the north, east and west.



Figure 1: Site Location (source: www.thelist.tas.gov.au © the State Government of Tasmania)

1.1 MOVEMENT NETWORK

The site has frontage to Gordons Hill Road, which is a primary transport corridor providing access from Lindisfarne through Rosny Park, where the road then adjoins Cambridge Road.

Cambridge Road is also a primary transport corridor providing links to surrounding suburbs such as Bellerive and Warrane and links into the Tasman Highway further to the north. The site is within 250m of Rosny Park, identified as a Primary Activity Centre, providing a multitude of key services to surrounding residential areas.

The site is also in close proximity to an existing public walkway that adjoins the Rosny Park public golf course, which also provides pedestrian access to the north into Lindisfarne.

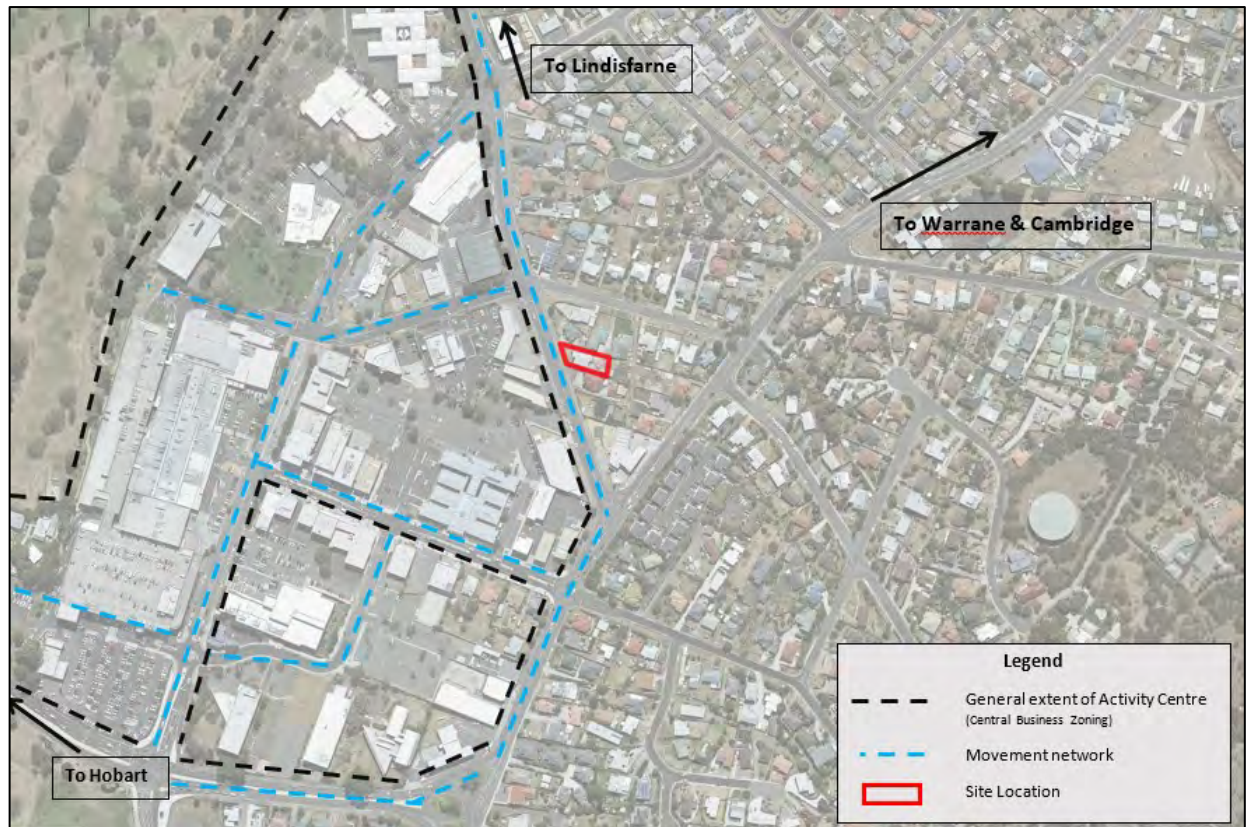


Figure 2: Movement network and extent of activity centre (based on zone mapping) (source: www.thelist.tas.gov.au © the State Government of Tasmania)

The above diagram has been based on the extent of commercial and central business zoning which generally denotes the extent of the primary commercial, retail and community services development in the Rosny Park activity centre. The proximity of the site to existing commercial activities ensures a high level of walkability and accessibility to existing services within the locality.

1.2 SERVICES

The site and surrounding areas are fully serviced by existing reticulated water and sewer infrastructure and no changes are proposed.

1.3 ADJOINING LAND USES

Residential properties to the north-east and south-east directly adjoin the site, interspersed with a number of existing non-residential uses within the residential zone, identified in the figure below:

Non-residential uses in the residential zone

- Business and Professional Services (Podiatry) - 17-17A Gordons Hill Road;
- Manufacturing and Processing (Plastering business) - 19 Gordons Hill Road.

The plastering business is a non-conforming use within the zone, as manufacturing and processing is prohibited. There are also a number of commercial uses that operate immediately adjacent to existing residential use, however these sites are zoned Local Business, and include:

Local Business Zone - adjoining Residential Zones

- Vehicle fuel sales and servicing (Petrol Station);

- Local Shop (café);
- Business and Professional Services (employment agency);
- Education and Occasional Care (early learning centre); and
- Business and Professional Services (Veterinary hospital).

These uses immediately adjoin existing residential properties and generate a substantial level of vehicle movements and potential noise emissions.

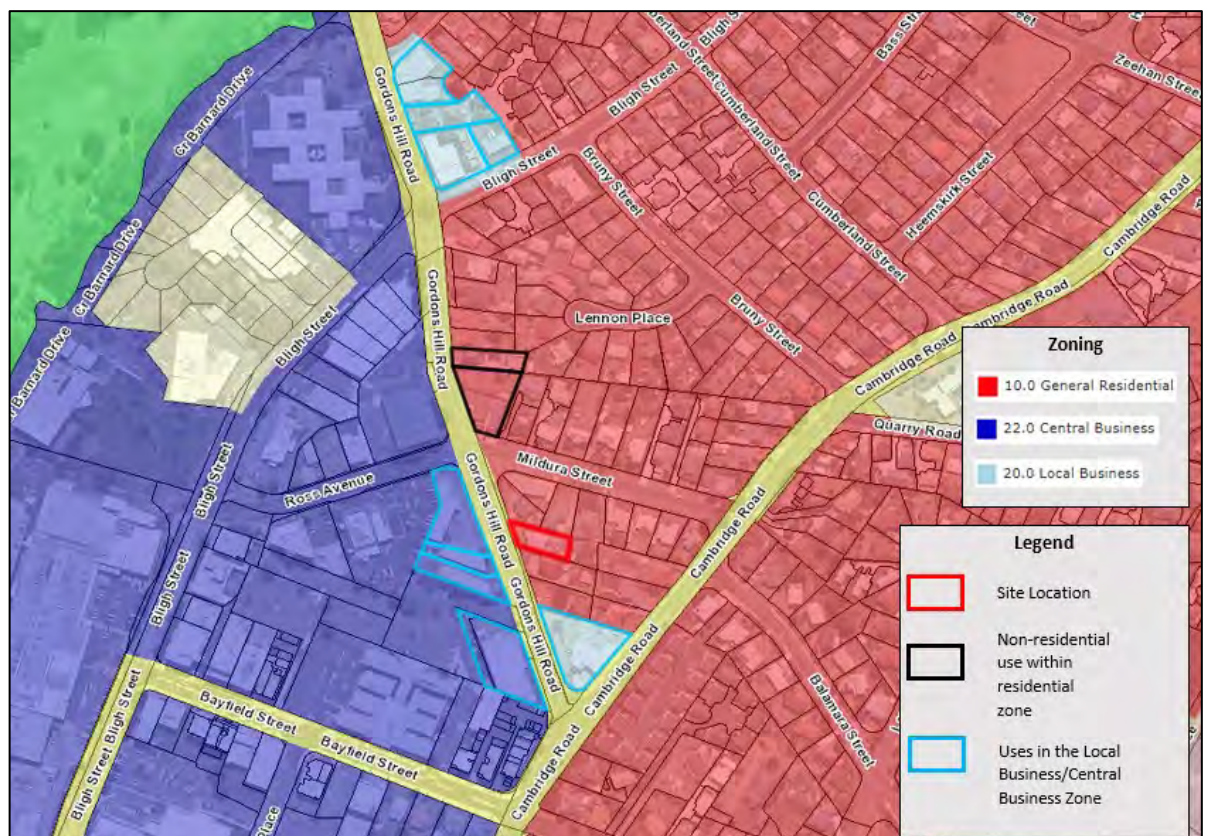
Central Business Zone

There are also a number of commercial uses located to the west of the residential zone on the

- Service Industry (Repco & Beaurepairs); and
- General Retail and Hire (Supercheap auto & Tazzy Tyres).

These businesses are likely to generate a substantial amount of traffic and noise throughout the day but also provide a clear delineation between residential areas and the Rosny Park Activity Centre.

These sites are identified in the figures below:



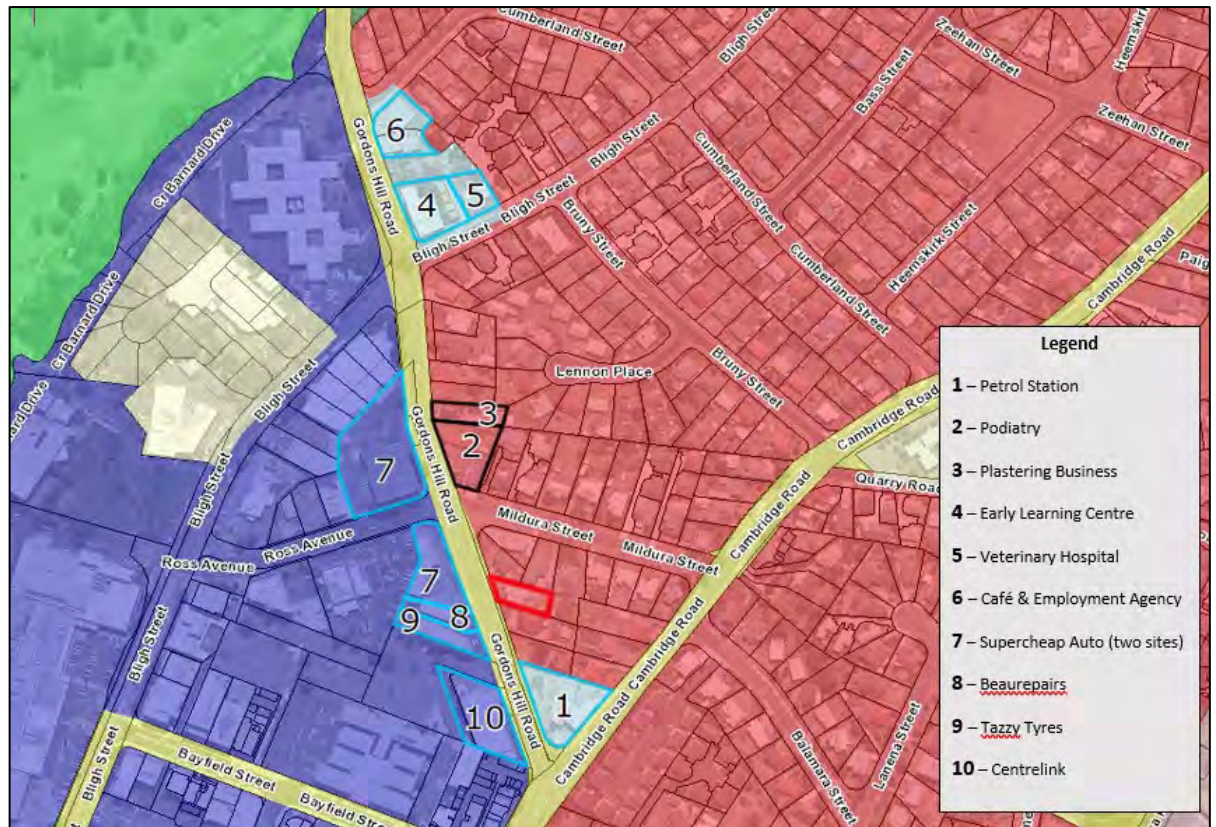


Figure 3: Location and type of commercial uses within proximity of the site (source: www.thelist.tas.gov.au © State of Tasmania)

As can be seen in the above figures, Gordon's Hill Road serves as a dividing point between existing residential areas and the primary commercial activity centre in Rosny Park. To the south-east of the site is an existing petrol station which is within the Local Business Zone.

A similar extension of local business zoning has been provided to the north-west along Gordons Hill Road, specifically locations 4, 5 & 6 in the above figure. In between these uses is an existing residential property which was likely zoned Local Business to ensure a reasonable level of consistency between zones.

2. STRATEGIC ANALYSIS

The following is an assessment of the strategic documents that are relevant to the future use of the subject land. The *Southern Tasmania Regional Land Use Strategy 2010-2035* (amended 2018, STRLUS) is the key strategic document.

2.1 SOUTHERN REGIONAL LAND USE STRATEGY

The STRLUS provides a broad policy framework to manage change and facilitate growth in Southern Tasmania over the next 25 years. The document provides in-depth strategic policies, directions and actions to guide economic, social and cultural growth throughout the southern region. The following strategic directions are particularly relevant to the proposed use of the building on the site.

SD3 - Creating a Network of Vibrant and Attractive Activity Centres

- *Provide a strong basis for economic growth;*
- *Create opportunities for the more efficient and balanced concentration of goods and services;*
- *Increase the potential for the exchange of ideas and other synergies among businesses, and for new job creation;*
- *Provide an important focus for communities by increasing opportunities for social interaction;*
- *Make the most of the community's investment in physical and social infrastructure; and*
- *Provide greater opportunities for integrating land use with transport, particularly public transport, and walking/cycling.¹*

In addition to Strategic Direction 3, the following is also relevant given the proximity of the site to existing residential and commercial areas within the Rosny Park Principal Activity Area.

SD10 - Creating Liveable Communities

Liveability refers to the degree to which a place supports quality of life, health and wellbeing for the people who live, work or visit. While it can depend upon individual circumstances, liveable environments are generally characterised by areas which are attractive, safe, accessible to people with disabilities and provide a high standard of amenity through such things as public transport, well designed open spaces, access to education and health services, recreational opportunities, air and water quality. The unique identity of a community defined by cultural development, landmarks, urban design, the developing local economy and the natural landscape are also important to how liveable a place is.

Ensuring that our land use planning responses contribute to making the region 'liveable' will be a key competitive strength for Southern Tasmania into the future in increasing migration, visitation, trade and investment.²

The strategic directions provide the overarching guidance, whilst the following regional policies provide further detailed guidance on implementation.

¹ STRLUS 2010-2035 (revised 2020, p: 18)

² STRLUS 2010-2035 (revised 2020, p: 20)

2.1.1 Activity Centres

With regard to Strategic Direction 3, Activity Centres serve as focus areas for services, employment and social interaction in towns and cities, whilst also functioning as primary retail and commercial centres. These centres also serve as community meeting places, centres for government and community services, locations for education and employment as well as entertainment and recreation.

The STRLUS identifies Activity Centres within the following hierarchy, beginning with:

- Primary Activity Centres - such as greater Hobart and Launceston;
- Principal Activity Centres - such as Rosny Park, Kingston and Central Glenorchy;
- Major Activity Centres;
- Rural Services Centre;
- Minor or Neighbourhood Centre;
- Local Centres; and
- Specialist Centres³

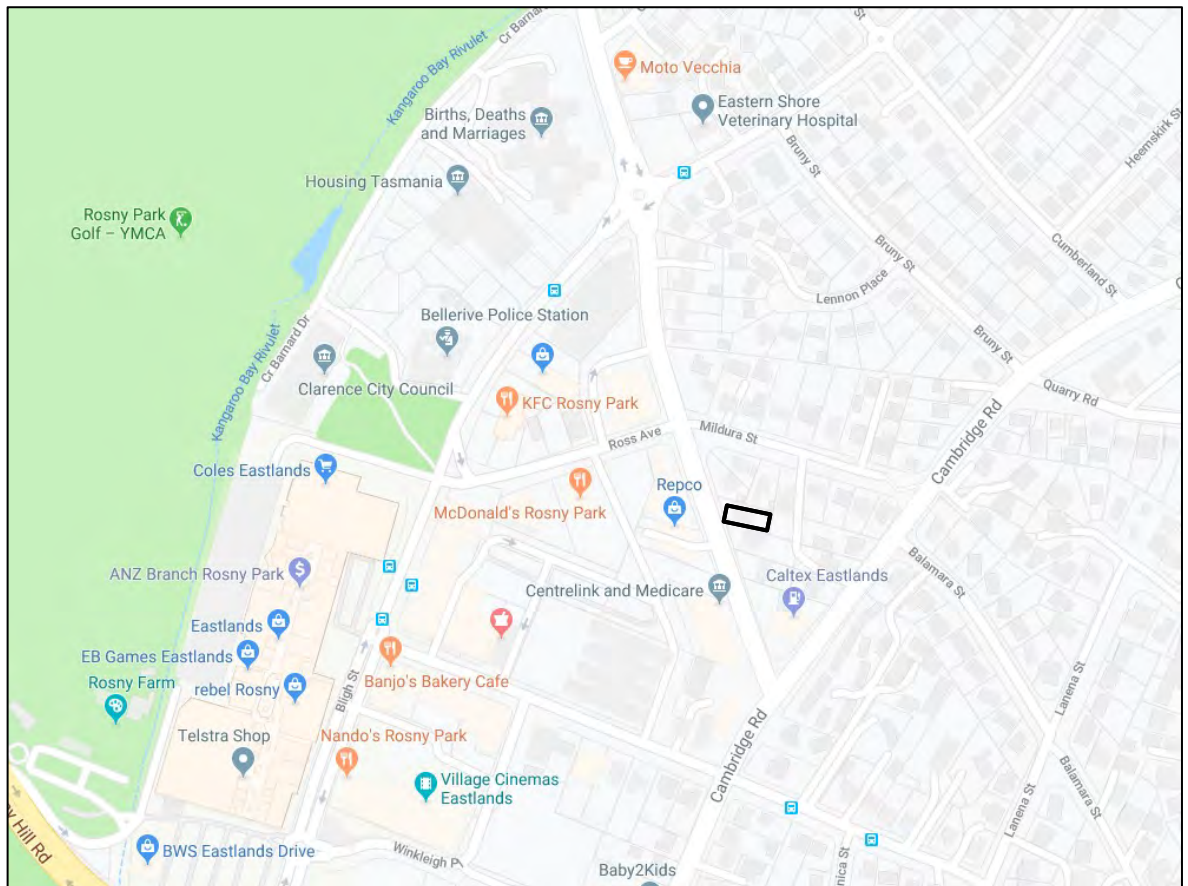


Figure 4: Example of surrounding commercial activity in Rosny Park (site location in red) (source: www.thelist.tas.gov.au © State of Tasmania).

Rosny Park is identified as a Principal Activity Centre, which provides for a range of services and facilities (including offices for business and government) to serve the surrounding area with a substantial focus on commercial and retail sectors.

³ STRLUS 2010-2035 (revised 2020, p: 74-76)

The site at 7 Gordons Hill Road is well within walking distance of the primary activity areas contained between Bligh Street, Gordons Hill Road, Ross Avenue and Bayfield Street, as shown in the figure above and in figure 2. These activity areas serve large catchment areas and overlap with other Primary and Principal Activity Centres with regard to the provision of services and facilities.

The following relevant regional policies directly relate to Strategic Direction 3 with regard to Activity Centres.

AC1 - *Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.*

AC1.4 - *Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.*

The proposed reuse of the existing dwelling on the site will ensure that commercial use of the site will be retained in proximity to the existing Activity Centre of Rosny Park whilst also maintaining the presence of a locally owned business within the local community. The site is within the General Residential Zone and no changes to the zoning are proposed, ensuring no further expansion of Local Business or Commercial Zones into existing residential areas.

Early discussions with Council officers indicated a preference to maintain the existing separation between residential zoning to the north and the commercial/central business zoning to the south, with Gordons Hill Road acting as a buffer between the two.

The office use on the site will allow continued growth of the business and a continued ability to engage with the local school community, particularly students from the Rosny College VET Program. One plus One has provided numerous positions and opportunities for school leavers to gain full time employment within the financial sector. This initiative will be expanded in 2020 through sponsorship of the 2019 VET Award winner and continued opportunities for full time employment and on the job training.

These possibilities support Rosny College as an institution and the students who attend by providing an opportunity to explore careers in the financial sector before making key decisions through University, whilst also supporting the local community.

AC1.8 - *Encourage new development and redevelopment in established urban areas to reinforce the strengths and individual character of the urban area in which the development occurs.*⁴

The site is within an established urban area and the repurposing of an existing residential dwelling is not out of character with the surrounding area. Given that the existing residential character of the site and existing building will remain, the proposed amendment and subsequent change of use to impact upon the dominant residential character of the area.

The following figure from the STRLUS indicates the activity centres in greater Hobart and surrounding areas, including the overlap between these areas ensuring ease of access to key services, employment, community services and recreation.

⁴ STRLUS 2010-2035 (amended 2020, p: A 21)

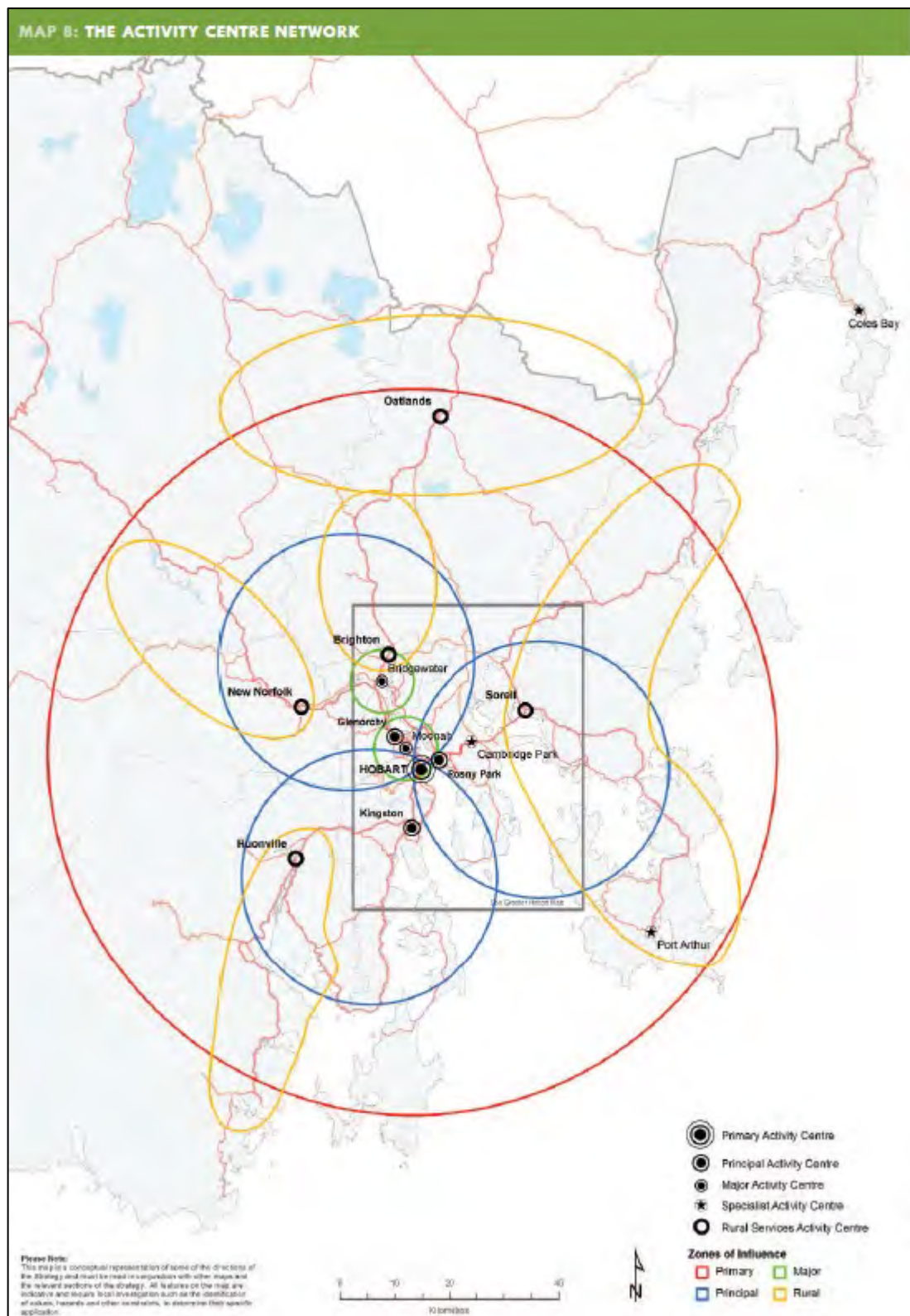


Figure 5: Activity centre network (source: STRLUS 2010-2035, p: 83)

2.1.2 Land Use and Transport Integration

Strategic Direction 10 relates directly to regional policy 13 which outlines the importance of improved integration of transport and land use planning within urban areas. For example, the spatial distribution between locations where people live in relation to places for employment and shopping is a significant determining factor in transport demand and provision of infrastructure.

The STRLUS states that:

Improved integration of transport and land use planning is both a major challenge and critical factor in the development of efficient and liveable urban areas and becoming a more environmentally sustainable community in the face of a changing climate.⁵

Activity Centres, such as Rosny Park (as detailed above) ensure that key services and amenities are located in a central area where multiple activities are catered for in one location, minimising the need for additional and potentially unnecessary travel time, thereby reducing demand on existing public transport and infrastructure.

The STRLUS provides the following specific regional actions to achieve the above.

LUTI 1 - Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.

LUTI 1.1 - Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.

LUTI 1.2 - Allow higher density residential and mixed use developments within 400, and possibly up to 800 metres (subject topographic and heritage constraints) of integrated transit corridors.⁶

The location of the site at 7 Gordons Hill Road is well within 400m of the Rosny Park activity centre and is well serviced by existing public transport services, whilst also being well within walking distance of other key businesses and services within Rosny Park. This proximity is anticipated to reduce the need for clients to travel to and from the site by vehicle.

LUTI 1.11 - Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.⁷

Given the current demand for car parking within Rosny Park, the proximity of the site to existing services, public parking and transport ensures that alternate forms of transport, including walking and cycling is anticipated to significantly minimise the demand for parking on-site.

2.2 CITY OF CLARENCE STRATEGIC PLAN

Clarence City Council's Strategic Plan has been reviewed as part of this assessment. The document generally provides high-level strategic goals and milestones to be achieved through a number of existing mechanisms, such as the Planning Scheme, Economic Development Plan and other reports and strategies.

The primary goals of the Strategic Plan are as follows:

A people city:

⁵ STRLUS 2010-2035 (revised 2020, p: A-15)

⁶ STRLUS 2010-2035 (revised 2020, p: A-15)

⁷ STRLUS 2010-2035 (revised 2020, p: A-15)

Clarence is a city which values diversity and encourages equity and inclusiveness, where people of all ages and abilities have the opportunity to improve their health and quality of life.

The strategies to achieve this goal relate to improving liveability within activity centres through urban design initiative such as streetscape and landscaping projects and improving community health and wellbeing.

The plan also seeks to promote health care and active lifestyles through the provision of active and passive recreation programs combined with actions to manage and conserve the local environment.

A well planning liveable city:

Clarence will be a well-planned liveable city with services and supporting infrastructure to meet current and future needs.

The strategies also bear similarities with the STRLUS regarding land use planning and urban design strategies to enhance the vibrancy and accessibility of activity centres and community hubs through design and liveability projects.

A prosperous city:

Clarence will develop its economy, improve prosperity, and expand both the level and equity of personal opportunity within its communities.

The economic development plan forms a primary aspect in achieving this goal, by providing a framework to guide economic development and activity within the LGA and specifically in Rosny Park and Cambridge Park.

An environmentally responsible city:

Clarence is a city that values its natural environment and seeks to protect, manage, and enhance its natural assets for the long term environmental, social and economic benefit of the community.

A creative and innovative city:

Clarence is a city that fosters creativity, innovation and enterprise.⁸

These goals relate to ensuring the Clarence LGA continues to improve sustainability and protection and enhancement of natural values. The goals also seek to generate improved creative industries and support for arts and entertainment.

2.3 CLARENCE CITY COUNCIL - ECONOMIC DEVELOPMENT PLAN

This document provides an economic development framework for Clarence over the next 5 years, from 2016 through until 2021. The plan seeks to provide a basis to determine how Clarence City Council can;

“...apply the tools it has at its disposal to facilitate improved economic performance and productivity within its key sectors to achieve its strategic objectives of “prosperity, vibrancy and sustainability”.⁹

The key economic areas are identified as Rosny Park and Cambridge Park, with Rosny Park providing core community, retail and business and professional services in a central location. Rosny Park also attracted a level of business and professional services that reflect Clarence’s business profile. The development plan indicates that business and professional services is an

⁸ City of Clarence Strategic Plan 2016-2026, p: 16.

⁹ Clarence City Council - Economic Development Plan 2016-2021, p. 1

important growth sector within advanced economies and further growth of this sector can provide a mix of scale and specialisation.

3. AMENDMENT FORMAT

3.1 INTENT OF THE PROPOSED AMENDMENT

The intent of the amendment is to facilitate office use, specifically on the site at 7 Gordons Hill Road and to remove the current qualification that restricts non-residential use from displacing an existing residential use.

3.2 EXISTING ZONING

The site is currently zoned General Residential and no change to the zoning is proposed. The purpose of the zone and the relevant use and development standards will be addressed in detail in Part B (section 5) of this report.

3.2.1 Use

The current use of the site is for residential use, which is defined as follows:

use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Despite the primary intent of the General Residential Zone for residential use, the home-based business definition allows recognition that for some businesses the only viable option is to operate from home, depending on financial constraints and limited availability of suitable commercial space. However, home-based business use is restricted by the use qualifications, specifying that a residential use must not be displaced and the floor area not exceed 50m².

Therefore, use of the building as a home-based business would not be feasible due to the restrictions on useable floor area which limits the extent of the business and any options for expansion.

Therefore, the Business and Professional Services use class is more applicable. The use is a discretionary use within the existing General Residential Zone and is defined as follows:

use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

The use qualifications currently restrict Business and Professional Services to the following:

General Residential Zone

10.2 - Use Table

Discretionary	
Use Class	Qualification
<i>Business and Professional Services</i>	<i>Only if a consulting room, medical centre, veterinary surgery or child health clinic and not displacing a residential use.</i>

Under the declared State Planning Provisions, Business and Professional Services will continue to be a discretionary use within the General Residential Zone. However, the qualifications for the use have been modified, as per below, which removes the current requirement not to displace a residential use:

If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.

Given the above qualification, the proposed amendment would partially serve to bring the current use qualifications into greater conformity with those identified under the State Planning Provisions, which forms part of the forthcoming Tasmanian Planning Scheme. The amendment will also facilitate the modest re-use of the existing residential building on the site for office use.

3.3 SITE SPECIFIC QUALIFICATIONS

A site-specific amendment is the most appropriate means of achieving this, whilst also ensuring that the General Residential Zoning remains. Retaining the existing zoning ensures a buffer remains between existing commercial land use within the Rosny Park Activity Centre.

The proposed amendments have been written in consideration of the Practice Notes for the drafting of written amendments and it is anticipated that the changes, if approved under the Interim Planning Scheme, will be capable of being incorporated into the Tasmanian Planning Scheme once in effect.

3.4 SPECIFIC AMENDMENT

The following changes are proposed to the *Clarence Interim Planning Scheme 2015*. No changes are proposed to the mapping.

The following is a description of changes to the Ordinance.

Modify the General Residential Zone Use Table in the following way:

10.2 Use Table - General Residential Zone

Discretionary Use

<i>Use Class</i>	<i>Qualification</i>
<i>Business and Professional Services</i>	<i>Only if a consulting room, medical centre, veterinary surgery or child health clinic. and not displacing a residential use Only if for office use at 7 Gordons Hill Road (CT 71052/3)</i>

Insert the following map and label in the General Residential Zone and number according to the Qualification in 17.2 Use Table.

4. ASSESSMENT UNDER LUPAA

In accordance with S8C and the Savings and Transitional Provisions of Schedule 6, a request for an amendment to the Scheme is made under the former *Land Use Planning and Approval Act 1993* in accordance with the former provisions of Section 32 which requires that amendments to planning scheme be considered against the following:

- (1) *A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)-*
 - (a)
 - (b)
 - (c)
 - (d)
 - (e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
 - (ea) *must not conflict with the requirements of section 300; and*
 - (f) *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*
- (2) *The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Section 20 also includes the following:

- 20.(1) (a) *seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and*
- (b) *prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and*
- (c)

The above provisions are considered in the following sections.

4.1 LAND USE CONFLICTS

The subject land is adjoined to the north-east and west by existing General Residential Zoned land. The proposed re-use of the existing dwelling for small-scale office use is out of character with the area, which supports existing non-residential uses such as community health services.

The podiatry located at 17-17A Gordons Hill Road provides 10 car parking spaces. The number of vehicle movements from this site would be in the vicinity approximately 20 movements per day (1 in and 1 out for each space), generating a substantial amount of traffic and noise associated with these movements.

The existing plastering business at 19 Gordons Hill Road supports on-site storage of building materials and is likely to generate noise when loading/unloading, with both small and potentially large rigid vehicles entering and exiting the driveway. The existing petrol station on the corner of Gordons Hill Road and Cambridge Road also backs onto residential properties, operating outside of normal business hours resulting in potential further impacts on residential amenity.

These non-residential businesses provide a transitory buffer between the higher intensity commercial operations within the Rosny Park Activity Centre and the low intensity residential use to the north/north-east of Gordons Hill Road. In a number of locations, the only buffer between commercial activities and residential dwellings is Gordons Hill Road, which carries a large amount of traffic, generating substantial noise and emissions.

The existing commercial uses on the opposite side of Gordons Hill Road also generate substantial noise and vehicle movements throughout the day, particularly the auto repair businesses. These factors already substantially reduce residential amenity, particularly for dwellings that immediately front Gordons Hill Road.

Notwithstanding the above, the existing non-residential uses within the residential zone are of a relatively low intensity, as is the proposed office use, particularly when compared to the nature and intensity of surrounding commercial use. Although the provisions of the residential zone prohibit or substantially restrict the intensity of most non-residential use, these uses are a key example where non-residential use can coexist in proximity to residential properties without adverse impacts on residential amenity. In addition to the above, there are a number of examples where other non-residential use is supported within residential zones, as follows:

- Bellerive Doctors at 112 Cambridge Road (Identified as 1 in the following figure);
- East side Squash & Fitness Centre at 1 Alma Street, Bellerive (2 in the following figure); and
- Clarence Uniting Church at 51 Cambridge Road, Bellerive (3 in the following figure)

These sites are shown in the following figure.

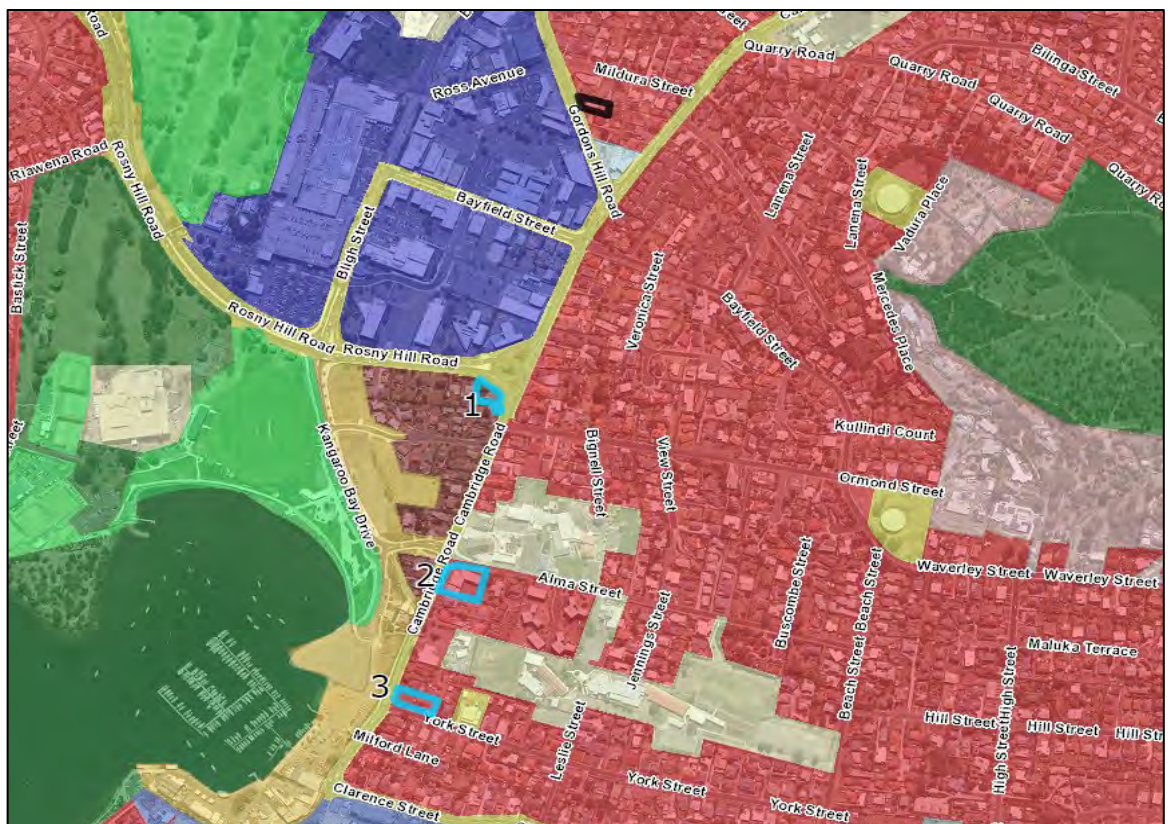


Figure 6: Other non-residential uses within General and Inner Residential Zones (source: www.thelist.tas.gov.au © State of Tasmania)

The Bellerive Doctors clinic is located within the Inner Residential Zone which requires even greater restrictions on non-residential use. These examples are not exhaustive, and there are many similar non-residential uses that are currently operate within residential zones, coexisting with residential dwellings without undue impacts on residential amenity.

Therefore, given that the proposed use will be of a low intensity, the potential for unreasonable impacts on residential amenity, such as noise emissions and hours of operation is unlikely given that the business will not require operation outside of normal business hours and will generate considerably less vehicle movements that other non-residential use in the vicinity.

The intended use of the building would not be out of character with existing non-residential use within the zone and existing commercial activities in close proximity to the site.

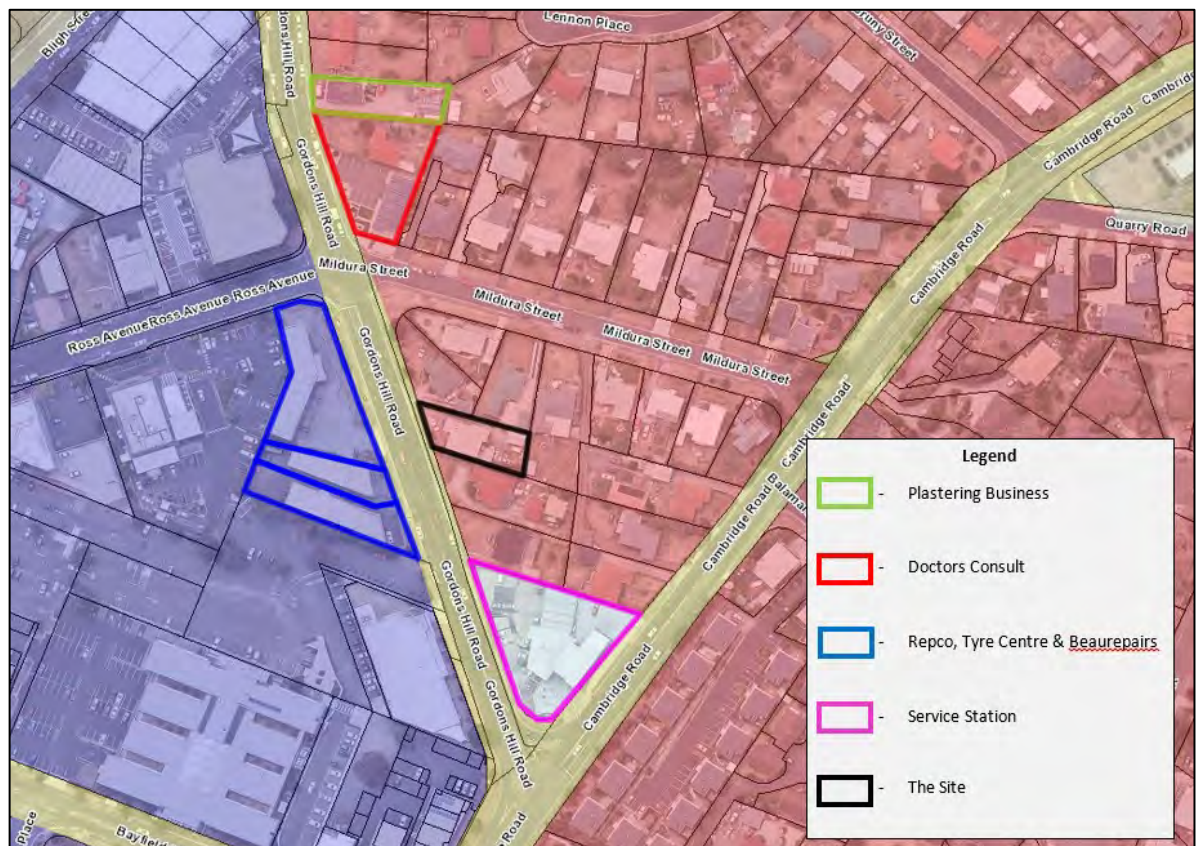


Figure 7: Extent of existing commercial use in proximity to the site (source: www.thelist.tas.gov.au © State of Tasmania)

As can be seen in the figure above, there are several existing non-residential uses within the residential zone, along with several commercial operations near the site. The proposed use of the site for office space is unlikely to result in any additional impacts on residential amenity or adjoining use/development both within the residential zone or adjoining zones.

By ensuring that the existing General Residential Zoning is retained, the proposed amendment and change of use does not conflict with existing residential and non-residential uses within the zone.

4.2 REQUIREMENTS OF SECTION 300

Section 300 provides as follows:

300. Amendments under Divisions 2 and 2A of interim planning schemes

- (1) *An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.*
- (2) *An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if -*
 - (a) *the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and*
 - (b) *the amendment does not revoke or amend an overriding local provision; and*
 - (c) *the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.*
- (3) *Subject to section 30EA, an amendment may be made to a local provision if -*
 - (a) *the amendment is to the effect that a common provision is not to apply to an area of land; and*
 - (b) *a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.*
- (4) *An amendment may not be made under Division 2 or 2A to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provision to be contained in the planning scheme.*
- (5) *Subject to section 30EA, an amendment of a planning scheme may be made under Division 2 or 2A if the amendment consists of -*
 - (a) *taking an optional common provision out of the scheme; or*
 - (b) *taking the provision out of the scheme and replacing it with another optional common provision.*

The detail of the amendment has been prepared to ensure that it is consistent with the common provisions of the scheme.

As detailed in section 2 of this report, the proposed amendment is consistent with the relevant goals and strategic directions of the Southern Tasmanian Regional Land Use Strategy.

4.3 SCHEDULE 1 OBJECTIVES OF LUPAA

The objectives are considered in the following table:

4.3.1 Part 1 - Objectives of the Resource Management and Planning System of Tasmania

PROVISION	RESPONSE
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The proposal is located in an existing urban area and is not anticipated to result in any impacts on natural or physical resources or natural processes.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The proposed amendment will facilitate additional use without the need to rezone. This will ensure that the purpose and character of the residential zone is maintained. The amendment also responds to the changes declared under the State Planning Provisions with respect to use within the General Residential Zone.
<i>(c) to encourage public involvement in resources management and planning; and</i>	The planning process provides for public involvement.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c): and</i>	The proposal is aimed at retaining existing economic development within the locality, consistent with existing low intensity non-residential development already undertaken in the 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 assessment process promotes the involvement of the public as well as local and state government.

4.3.2 Part 2 - Objectives of the Planning Process Established by this Act

PROVISION	RESPONSE
<i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i>	The amendment has been prepared with respect to relevant strategic outcomes of state and local government.
<i>(b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land;</i>	The proposal seeks to amend the planning scheme standards and has been prepared with respect to the existing provisions of the scheme and demonstrates consistency with the relevant objectives and policies of the Act.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic</i>	Not directly applicable to the proposed amendment.

<i>effects when decisions are made about the use and development of land;</i>	
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;</i>	This is achieved through the existing planning mechanisms and amendment process.
<i>(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals;</i>	Not directly applicable to the proposed amendment.
<i>(f) to secure a pleasant, efficient and safe working environment for all Tasmanians and visitors to Tasmania;</i>	Not directly applicable to the proposed amendment. This is achieved through state and local government initiatives.
<i>(g) to conserve those buildings and areas or other places which are of scientific , aesthetic, architectural or historical interest, or otherwise of special cultural value;</i>	Not directly applicable.
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i>	The proposed amendment will not impact on any existing public infrastructure.
<i>(i) to provide a planning framework which fully considers land capability.</i>	This is achieved through the planning controls and consideration of state policies as part of the amendment process.

4.4 STATE POLICIES

The following are the state policies and have been considered as part of this application.

4.4.1 The State Coastal Policy 1996

The purpose of the policy is to ensure that;

- *Natural and cultural values of the coast shall be protected;*
- *The coast shall be used and developed in a sustainable manner.*
- *Integrated management and protection of the coastal zone is a shared responsibility.*

As the site is not within 1km of the high-water mark, consideration of the policy for the purposes of this amendment is not necessary.

4.4.2 The State Policy on Water Quality Management 1997

The purpose of this Policy is:

To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

The amendment proposed does not alter any provision which relates to or will have any impact on water quality.

4.4.3 The State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is:

To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The Objectives of the Policy are:

To enable the sustainable development of agriculture by minimising:

(a) conflict with or interference from other land uses; and

(b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

The land is not categorised for its agricultural potential as it is within an established urban environment.

4.4.4 National Environment Protection Measures (NEPMs)

NEPMs are taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation and given effect in Tasmania through the State Policies and Projects Act.

The current NEPMs are:

- Air Toxics
- Ambient Air Quality
- Assessment of Site Contamination
- Diesel Vehicle Emissions
- Movement of Controlled Waster
- National Pollutant Inventory
- Used Packaging

The Codes within the Scheme deal in detail with the relevant matters (noise and air quality) and the assessment of the submitted application can be undertaken against the appropriate Use and Development Standards.

Part B - Change of Use

5. APPLICATION

The following is an assessment of the applicable statutory controls as per the *Clarence Interim Planning Scheme 2015*. These standards have been addressed on the basis that the amendment has been approved.

5.1 PROPOSED

A change of use is sought to enable the building to be utilised as a financial office. Re-use of the existing building will require some external modifications, including provision of additional car parking spaces.

With regard to internal modifications, the existing bedrooms across the ground floor will be used for office space, whilst living areas will be used for admin/reception and board room/meeting space. An existing kitchen on the ground floor will be removed to facilitate provision of the admin/reception area.

Across level 1, two of the four existing bedrooms will be used for office space, whilst the remaining bedrooms will be used as a filing room and child/family entertainment area. The client has advised that several reoccurring clients often bring family members and children with them and the meetings can often take some time, therefore this space is intended to allow children and other family members to be present whilst the meetings are undertaken.

The living area on level 1 will be used as board room for larger client/staff and stakeholder meetings. As shown in the figure below:



Figure 8: Proposed internal alterations/use of rooms.

5.2 USE

The proposed use of the existing dwelling on the site is for office use, under the Business and Professional Services use class, defined as follows:

use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

The use is discretionary and complies with the following use qualification:

Only if a consulting room, medical centre, veterinary surgery or child health clinic.

Only if for office use at 7 Gordons Hill Road (CT 71052/3) identified in figure x.

As a result of this S43A application, office use is a discretionary use within the zone and only on the site at 7 Gordons Hill Road.

5.3 ZONING

The site is currently zoned General Residential, and no change is proposed.

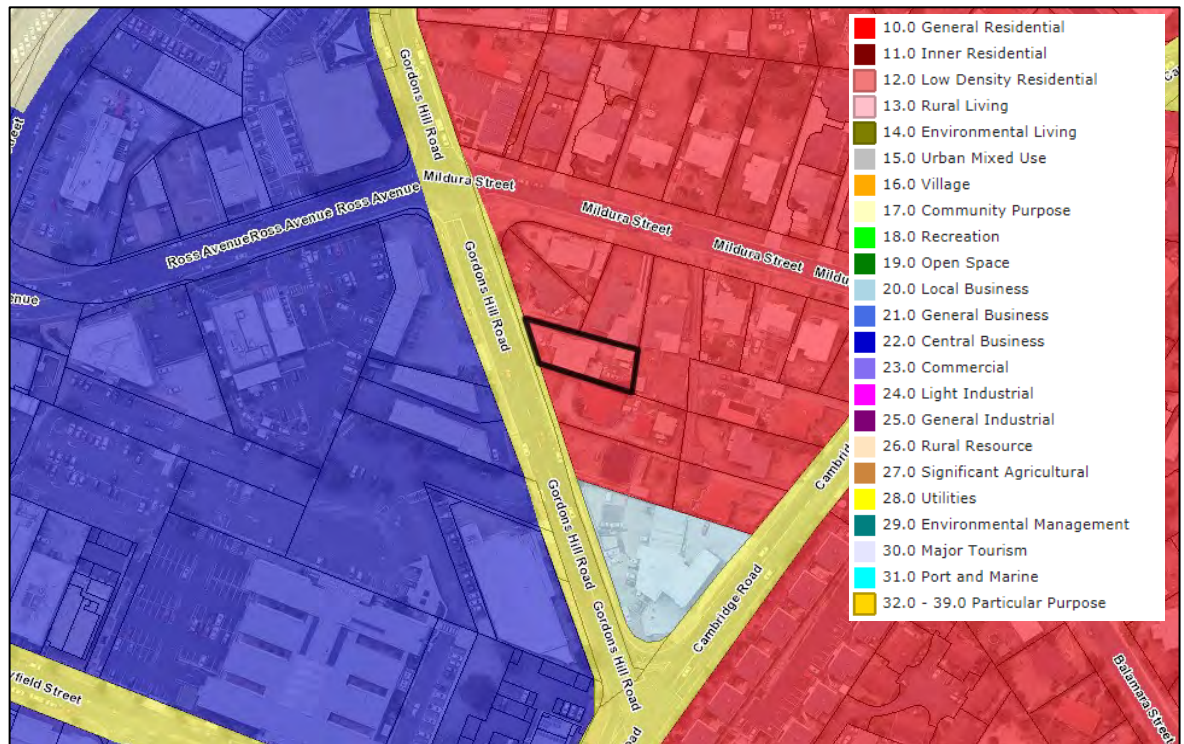


Figure 9: Zoning Plan (source: www.thelist.tas.gov.au © State of Tasmania)

5.3.1 Zone Purpose Statements

The purpose statements for the zone are as follows:

10.1.1.1 - To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 - To provide for compatible non-residential uses that primarily serve the local community.

The use of the dwelling as an office is compatible with both existing residential and non-residential uses in the zone.

An existing medical practice operates to the north of the site at 17-17A Gordons Hill Road, which is also located within the General Residential zone. This use is likely to generate substantially greater vehicle movements and associated noise.

The proposed financial business will operate within normal business hours and is anticipated to generate an additional 3-4 vehicle movements per day over that generated by the existing residential use, resulting in a lower impact on residential amenity when compared to other existing non-residential uses within the zone.

In addition, One plus One continues to develop a close relationship with Rosny College, particularly students undertaking VET courses, by providing opportunities for training and employment. This relationship provides an ongoing benefit to the local community.

10.1.1.3 - To provide for the efficient utilisation of services.

The proposed re-purposing of the existing residential building on the site ensures that existing services will continue to be utilised.

5.3.2 Use Standards

The following use standards apply.

10.3.1 - Non-Residential Use

Objective: To ensure that non-residential use does not unreasonably impact residential amenity.

SCHEME REQUIREMENTS	RESPONSE
A1 <i>Hours of operation must be within 8.00am to 6.00pm, except for office and administrative tasks or visitor accommodation.</i> ...	The business will operate within the hours specified under A1.
A2 - Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm_{ax}) at any time. <i>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</i> <i>Noise levels are to be averaged over a 15 minute time interval.</i> P2 - Noise emissions measured at the boundary of the site must not cause environmental harm.	The proposal will operate within the hours specified under A1. Any noise related emissions from the site are likely to occur during business hours. Given that the site adjoins residential properties, it is anticipated that most residents would be away from their residences during business hours as a result of work commitments. The only noise generating activity that is likely to be caused by the proposal would be from increased vehicle movements. However, these will also occur between 9am and 5pm, ensuring minimal noise impacts before 9am and after 5pm. In addition, the site directly adjoins Gordons Hill Road which carries a significant amount of commercial traffic through the day and night. Therefore, the background noise generated by the road is anticipated to be quite significant. Given the nature of the proposed use of the building for a financial business, it is unlikely based on the above, that the use would generate noise emissions above those identified under A2.
A3 - External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land. ...	It is not anticipated that any external lighting will be required given both the nature of the use and anticipated hours of operation.

A4 - Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:

The business will not require commercial vehicle movements. The use will be for an office and will support a small number of staff and client vehicle movements. No changes to garbage removal arrangements are proposed.

(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;

(b) 9.00 am to 12 noon Saturdays;

(c) nil on Sundays and Public Holidays.

...

5.3.1 Development Standards for Residential Building and Works

Clause 10.5.1 requires that non-dwelling development comply with the following provisions as if it were a dwelling.

- 10.4.2 A1 & A3;
- 10.4.3 A1(a) and (c);
- 10.4.7 A1.

10.4.2 - Setbacks and building envelope for all dwellings

Objective: To control the siting and scale of dwellings to:

- (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and
- (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and
- (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and
- (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

SCHEME REQUIREMENTS	RESPONSE
A1 - Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:	The existing building on the site will be retained and the only new works proposed is the provision of an additional parking space at the front of the site along with resurfacing of the rear yard.
(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or	No changes to the front setback of the building is proposed. A1 (b), (c) and (d) are not applicable.
(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the	

frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or

(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or

(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.

A2 - A garage or carport must have a setback from a primary frontage of at least: No garage or car port is proposed.

(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or

(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or

(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.

A3 - A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: No external changes to the height or setback of the building area proposed.

(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:

(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and

(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and

(b) only have a setback within 1.5 m of a side boundary if the dwelling:

(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or

(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).

...

10.4.3 - Site coverage and private open space for all dwellings

Objective: To provide:

- (a) for outdoor recreation and the operational needs of the residents; and
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is integrated with the living areas of the dwelling; and
- (d) private open space that has access to sunlight.

SCHEME REQUIREMENTS	RESPONSE
A1 - Dwellings must have:	The application is for a change of use to business and professional services.
(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and	The existing building will be retained, and the only changes to the building will be internal and will not impact on the existing site coverage.
(b) ...	
(c) a site area of which at least 25% of the site area is free from impervious surfaces.	Therefore, the site coverage will not increase over existing. With regard to A1(c) the rear of the site is already sealed and no increase in impervious surfaces is proposed.

10.4.5 - Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.

SCHEME REQUIREMENTS	RESPONSE
A1 - A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garage or carport is proposed. Therefore, A1 does not apply.

10.4.7 - Frontage fences for all dwellings

Objective: To control the height and transparency of frontage fences to:

- (a) provide adequate privacy and security for residents; and
- (b) allow the potential for mutual passive surveillance between the road and the dwelling; and
- (c) provide reasonably consistent height and transparency.

SCHEME REQUIREMENTS	RESPONSE
A1 - A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or ...	No new fences are proposed.

5.3.1 Development Standards for Non-dwelling Buildings and Works

10.5.1 - Non-dwelling Development

Objective: To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties.

SCHEME REQUIREMENTS	RESPONSE
A1 - Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 10.4.2 A1 and A3; (b) 10.4.3 A1 (a) and (c); (c) 10.4.7 A1.	As detailed above, the only external changes to the building are the provision of an accessible ramp to the rear entrance, resurfacing of the existing rear parking area and provision of a new parking space within the frontage of the site. All other modifications will be internal only. The proposal complies with the relevant acceptable solutions identified under A1.

10.5.2 - Non-residential Garages and Carports

Objective: To maintain frontage setbacks consistent with the streetscape and reduce the potential for garage and carport openings to dominate the primary frontage.

SCHEME REQUIREMENTS	RESPONSE
A1 - Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 10.4.2 A2; (b) 10.4.5 A1.	No garages or carports are proposed.

10.5.3 - Outdoor Storage Areas

No outdoor storage areas are proposed; therefore the clause is not applicable.

The following Codes apply to both use and development and have been addressed.

5.4 ROAD AND RAILWAY ASSETS CODE

5.4.1 Use Standards

E5.5.1 - Existing Road Accesses and Junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

SCHEME REQUIREMENTS	RESPONSE
A3 - The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	The current planning scheme parking requirement for dwellings containing 2 or more bedrooms is 2 spaces. The current use of the building would generate approximately 4-5 movements per day, primarily during peak hours. The proposed change of use generates a requirement for 5 spaces, 3 more than existing. Client consultation times are likely to be around 45m-1hr at minimum, based on the nature of the financial advice provided. Based on this, it is anticipated that the vehicle movements per day generated by the proposed change of use would be unlikely to exceed around 10 movements per day, an increase of approximately 6 movements per day over existing. Based on the above, the proposed use will not generate more than 40 vehicle movements per day. Therefore, the proposal complies with A3.

5.5 PARKING AND ACCESS CODE

5.5.1 Use Standards

E6.6.1 - Number of Car Parking Spaces

Objective: To ensure that:

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.
- (b) a use or development does not detract from the amenity of users or the locality by:
 - (i) preventing regular parking overspill;
 - (ii) minimising the impact of car parking on heritage and local character.

(c) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account:

(i) the level of parking available on or outside of the land;

(ii) the impact on the demand for and supply of car parking associated with approved but uncompleted uses and developments and the future occupation of vacant premises; and

(iii) the access afforded by other modes of transport.

(d) where car parking cannot be provided for onsite, a cash contribution toward the development of public parking facilities may be required.

SCHEME REQUIREMENTS	RESPONSE
A1 - The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	The existing dwelling on the site has a total floor area of approximately 268m² across both the ground floor and second floor. The scheme requires 1 space per 30m² for business and professional services use. As specified in this report, several rooms within the building do not generate a requirement for parking (i.e. staff room, filing room, storeroom and child/family room). The proposed total area to be utilised for office space, including admin and meeting room space is calculated to be approximately 150.02m². Therefore, based on the current interim scheme the proposal generates the following requirement for parking: $150.02\text{m}^2 / 30 = 5.002$. Given the nature of the proposed use, a total of 5 parking spaces will be provided across the site, 4 at the rear (including a DDA space) and an additional space will be provided at the front of the site. The proposal complies with A1.

E6.6.2 - Number of Accessible Car Parking Spaces

Objective: To ensure that a use or development provides sufficient accessible car parking for people with a disability.

SCHEME REQUIREMENTS	RESPONSE
A1 - Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design;	One disabled space has been provided in accordance with the building code requirements. The parking area is located as close as possible to the building entrance, compliant with A1.

(c) be located as close as practicable to the building entrance.

E6.6.3 - Number of Motorcycle Parking Spaces

None are required.

E6.6.4 - Number of Bicycle Parking Spaces

None are required.

5.5.2 Development Standards

E6.7.1 - Number of Vehicle Accesses

Objective: *To ensure that:*

(a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:

(i) the number of vehicle access points; and

(ii) loss of on-street car parking spaces;

(b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;

(c) vehicle access points do not have a dominating impact on local streetscape and character.

SCHEME REQUIREMENTS	RESPONSE
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A1 - *The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.*

The existing access to the site will be retained. The proposal complies with A1.

E6.7.2 - Design of Vehicular Accesses

Objective: *To safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.*

SCHEME REQUIREMENTS	RESPONSE
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A1 - *Design of vehicle access points must comply with all of the following:*

No changes to the existing access to the site is proposed.

(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 - "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;

(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and

Circulation Roadways” of AS2890.2 - 2002
Parking facilities Part 2: Off-street commercial
vehicle facilities.

...

E6.7.3 - Vehicular Passing Areas Along an Access

Objective: To ensure that:

(a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists;

(b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.

SCHEME REQUIREMENTS	RESPONSE
A1 - Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. ...	No changes to the existing access or driveway are proposed.

E6.7.4 - On-Site Turning

Objective: To ensure safe, efficient and convenient access for all users, including drivers, passengers, pedestrians and cyclists, by generally requiring vehicles to enter and exit in a forward direction.

SCHEME REQUIREMENTS	RESPONSE
A1 - On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	The existing access only provides for the existing dwelling which is to be repurposed and is considered suitable for the intended use. Notwithstanding this, turn paths have been provided on the accompanying plans, indicating that vehicles parked at the rear of

P1 - On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following: (a) avoidance of conflicts between users including vehicles, cyclists, dwelling occupants and pedestrians; (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads; (c) suitability for the type and volume of traffic likely to be generated by the use or development; (d) ease of accessibility and recognition for users; (e) suitability of the location of the access point and the traffic volumes on the road.	the site will have ample room to manoeuvre on site and enter/exit in a forward direction.
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E6.7.5 - Layout of Parking Areas

Objective: To ensure that parking areas for cars (including assessable parking spaces), motorcycles and bicycles are located, designed and constructed to enable safe, easy and efficient use.

SCHEME REQUIREMENTS	RESPONSE
A1 - The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard. P1 - The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.	The parking spaces have been located and designed in accordance with the relevant Australian Standards.

E6.7.6 - Surface Treatment of Parking Areas

Objective: To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

SCHEME REQUIREMENTS	RESPONSE
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A1 - Parking spaces and vehicle circulation roadways must be in accordance with all of the following;	The existing rear yard currently provides parking spaces and is largely sealed with concrete. It is proposed that the area be resurfaced with new concrete.
<i>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</i>	The parking area will continue to be drained via gravity to public infrastructure within Gordons Hill Road, compliant with A1.
<i>(b) drained to an approved stormwater system, provided that the standard of paving and drainage complies with the adopted standards of the Council.</i>	

...

E6.7.7 - Lighting of Parking Areas

Objective: To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

SCHEME REQUIREMENTS	RESPONSE
A1 - Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable. The parking area will not be used outside of daylight hours and does not serve more than 5 parking spaces.

...

E6.7.8 - Landscaping of Parking Areas

Objective: To ensure that large parking and circulation areas are landscaped to:

- (a) relieve the visual impact on the streetscape of large expanses of hard surfaces;*
- (b) screen the boundary of car parking areas to soften the amenity impact on neighbouring properties;*
- (c) contribute to the creation of vibrant and liveable places;*
- (d) reduce opportunities for crime or anti-social behaviour by maintaining clear sightlines.*

SCHEME REQUIREMENTS	RESPONSE
A1 - Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	The proposal does not generate a requirement for more than 5 cars. Therefore, A1 does not apply.

...

E6.7.9 - Design of Motorcycle Parking Areas

Not applicable.

E6.7.10 - Design of Bicycle Parking Facilities

Not applicable.

E6.7.11 - Bicycle End of Trip Facilities

Not applicable.

E6.7.12 - Siting of Car Parking

Objective: To ensure that the streetscape, amenity and character of urban areas is not adversely affected by siting of vehicle parking and access facilities.

SCHEME REQUIREMENTS	RESPONSE
A1 - Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	The site is within the General Residential Zone, therefore A1 does not apply.
...	

E6.7.13 - Facilities for Commercial Vehicles

Objective: To ensure that facilities for commercial vehicles are provided on site, as appropriate.

SCHEME REQUIREMENTS	RESPONSE
A1 - Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	The proposed use of the existing dwelling will be for office use, which is not primarily dependent on the outward delivery of goods from the site. Therefore, no commercial vehicle facilities are required.
...	

E6.7.14 - Access to a Road

Objective: To ensure that access to the road network is provided appropriately.

SCHEME REQUIREMENTS	RESPONSE
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A1 - Access to a road must be in accordance with the requirements of the road authority.	The existing access to Gordons Hill Road will be retained.
P1 - No performance criteria.	

5.6 STORMWATER MANAGEMENT CODE

5.6.1 Development Standards

E7.7.1 - Stormwater Drainage and Disposal

Objective: To ensure that stormwater quality and quantity is managed appropriately.

SCHEME REQUIREMENTS	RESPONSE
A1 - Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure. P1 - Stormwater from new impervious surfaces must be managed by any of the following: (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles (b) collected for re-use on the site; (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.	The existing shed and carport on the rear of the site will be removed and replaced with a two-car garage. The rear of the site will be resealed, resulting in a minor increase in impervious area which will be drained via gravity to existing public infrastructure. The proposal is considered to comply with A1.
A2 - A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	The rear portion of the yard is largely sealed and does not exceed 600m². Parking is not provided for more than 5 cars and no subdivision is proposed. Therefore, A2 does not apply.
A3 - A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case	The proposed changes are not anticipated to generate any substantial increase in runoff that cannot be accommodated within existing public infrastructure. The proposal complies with A3.

of industrial zoned land, when the land serviced by the system is fully developed;

(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

A4 - A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years. N/A

6. SUMMARY

This application is for a combined permit and amendment and has been prepared under Section 43A of the Land Use Planning and Approvals Act 1993.

The application seeks to modify the existing use qualifications under the General Residential Zone, allowing discretionary office use specifically on the site at 7 Gordon's Hill Road. The application also seeks to remove the current qualification which specifies that business and professional services use must not displace a residential use.

Under the declared State Planning Provisions, business and professional services use will continue to be a discretionary use within the General Residential Zone, however there will no longer be a requirement not to displace a residential use. The amendment seeks to remove this qualification which will aid in bringing the current scheme into greater conformity with the SPPs, which will form part of the Tasmanian Planning Scheme once finalised.

The amendment has been assessed against the relevant criteria under the following statutory documents:

- Southern Tasmania Regional Land Use Strategy;
- City of Clarence Strategic Plan; and
- Clarence City Council - Economic Development Plan.

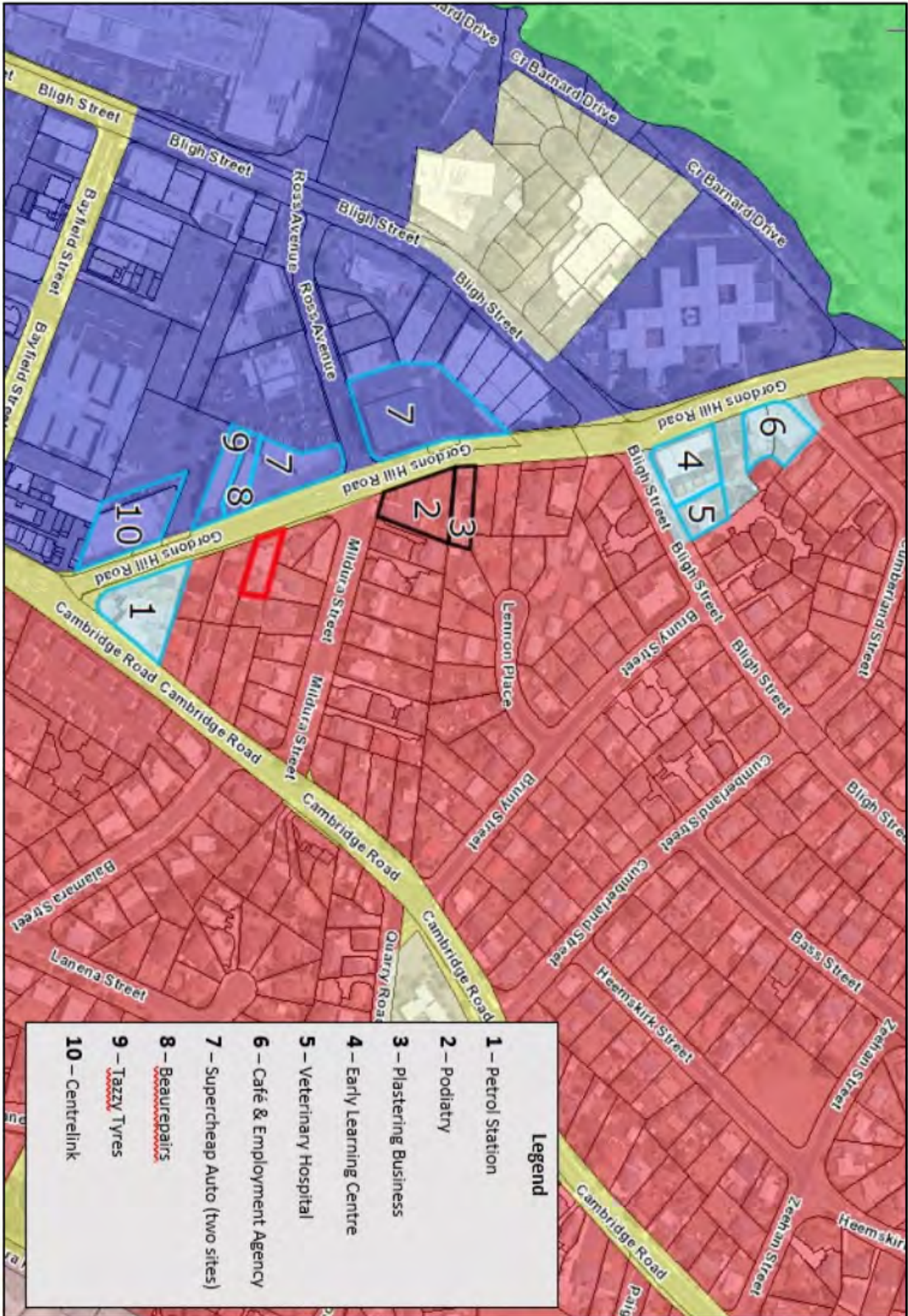
The proposal has also been assessed against the objectives and requirements of the Land Use Planning and Approvals Act, particularly the State Policies, Requirements of Section 30(0), Schedule 1 Objectives and former provisions of Section 32.

The intention of the change of use is to enable use of the existing dwelling for office use. The only modifications to the building will be primarily internal. The business will operate within normal business hours, ensuring little or no impact on adjoining residential properties.

The clients have advised that the business provides substantial benefits to the community through the development of a working relationship with Rosny College, providing workplace training and employment opportunities for VET students within the local community. This relationship is set to expand in 2020.

One Plus One is a holistic business providing wealth accumulators with strategic financial solutions in lending and financial planning. Using an enhanced approach to protect family, investments and debt of clients ensures financial stability and wealth, they engage, educate and evolve clients to meet all their financial goals and objectives.

Figure 1: Location and type of surrounding non-residential uses and underlying zone map. (Source: Irenelnc, 2020)



11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 ADOPTION OF COUNCIL POLICY – NO SPRAY REGISTER POLICY****EXECUTIVE SUMMARY****PURPOSE**

To consider the adoption of a No Spray Register Policy.

RELATION TO EXISTING POLICY/PLANS

Council currently has no policy that governs the process for the receipt, assessment and acceptance of requests from property owners and residents for Council to desist from spraying their property frontages with herbicide as part of routine maintenance operations. A policy has now been developed for Council consideration.

LEGISLATIVE REQUIREMENTS

No legislative requirements to be addressed.

CONSULTATION

No specific public consultation has been undertaken on this matter.

FINANCIAL IMPLICATIONS

It is anticipated the financial implications as a result of adopting this policy will be minor and can be absorbed within council's current Annual Plan. Additional funds may be required beyond the initial period for ongoing management of the Register subject to uptake of applications and numbers of properties approved. These will be reported to council through future budget processes.

RECOMMENDATION:

That Council adopts the No Spray Register Policy.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Council officers periodically receive requests from the community for council to desist from spraying herbicides on council-maintained land adjoining their properties. In the past two years the volume of requests has significantly increased in line with the rise in community concern related to glyphosate-based herbicides.

- 1.2.** The majority of the southern Tasmanian councils surrounding Clarence have either No Spray Registers in place (City of Hobart, Kingborough, Huon Valley, Sorell and Tasman) or are currently in development of one (Glenorchy).
- 1.3.** At its Meeting on 21 October 2019, council resolved to:
- investigate the establishment of a No Spray Register for Clarence residents who would like Council to desist from spraying glyphosate-based herbicides in front of or alongside their property; and
 - following investigation, council officers to provide a report to council on the current use of herbicides in Clarence, and include a comparison of No Spray Registers in other neighbouring councils.
- 1.4.** A council workshop presentation on 10 February 2020 included details on the current use of herbicides by operational staff/contractors and a comparison of the southern Tasmanian council's No Spray Registers. From the workshop council provided direction for officers to proceed with drafting a policy.
- 1.5.** A working group of council officers developed a draft policy, which was presented at council's workshop on 27 July 2020. The policy has now been finalised and is attached (Attachment 1).

2. REPORT IN DETAIL

- 2.1.** The objective of the proposed policy is to provide the framework for council's No Spray Register whereby property owners and residents may apply to Council to request the weeds and vegetation on Council road reservations adjacent to their property not be sprayed with chemical herbicides.
- 2.2.** The scope of the proposed policy is limited to council maintained road reservations and property frontages subject to council-managed weed and vegetation management programs.
- 2.3.** The operation of the proposed policy will be jointly-managed by the Open Space and Operations groups within Asset Management.

- 2.4.** Under the proposed policy, applications will be assessed for acceptance onto the No Spray Register with consideration of the following:
- how council vegetation management activities that include spraying relate to the property;
 - whether the property owner/resident is able to safely undertake vegetation management in the road reserve in place of management by herbicide application;
 - whether the proposed alternative method for the control of weeds is deemed appropriate and effective; and
 - previous adherence to No Spray Register conditions.
- 2.5.** Under the proposed policy council reserves the right to:
- apply herbicides in circumstances where it has a responsibility to manage declared weeds (under the *Weed Management Act 1999*); and roadside vegetation in order to maintain roadways and road furniture for traffic safety.
 - reject an application due to speed limit and associated risk management concerns of working on roadsides.
- 2.6.** Consistent with council's current practices this policy is subject to review in the future.
- 2.7.** An application period of one month will apply to the policy. This is consistent with the other southern councils and is recommended to maintain the efficiency of the weeds officer position for the remainder of the year. Typically this is planned to be 1 June – 30 June each year. The No Spray Register Policy will commence with a trial period subject to having all the processes and operations in place.

3. CONSULTATION

3.1. Community Consultation

No consultation has been undertaken.

3.2. State/Local Government Protocol

City of Hobart and Kingborough Council have been consulted and provided information in regard to operation of their No Spray Registers, including reviews they have recently undertaken of their policy and procedures.

3.3. Other

An internal working group has been consulted regularly through the development of the proposed policy.

3.4. Further Community Consultation

No community consultation is planned. Information will be placed on council's website explaining the details and processes associated with the policy.

- **Consultation Plan**

The community will be informed of the application period of the No Spray Register Policy through advertisements in “The Mercury” and social media platforms.

- **Consultation Aim**

To inform the community of the application period and process.

- **Community Engagement Tools**

In accordance with Clause 8 of the Community Engagement Policy 2020, the community will be informed of the application period through advertisements in “The Mercury” and social media platforms.

- **Consultation Timing**

An application period of one month applies to the Policy.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

- 4.1.** Council's Strategic Plan 2016-2026 within the Strategic Goal Area *A People City* contains the following Strategy to: *"Provide opportunities for involvement and increased awareness for the care of the local environment."*
- 4.2.** Consistent with Clarence Weed Strategy 2016-2030 Strategic Objective 5 - Best practise weed management – particularly in relation to reducing potential impacts of herbicide use.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

- 6.1.** Council has the responsibility to maintain roadways and road furniture in semi-rural and rural areas for road safety. An exemption is included in the proposed policy for council to reserve the right to spray within 3m of the road edge in these areas, to ensure this responsibility is upheld.
- 6.2.** Council has the responsibility to manage roadside declared weeds under the Weed Management Act 1999. An exemption is included in the proposed policy for council to reserve the right to spray for declared weed management, when it is deemed the most appropriate method of control.
- 6.3.** Property owners and residents who agree to maintain the weeds and vegetation of the property frontage must do so in accordance with relevant traffic management standards.

7. FINANCIAL IMPLICATIONS

- 7.1.** It is anticipated the management and maintenance of the No Spray Register such as assessment of applications and monitoring of sites will be incorporated primarily into existing staff resource allocations.

- 7.2.** Initial set-up of roadside markers and marking of no spray areas will require additional resourcing over time. In the current financial year resource requirements will be absorbed within existing budgets relating to weed and roadside vegetation management. Future resourcing requirements will be subject to the number of successful applications received each year.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

- 9.1.** Council does not currently have a policy that defines a formal process for receipt, assessment and acceptance of requests for council to desist from spraying herbicides on council managed land adjoining an owner's property frontage.
- 9.2.** The proposed No Spray Register Policy will provide the framework for this to occur, similar with other southern Tasmanian councils.
- 9.3.** The proposed policy will provide property owners and residents a formal process to request no spray areas along their property frontages and acknowledges the changing community values in regard to the use of herbicides in public areas.

Attachments: 1. No Spray Register Policy (6)

Ross Graham
GROUP MANAGER ENGINEERING SERVICES

NO SPRAY REGISTER POLICY

(COUNCIL POLICY)

1. PURPOSE

The purpose of this policy is to provide the framework for Clarence City Council's No Spray Register whereby property owners and residents may apply to council to request that weeds and vegetation on council road reservations adjacent to their property not be sprayed with chemical herbicides.

2. SCOPE

This Policy covers council maintained road reservations and property frontages that are subject to council-managed weed and vegetation management programs.

3. DEFINITIONS

The following definitions apply to this policy:

Council	means the Clarence City Council.
Herbicide	means a registered pesticide, usually chemical, designed to kill or inhibit the growth of undesirable plants.
Road reservation	means for the purposes of this Policy, the nature strip (urban areas) and road verge (rural and semi-rural areas).
Register	means the No Spray Register developed by council.

4. POLICY STATEMENT

This policy provides the framework for council to manage requests under s2.26 of the *Code of Practice for Spraying in Public Places* (DPIPWE 2014) which details how property owners who request the council to desist from spraying in front of their properties must prepare a proposed weed control plan detailing how they intend to control the problem themselves.

5. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following strategies are identified in Council's Strategic Plan 2016 – 2026:

- *Protect natural assets within Council managed land through development and review of strategies in relation to bushfire, weed, land and coastal management.*

6. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give effect to this policy:

LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- Code of Practice for Spraying in Public Places (DPIPWE 2014)
- *Weed Management Act 1999*
- *Work Health and Safety Act 2012*
- AS 17432.3 : 2019 - Manual of uniform traffic control devices Part 3: Traffic control for works on roads in conjunction with Austroads Guide to Temporary Traffic Management

COUNCIL POLICY, PLANS, PROCEDURES AND GUIDELINES

- Clarence Weed Strategy 2016 - 2030

7. POLICY REQUIREMENTS

The purpose of this policy will be achieved through implementation of a No Spray Register and application process outlined below.

APPLICATION PROCESS

Applications for inclusion on the Register will be advertised annually and promoted on council's website and by any other identified suitable means.

Application period to be open for one month (1 June to 30 June) each calendar year, except in regard to the initial trial period where the application period will be determined subject to commencement date of the policy.

The application form and procedures will set council's duties and the duties of a property owner or occupier in ensuring their obligations are met under the No Spray Register Policy.

APPLICATION GUIDELINES

- The No Spray Register applies to property frontages of Council owned road reservations.
- A person may only apply for inclusion on the register in respect of land they own, or at which they reside.
- Tenants of a property or residents of a strata property must provide written confirmation from the landlord or body corporate in support of any application.
- Property owners or residents who request the council to desist from spraying in front of their properties on council maintained land must prepare a plan detailing how they will control the weeds and manage the vegetation.
 - The plan must be approved by council and carried out in a timely manner by the property owner / resident.
 - If the area is not maintained in accordance with the approved plan, council may resume responsibility for the maintenance of the land, including the use of chemical herbicides.

ASSESSMENT OF APPLICATIONS

Council assessment of an application will include the following criteria.

- How council vegetation management activities that include spraying relate to the property.
- Whether the property owner / resident is able to safely undertake the required weed management activities.
- The assessed effectiveness of the alternative method for the control of weeds.
- Previous adherence to No Spray Register conditions.

Applicants will be notified in writing of the outcome of their application.

INCLUSION ON NO SPRAY REGISTER

Where an application is approved, the identified property frontage will be included on the No Spray Register for an initial trial period (expiring 30 June 2022). Following the initial trial period approved applications may be included on the Register for a 24-month period.

NO SPRAY REGISTER

- The Register will be maintained in an appropriate form, detailing the property frontage and area to be excluded from herbicide spraying; and the date of issue and expiry of the no spray application.
- The details will be included in a 'No Spray Register' layer within council's GIS system.
- Tenders and contracts for the spraying of road reservations will be required to acknowledge no spray zones and properties listed on the Register.
- Council staff and contractors are to be made aware of and adhere to the Register as far as is reasonably practicable.

MARKING OF NO SPRAY AREAS

- On rural roadsides approved no spray areas will be marked by two orange markers (one at each end of area) at a height of 900mm above natural ground level and in line with property boundary.
- On urban roadsides approved no spray areas will be marked by two orange markers (one at each end of area) painted on the front face and on the top of the kerb and gutter.

EXEMPTIONS

Council reserves the right to, within the relevant area subject to a 'No Spray' application:

- apply herbicides in circumstances where it has a responsibility to manage roadside vegetation e.g. declared weed management under the *Weed Management Act 1999*.
- apply herbicides in circumstances where it has a responsibility to maintain roadways and road furniture within 3 metres of the road edge and around power poles in semi-rural and rural areas for road safety.
- reject an application due to speed limit and associated risk management concerns of working on roadsides.
- reject any application on grounds that it is not within the overall interest of council to include the area in the No Spray Register.

8. IMPLEMENTATION AND COMMUNICATION

The Manager Open Space and Operations Manager are 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

TABLE OF AMENDMENTS

No.	Date	Brief Details

APPROVAL

GM APPROVAL DATE	XX XXX 2020
REVIEW	Every 5 years
RESPONSIBLE POSITION	Manager Open Space
ECM REFERENCE	

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 TASNETWORKS CREATION OF EASEMENT – 65A HANCE ROAD, HOWRAH****EXECUTIVE SUMMARY****PURPOSE**

To consider a request from TasNetworks to create an easement over Council's public open space at 65a Hance Road, Howrah for the benefit of a private subdivision development at 40 Pass Road, Howrah.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

As the proposed creation of easement represents a transaction of an interest in Council land, this decision is required to be dealt with under the *Local Government Act 1993* (Tas) and requires an Absolute Majority decision of Council.

CONSULTATION

Consultation has occurred between Council officers, TasNetworks and the private developer.

FINANCIAL IMPLICATIONS

Costs associated with the establishment of the easement will be borne by the owner of 40 Pass Road, Howrah and will not impact on Council's Annual Plan.

RECOMMENDATION:

- A. That Council approves the request from TasNetworks and endorses the creation of an electricity easement over public open space at 65a Hance Road, Howrah.
- B. That all costs associated with the creation of the easement, including compensation as determined by a registered valuer, Council's legal costs and valuation fee, are to be borne by the owner of the land at 40 Pass Road, Howrah.

NB: An Absolute Majority is required for a decision on this item.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** In 2007, Council approved a staged development of land at 40 Pass Road, Howrah.

- 1.2.** The owner has requested Council to approve the creation of an electricity easement in favour of TasNetworks over public open space at 65a Hance Road, Howrah.
- 1.3.** Council approval is required to create an easement on the title for the Council land to formalise the construction and future maintenance of the electricity infrastructure in favour of TasNetworks.

2. REPORT IN DETAIL

- 2.1.** Since 2007, Council has approved a staged subdivision for land at 40 Pass Road, Howrah.
- 2.2.** TasNetworks, on behalf of the owner, wrote to Council requesting approval for an electricity easement to be created in favour of TasNetworks for electricity infrastructure at 65a Hance Road, Howrah.
- 2.3.** The Council land at 65a Hance Road, Howrah transferred to Council on 25 November 2010 and is dedicated as public open space.
- 2.4.** Council has previously considered the creation of an easement in favour of TasNetworks on Public Open Space that has transferred to Council from the subdivision of 40 Pass Road.
- 2.5.** The granting of an easement over Council public land triggers the same statutory requirements as would disposal of land. It is necessary for Council to formally consider the easement creation and that a valuation is required to assess whether there is any compensation payable to Council.
- 2.6.** As the easement creation is for a private benefit all costs associated with the creation of the easement on title, it has been Council's long-established practice to require payment of compensation by the owner.
- 2.7.** The owner has agreed to accept all costs associated with the creation of the easement on titles including compensation, valuation costs etc.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Consultation has occurred between Council officers, TasNetworks and the owner.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

As the proposed creation of an easement represents a transaction of an interest in Council land, this decision is required to be dealt with under the *Local Government Act 1993* (Tas) and requires an Absolute Majority decision of Council.

7. FINANCIAL IMPLICATIONS

Costs associated with the establishment of the easement will be borne by the owner and will not impact on Council's Annual Plan and Estimates.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

- 9.1.** Council owns public open space at 65a Hance Road, Howrah which was obtained through a subdivision. A concrete pathway has not yet been developed on the public open space as the Department of State Growth wants to discourage pedestrian access at this point in time. A concrete pathway will be constructed by the owner of 40 Pass Road after the installation of the electricity infrastructure.
- 9.2.** The owner of 40 Pass Road, Howrah has requested Council approval be given to the creation of an electricity easement in favour of TasNetworks on the title for the Council land for electricity infrastructure within the public open space at 65a Hance Road, Howrah.
- 9.3.** The creation of the easement is supported on the basis that the owner pays compensation and the costs associated with the construction of the electricity easement and creation of the easement on title to the satisfaction of TasNetworks.

Attachments: 1. Plan Showing Proposed Easement (1)
2. Photograph of Council Land (1)

Ian Nelson
GENERAL MANAGER

ATTACHMENT 1

PLAN OF SURVEY

BY SURVEYOR ANDREW STEPHEN BIRCH
ROGERSON & BIRCH SURVEYORSUNIT 1B 120 CAMBRIDGE ROAD ROSNY PARK
PH 6244-6256 FAX 6244-6221 MOB. 0418-120-796

LOCATION

CITY OF CLARENCE

SCALE 1: 300

LENGTHS IN METRES

Registered Number

OWNER LYNMORE HOLDINGS PTY LTD

FOLIO REFERENCE

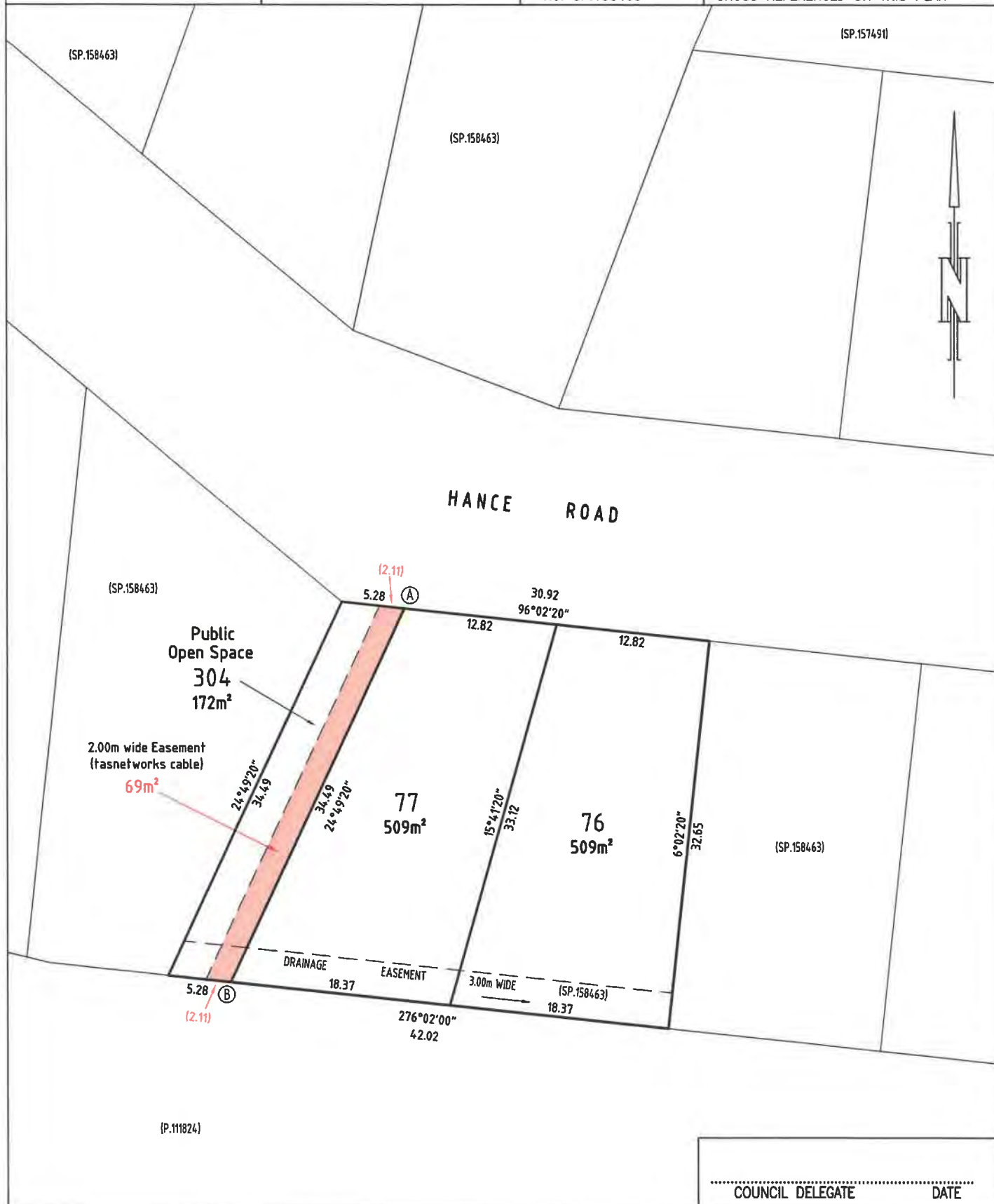
C.T.158463/76 & C.T.158463/77

GRANTEE: PART OF 390 ACRES GTD TO
WILLIAM STANLEY SHARLAND, WILLIAM
TARLETON & WILLIAM LOVETTAPPROVED
EFFECTIVE FROM

Recorder of Titles

MAPSHEET MUNICIPAL
CODE No.

LAST UPI No.

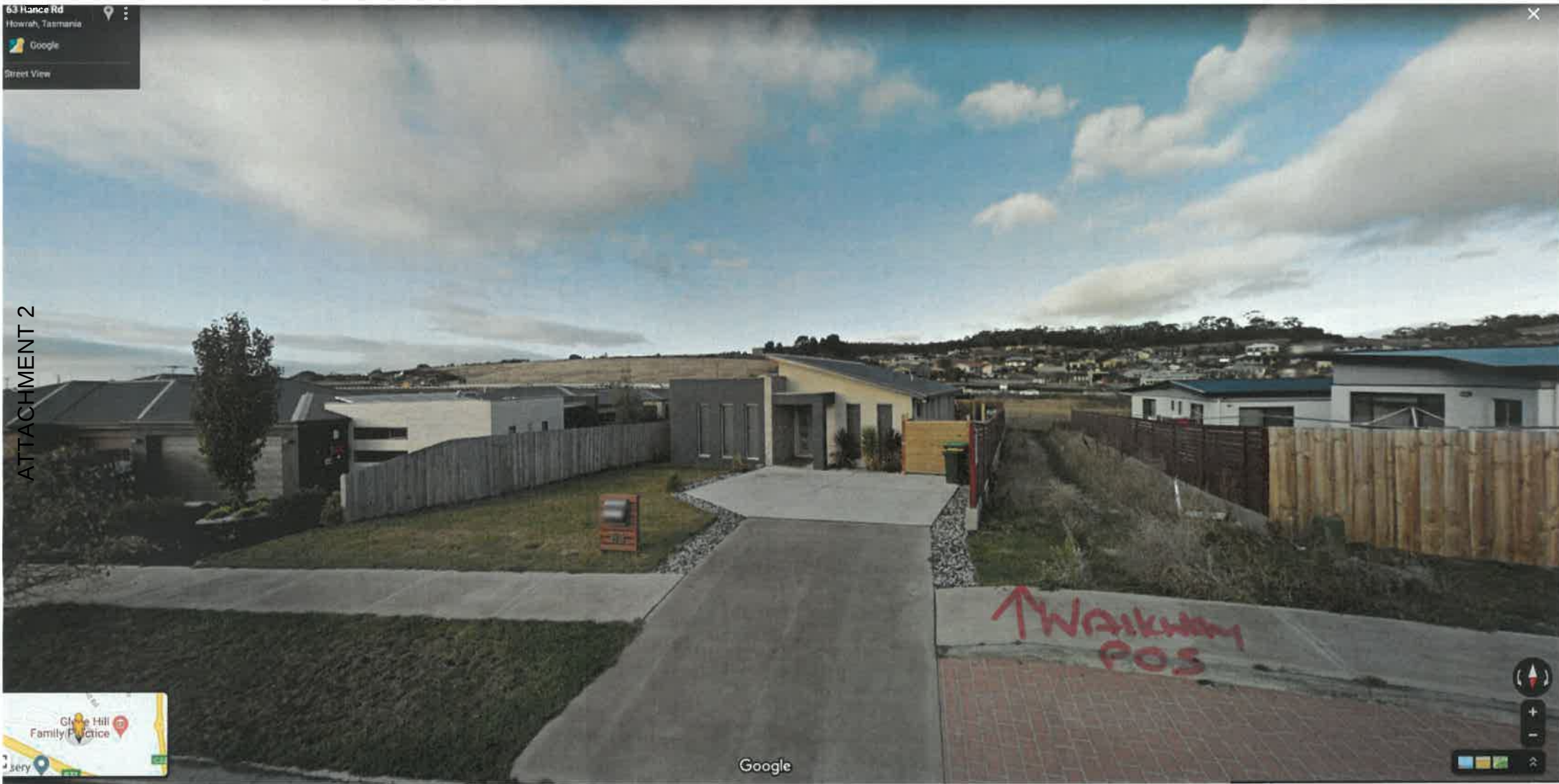
LAST PLAN
No. SP.158463ALL EXISTING SURVEY NUMBERS TO BE
CROSS REFERENCED ON THIS PLAN

COUNCIL DELEGATE

DATE

63 Hance Rd
Howrah, Tasmania
Google
Street View

ATTACHMENT 2



11.7.2 CREATION OF PRIVATE RIGHT-OF-WAY – 90 GORDONS HILL ROAD, LINDISFARNE**EXECUTIVE SUMMARY****PURPOSE**

To consider a request from the owners of 92 Gordons Hill Road and 68 Henley Street, Lindisfarne to create an easement over Council's land at 90 Gordons Hill Road for the benefit of a private subdivision and to formalise vehicular access.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

As the proposed creation of easement represents a transaction of an interest in Council land, this decision is required to be dealt with under the *Local Government Act 1993* (Tas) and requires an Absolute Majority decision of Council.

CONSULTATION

Consultation has occurred between Council officers and the owners of 92 Gordons Hill Road and 68 Henley Street.

FINANCIAL IMPLICATIONS

Costs associated with the establishment of the easement will be borne by the owners of 92 Gordons Hill Road and 68 Henley Street and will not impact on Council's Annual Plan.

RECOMMENDATION:

- A. That Council approves the request from the owners of 92 Gordons Hill Road and 68 Henley Street, Lindisfarne to create a right-of-way easement over Council land at 90a Gordons Hill Road, Lindisfarne.
- B. That all costs associated with the creation of the easement, including compensation as determined by a registered valuer, Council's legal costs and valuation fee, are to be borne by the owners of 92 Gordons Hill Road and 68 Henley Street.

NB: An Absolute Majority is required for a decision on this item.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** In 2001, Council approved a 2 lot subdivision of 90 Gordons Hill Road and the creation of an easement 4.5m wide over council land at 90a Gordons Hill Road to provide access.

- 1.2. The owner of 92 Gordons Hill Road applied and obtained approval on 19 August 2019 for a 2 lot subdivision subject to the owner purchasing a right-of-way easement over the Council land at 90a Gordons Hill Road.
- 1.3. No 68 Henley Street relies on the Council land for vehicular access and has applied to have the access formalised by the creation of a right-of-way.
- 1.4. Council approval is required to create an easement on title for the Council land to formalise the access to 90 Gordons Hill Road and 68 Henley Street.

2. REPORT IN DETAIL

- 2.1. Council in 2001 approved a 2 lot subdivision of 90 Gordons Hill Road and the creation of an easement 4.5m wide over council land at 90a Gordons Hill Road to provide access.
- 2.2. The owner of 92 Gordons Hill Road applied and obtained approval on 19 August 2019 for a 2 lot subdivision subject to the owner purchasing an easement over the Council land. The existing right-of-way is 4.5m wide along the boundary of 90 Gordons Hill Road and is not able to service 92 Gordons Hill Road.
- 2.3. No 68 Henley Street has relied on the council land for access as the property does not have vehicular access from Henley Street. The use of the council land has been approved by Council but never formalised on title.
- 2.4. The owner of 68 Henley Street has requested that the access be formalised.
- 2.5. As creation of a right-of-way easement is for a private benefit all costs associated with the creation of the easements on title, it has been Council's long-established practice to require payment of compensation by the owner.
- 2.6. The owners have agreed to accept all costs associated with the creation of the easement on titles including compensation, valuation costs etc.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Consultation has occurred between Council officers and the owners of 90 Gordons Hill Road and 68 Henley Street.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

As the proposed creation of an easement represents a transaction of an interest in Council land, this decision is required to be dealt with under the *Local Government Act 1993* (Tas) and requires an Absolute Majority decision of Council.

7. FINANCIAL IMPLICATIONS

Costs associated with the establishment of the easements will be borne by the owners and will not impact on Council's Annual Plan and Estimates.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

- 9.1.** Council owns land at 90a Gordons Hill Road which was obtained through a subdivision in 1982.
- 9.2.** The area of land is not public open space. It is used for pedestrian access between Gordons Hill Road and Henley Street, access and off street parking for the owners of 90 and 92 Gordons Hill Road and 68 Henley Street.
- 9.3.** The creation of the easement is supported on the basis that it formalises the current use of the council land.

Attachments: 1. Photograph of Council Land (1)
2. Plan showing Proposed Easements (1)

Ian Nelson
GENERAL MANAGER

ATTACHMENT 1

PLAN OF SURVEY		OWNER:	Registered Number
ANNEXURE SHEET		FOLIO REFERENCE:	PRELIMINARY
SHEET OF SHEETS	SCALE 1: 250	LENGTH IN METRES	
SIGNED FOR IDENTIFICATION PURPOSES	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN.		<u>APPROVED</u> <u>EFFECTIVE</u> FROM
..... Council Delegate Date	 Registered Land Surveyor Date		Recorder of Titles

RIGHT OF WAY 'A' $\pm 223\text{m}^2$ in favour of 92 Gordons Hill Road and 68 Henley Street
RIGHT OF WAY 'B' $\pm 16.8\text{m}^2$ in favour of 92 Gordons Hill Road only
RIGHT OF WAY 'C' $\pm 15.5\text{m}^2$ in favour of 92 Gordons Hill Road only
RIGHT OF WAY 'D' $\pm 136\text{m}^2$ in favour of 68 Henley Street only





1:564

11.7.3 EQUESTRIAN TASMANIA AND HOBART ARCHERS – LEASE OF PUBLIC LAND**EXECUTIVE SUMMARY****PURPOSE**

To consider entering into two separate lease agreements with Equestrian Tasmania and Hobart Archers for land at 147 Acton Road, Acton Park.

RELATION TO EXISTING POLICY/PLANS

Council's Leased Facilities Pricing and Term of Lease Policy and the Recreation Needs Analysis 2019 are applicable.

LEGISLATIVE REQUIREMENTS

Section 177 of the Local Government Act 1993 is applicable.

CONSULTATION

Consultation has occurred between Council officers, representatives from Equestrian Tasmania and Hobart Archers.

FINANCIAL IMPLICATIONS

The Recommendation has no direct implication on Council's Annual Plan.

RECOMMENDATION:

- A. That in accordance with Section 177A of the local Government Act 1993, Council gives notice of intention to lease public land at 147 Acton Road, Acton Park to Equestrian Tasmania and Hobart Archers.
- B. That, provided the notice of intention process to lease is finalised and no objections are received, Council authorises the General Manager to enter into two separate lease agreements with Equestrian Tasmania and Hobart Archers for a term of 10 years with an option for a further term of 10 years in accordance with Council's Leased Facilities Pricing and Term of Lease Policy.
- C. That, in the alternative to Recommendation B above, should objections be received, the proposed leases be referred to a future meeting of Council for consideration.

NB: An absolute Majority is required for a decision on this item.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Equestrian Federation of Australia has licensed the land at 147 Acton Road, Acton Park since 27 March 2001. The licence is due to expire on 27 March 2021.

- 1.2.** Equestrian Tasmania Inc. is the state body of Equestrian Federation of Australia.
- 1.3.** Hobart Archers has sub-let from Equestrian Federation of Australia part of the land since 2005.
- 1.4.** The Tangara Trail is constructed around some of the perimeter of Roscommon and Council has identified a community need to extend the Trail around the remaining boundary and provide a link from east to west through the land.
- 1.5.** Agreement has been reached with both organisations on new lease boundaries. Refer to attached lease plan (Attachment 1)
- 1.6.** Council approval is required to enter into new lease agreements with Equestrian Tasmania (lot 1) and Hobart Archers (lot 2).

2. REPORT IN DETAIL

- 2.1.** Council owns the property known as “Roscommon” at 147 Acton Road, Acton Park with a land size of 101 hectares.
- 2.2.** On 21 September 1998 Council approved the development of an equestrian centre at 147 Acton Road, Acton Park.
- 2.3.** Council entered into a licence agreement with Equestrian Federation in 2001 and the licence is due to expire on 27 March 2021.
- 2.4.** The licence referred to two areas, A and B. Area A is for exclusive use by Equestrian Tasmania and Area B a non-exclusive area to allow Equestrian Tasmania to sub-let to a farmer to graze cattle for fire hazard reduction and for part of the Tangara Trail.
- 2.5.** In 2005, Equestrian Tasmania obtained Council approval to sub-let part of the non-exclusive area to Hobart Archers. Both sports require large areas of land and the organisations have worked well together.

- 2.6.** Equestrian Tasmania has at its expense constructed club rooms, dressage arenas, cross country courses, jumps, fencing, horse yards and associated car parking and facilities to host major events.
- 2.7.** Hobart Archers has built a small club house and various targets and has plans to develop the site further and is applying for funds to improve the entrance and fencing off Roches Beach Road with a long term goal to construct an indoor facility.
- 2.8.** The Tangara Trail is constructed around most of the Roscommon boundary and Council officers have been working with both organisations to extend the trail around the remaining boundary and have a link from east to west through this Roscommon site.
- 2.9.** Agreement has been reached between Equestrian Tasmania and Hobart Archers to lease direct from Council and new lease boundaries have been determined with the balance land being surrendered to Council for the Tangara Trail.
- 2.10.** Equestrian Tasmania currently pay Council an annual rental of \$6125.68 with Hobart Archers contributing half of this amount. If approval is given to enter two separate leases the rental will commence at \$3062.84 each.
- 2.11.** A Notice of Intention to Lease public land is required to be submitted in accordance with Section 178 of the Local Government Act, 1993.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Consultation has occurred between Council officers and representatives from Equestrian Tasmania and Hobart Archers.

3.4. Further Community Consultation

Should Council approve the recommendation, public consultation will occur in accordance with Section 178 of the Local Government Act, 1993.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

In accordance with the Local Government Act, 1993 a Notice of Intention to lease public land will be required for the lease areas. The Notice will be published in accordance with Section 178 of the Local Government Act, 1993.

7. FINANCIAL IMPLICATIONS

There is not direct financial implication on Council's Annual Plan.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

9.1. Council in 1998 endorsed the development of Roscommon as an equestrian centre.

9.2. The licence and sub-licence with Equestrian Tasmania and Hobart Archers is due to expire on 27 March 2021.

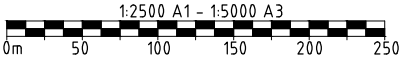
- 9.3. Council has been negotiating with both organisations to extend the Tangara Trail around the Roscommon boundary and to have a link from east to west.
- 9.4. Through the negotiations new lease boundaries have been determined and agreed by both organisations and Council has secured extension of the Tangara Trail and a new link from east to west of Roscommon.
- 9.5. The new lease terms will provide security for the organisations and enable them to apply for grants to develop their lease areas.

Attachments: 1. Plan Showing Proposed Lease Areas and Tangara Trail (1)

Ian Nelson
GENERAL MANAGER



PLAN
SCALE 1:2500



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11.7.4 CLARENCE CITY COUNCIL COMMUNITY RECOVERY GRANTS**EXECUTIVE SUMMARY****PURPOSE**

To consider the Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the Clarence City Council Community Recovery Grants 2020.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy, Strategic Plan, Community Grants Policy, Clarence City Council COVID-19 Social Recovery Action Plan and relevant social plans.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

An allocation of \$100,000.00 is available.

RECOMMENDATION:

That Council approves the distribution of financial grants totalling \$55,916.59 to community groups and organisations, as detailed in the schedule attached to the Associated Report.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. At its Meeting of 9 June 2020, Council endorsed the \$215,000 COVID-19 Community Recovery Package which is made up of 3 components:

- Clarence City Council Community Recovery Grants - \$100,000;
- Social Recovery Action Plan - \$55,000; and
- Homelessness - \$60,000.

1.2. The funding round for Clarence City Council Community Recovery Grants closed on 17 August 2020. Twenty nine applications were received (refer to Recovery Grant assessment summary attachment).

- 1.3.** The Grants Assessment Panel reviewed all applications and has recommended 18 projects be funded for varying amounts.

2. REPORT IN DETAIL

- 2.1.** At its meeting of 9 June 2020, Council's decision was:

“That Council:

- A. *Rescinds its decision of 6 April 2020 in respect to Item 11.7.1, Recommendation C, Dot Point 4 'The community grants program be refocussed to support local businesses, not-for-profit organisations and community organisations recover their operations to help build resilience, until 30 June 2021'.*
- B. *Endorses the carry-forward of unspent funds from the FY2019/20 Estimates to the FY2020/21 Estimates, totally \$150,000, for reallocation as follows.*
 - *an amount of \$35,000 to supplement the FY2020/21 budget allocation (\$65,000) for Community Support and Partnership Grants – totalling \$100,000;*
 - *an amount of \$60,000 to fund practical homelessness initiatives within Clarence, in partnership with relevant not-for-profit organisations and in accordance with the Clarence City Council COVID19 Social Recovery Plan; and*
 - *the balance of funds (\$55,000) to fund any additional expenditure required to deliver the objectives and actions identified in the Clarence City Council COVID-19 Social Recovery Action Plan over Clarence City Council Community Recovery Grants - \$100,000*
- C. *Authorises the Partnership Grants Assessment Panel to coordinate the allocation of grant funds between the Community Support Grants and Partnership Grants programs in accordance with currently approved grant policy requirements, and to determine grant applications for each grant type during the FY2020/21 year”.*

- 2.2.** The Clarence City Council Community Recovery Grants program opened in July and was advertised in “The Mercury”, the Council Rates News, the Eastern Shore Sun and on Council's website. An email was sent to non-profit groups and promoted through Community Development networks.

2.3. The Clarence City Council Community Recovery Grants is Council's investment to assist the delivery of projects and programs that support the Clarence Community recovery from the impacts of the pandemic. Specifically, by:

- supporting actions that foster wellbeing and a healthy, safe and productive community;
- assisting community-led projects and activities that build community resilience and foster partnerships for recovery;
- encouraging inclusive, locally relevant and respectful community participation in social recovery programs;
- promoting cultural opportunities and community programs to maintain social connection and community participation in Clarence; and
- working together in ways that align with Council's goals and strategies as outlined in the Strategic Plan, the Social Recovery Action Plan and other Council Plans.

2.4. The Clarence City Council Community Recovery Grants were made available to:

- Community Groups;
 - Club and organisations; and
 - Not-for-profit organisations
- who operate in the City of Clarence.

2.5. Three tiers of funding were made available: applications were invited for projects seeking funding for up to \$1,500.00, up to \$5,000.00 and up to \$10,000.00 for activities that will contribute to the social recovery of the Clarence community.

2.6. Applications for the Clarence City Council Community Recovery Grants closed on 17 August 2020 and a total of 29 applications were received for funding totalling \$117,037.59.

2.7. Applications were assessed against how well they met the assessment criteria. It operates in the context of Council's Strategic Plan, Clarence City Council COVID-19 Social Recovery Action Plan, other related Plans, for example: Youth Plan; Cultural Arts Plan; Age Friendly Plan; Access Plan; Cultural History Plan; Community Health and Wellbeing Plan; Community Participation Policy; Clarence Events Plan and Community Safety Plan.

2.8. Thirteen applications received have been recommended for approval for the requested amount; the total amounts to \$42,568.59. These are:

- Clarence Sunrise, Satellite of the Rotary Club of Lindisfarne – Community Events Marquee \$1,500.00
- Clifton Beach Surf Life Saving Club – Return to Play \$10,000.00
- Colony 47 – SE@RCH Program – Hire Me \$4,134.20
- Cremorne Community Group – Community Marquee \$3,000.00
- Grace Church Rokeby – Portable Sound System \$1,500.00
- Hobart Bangladesh Community Inc – A Day for Moms \$2,807.90
- Lindisfarne Sailing Club – Upgrade of Life Jackets \$1,500.00
- Neighbourhood Watch Tasmania – Cuppa with a Cop \$1,500.00
- One Community Together – Shaping the Plains \$4,800.00
- Pipe Clay Coast care – Creative Cremorne \$4,997.00
- Rosny College School Association – Taiko Primary School Performances \$4,050.00
- St Aidans Cricket Club – New Women's Cricket Team \$1,500.00
- Tasmanian Multiple Birth Association – Tasmanian Multiple Birth Association Connection Project \$1,279.49

Refer to Recovery Grant assessment summary schedule (attached) for detailed information.

2.9. Five applications received have been recommended for partial funding; the total amounts to \$13,348.00. These are:

- Dominoes Basketball Club – Growth of Junior Basketball \$2,500.00
Reason: Families can apply for assistance with registration cost through the State Government’s “Ticket to Play” fund.
- Eastern Suburbs Rugby Union Football Club – Junior Development \$1,142.00
Reason: Funding component towards uniforms is not eligible under the guidelines
- Grace Christian Church – Equipment Bundle \$3,000.00
Reason: Support for the purchase of the portable music system only. Concerns raised of safety and durability of inflatable items.
- Hobart Archers – Contactless member registration and user identification \$2,500.00
Reason: Quote included installation costs which is not eligible under the guidelines. Funding is recommended for purchase of equipment only.
- The Parkside Foundation – All Abilities Inclusive Community \$4,206.00
Reason: Support is for the purchase of equipment only. Room renovations are not eligible for funding under the guidelines.

Refer to Recovery Grant assessment summary schedule (attached) for detailed information.

2.10. Eleven applications received have not been recommended for funding. The total of these applications amounts to \$48,331.00.

- Bellerive Historical Society – 30th Anniversary Celebrations \$1,500.00
Reason: This is an invitation event, member only celebration. Activity is not related to COVID recovery.

- Clarence Lions Club – Supporting the Homeless \$2,500.00
Reason: Better outcomes could be achieved by inviting the Lions Club to work in partnership with Council as part of Council's Recovery Package, through the Homelessness Project.
- Eastern Shore Croquet Club – Line Marking Machine \$1,500.00
Reason: Invoice showing the machine was purchased in March.
- Richmond Football Club – Community Kitchen \$3,500.00
Reason: Appears to be like for like replacement. Benefit is only to the club.
- Tasmanian Golf Club – Dining Room Tables \$5,000.00
Reason: Table purchase is for commercial use. Benefit only to club members and guests.
- The Matthew Millhouse Salute – Marketing and Promotions Project \$4,331.00
Reason: Sponsorship for a fundraising activity. A similar event was previously supported through a Community Support Grants.
- Wildlife Bush Babies and Snake Rescue – Wildlife and Snake Rescue \$5,000.00
Reason: Did not meet eligibility criteria. No relation to a COVID recovery response.
- Lindisfarne Junior Football Club – New Football Jumpers \$5,000.00
Reason: Ongoing operational costs including uniforms are not eligible will not be funded under the Guidelines.
- Lindisfarne Masonic Centre – Maintenance of Floor Area. \$10,000.00
Reason: The development, upgrading or renovating government or private-owned facilities will not be funded under the Guidelines.
- Rotary Club of Howrah – Supply and install a Disability Bus Shelter at Lauderdale. \$5,000.00
Reason: The development, upgrading or renovating government or private-owned facilities will not be funded under the Guidelines.

- Puddleduck Parent Group – Summer Breeze Consultancy – Puddleduck Parent Group \$5,000.00
Reason: Small business not eligible to apply for funds under the Guidelines.

Refer to Recovery Grant assessment summary schedule (attached) for detailed information.

3. CONSULTATION

3.1. Community Consultation Undertaken

The Clarence City Council Community Recovery Grants program opened in July and was advertised in “The Mercury”, the Council Rates News, the Eastern Shore Sun and on Council’s website. An email was sent to non-profit groups and promoted through Community Development networks.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

- 7.1.** A budget of \$100,000.00 has been identified for the Clarence City Council Community Recovery Grants.
- 7.2.** Applications were invited for projects up to \$1,500, \$5,000 or \$10,000. All projects are for activities that contribute to the social recovery of the Clarence community.
- 7.3.** Unspent funds of \$44,083.41 will be incorporated in the other two components of the Social Recovery Package to consider any other requests and to support practical homelessness initiatives. Consideration will be given to offering a further round of support grants in March 2021 if there are sufficient funds available.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Community Grants Panel has assessed the 29 applications and have recommended 18 applications to Council for approval for the amounts requested or partial funding:

- 13 recommended for the amount requested on their applications totalling \$42,568.59;
- 5 recommended for partial funding totalling \$13,348.00; and
- 11 were not supported.

Attachments: 1. Clarence City Council Community Recovery Grants Assessment Summary Schedule (16)
2. Clarence City Council Community Recovery Grant Guidelines (6)

Ian Nelson
GENERAL MANAGER

ATTACHMENT 1

Clarence Community Recovery Grant Assessment Schedule – August 2020

29 applications were submitted to Council for Clarence Community Recovery Grants

Applications	Project	Requested Amount
Bellerive Historical Society Inc.	30th Anniversary Celebration	\$1,500.00
Clarence Lions Club Inc.	Supporting the Homeless	\$2,500.00
Clarence Sunrise, Satellite of the Rotary Club of Lindisfarne	Community Events Marquee	\$1,500.00
Clifton Beach Surf Life Saving Club	Return to Play	\$10,000.00
Colony 47 – SE@RCH program	Hire Me	\$4,134.20
Cremorne Community Group Inc	Community Marquee Renewal	\$638.00
Dominoes Basketball Club	Growth of Junior Basketball	\$5,000.00
Eastern Shore Croquet Club	Line Marking Machine	\$1,500.00
Eastern Suburbs Rugby Union Football Club	Junior Development	\$1,500.00
Grace Christian Church	Equipment Bundle	\$10,000.00
Grace Church Rokeby	Portable Sound System for Community Centre	\$1,500.00
Hobart Archers Inc.	Contactless member registration and user identification	\$5,000.00
Hobart Bangladesh Community Inc.	A Day for Moms	\$2,807.90
Lindisfarne Junior Football Club	New Football Jumpers	\$5,000.00
Lindisfarne Masonic Centre	Maintenance of Floor Area	\$10,000.00
Lindisfarne Sailing Club	Upgrade of Life Jackets	\$1,500.00
Neighbourhood Watch Tasmania	Cuppa with a Cop	\$1,500.00
One Community Together	Shaping the Plains	\$4,800.00
Pipe Clay Coast care	Creative Cremorne	\$4,997.00
Puddleduck Parent Group – Summer Breeze Consultancy	Puddleduck Parent Group	\$5,000.00
Richmond Football Club	Community kitchen	\$3,500.00
Rosny College School Association	Taiko Primary School Performances	\$4,050.00
Rotary Club of Howrah	Supply & Install disability bus shelter	\$5,000.00
St Aidans Cricket Club	New Women's Cricket Team	\$1,500.00
Tasmanian Golf Club	Dining Room Tables	\$5,000.00
Tasmanian Multiple Births Association	Tasmanian Multiple Birth Association Connection Project	\$1,279.49
The Matthew Millhouse Salute	Marketing and Promotions Project	\$4,331.00
The Parkside Foundation	All Abilities Inclusive Community	\$7,000.00
Wildlife Bush Babies and Snake Rescue	Wildlife and Snake Rescue	\$5,000.00
Total		\$117,039.59

Applications Supported for Funding as Requested

Applicant: Clarence Sunrise, Satellite of the Rotary Club of Lindisfarne

Project: Community Events Marquee

Funds Requested: \$1,500.00

Project Description: The request for funds is to purchase a marquee to allow the club to participate in events, gather support for local business as we respond to the local challenges created by COVID-19. The club is looking to have a strategic focus on youth and health, and to undertake activity which supports local Tasmanian and Eastern shore-based business. The use of a marquee will allow us to build our community network as a young organisation and will allow the club to run barbecues, community events, and to promote community partners and local business throughout the Clarence region. In addition, it will allow our club to gain awareness and to recruit more members to meet our objectives.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing, Age Friendly Plan and Youth Plan/s. This application is fully supported by the Grants Assessment Panel, however if approved, for safety reasons we should make mention to purchase weights instead of pegs to anchor the marquee.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$1,500.00.

Applicant: Clifton Beach Surf Life Saving Club

Project: Return to Play

Funds Requested: \$10,000.00

Project Description: Clifton Beach SLSC has worked hard to increase its Nipper program and as such has seen a 130% increase in participation numbers since 2016. The program promotes youth engagement and helps to bring our community together, contributing to building a positive community identity that promotes social inclusion.

In preparation for the upcoming summer surf season, our executive committee have developed a COVID-19 Safe Plan to ensure all nipper education and training programs can recommence observing the current social distancing guidelines and ensure members are able to train and enjoy the beach safely. To do this we need to expand the number of nipper groups on the beach, decrease the number within each group and equipment can no longer be shared during training sessions. To ensure we can recommence our Nipper program for the upcoming season, we need to purchase additional nipper boards. With limited active participation opportunities at present due to Covid-19, in the coming months open outdoor activities will be essential to bring our community together contributing toward both physical and mental well-being.

Funds are requested to purchase nipper boards.

Comments: Meets the eligibility criteria. Aligns with Council's Social Recovery Action Plan, Health & Wellbeing, Youth, Access and Age Friendly Plans. This application is supported by the Grants Assessment Panel as it:

- Related the program to their social recovery.
- Identified partnerships through schools and Life Saving Tasmania.
- Aimed at growing club membership.
- Provides and opportunity for junior participation in sport.

- Program is overseen by volunteers.

Recommendation: This application is supported for the amount requested \$10,000.00.

Applicant: Colony 47 – SE@RCH Program

Project: Hire Me

Funds Requested: \$4,134.20

Project Description: Following feedback from community and job seekers there has been strong interest in developing skills in how to successfully and confidently approach the job search process and this interest has grown as the COVID environment has affected employment opportunities. This interest has come from candidates via the South East Employment Hub and employer representatives in the region. The purpose of this program is to increase confidence and skills in successfully gaining employment using a variety of tips and tools. Using interactive workshops participants will learn ways to overcome barriers in job search and job application processes such as lack of confidence in discussing own skills and abilities, being able to link own experience to selection criteria and navigating the technology that is part of the job application process. In addition to workshops we intend to offer one on one practice for interview techniques that build confidence and support job ready candidates. Also covered will be overcoming rejection and developing new ways to use internal networks and access the hidden job market. These programs will particularly suit mature age workers, those recently retrenched after a long period of work with one employer, and those who have been out of the workforce for extensive periods of time. Program attendees will also have the opportunity to become a supportive group moving forward to support and encourage each other with facilitation by Employment Hub staff. Our current resources are working above capacity at present and are unable to design, deliver and administer this much needed type of program.

Comments: Meets the eligibility criteria. Aligns with Council's COVID-19 Social Recovery Action Plan, Health & Wellbeing and Age Friendly Plan/s.

- Emphasis on mature age.
- No doubt about the need.
- Can see the benefits of this project.

This application is supported by the Grants Assessment Panel with a condition that there is an emphasis be on residents of Clarence.

Recommendation: This application is supported by the Grants Assessment Panel with condition, for the amount requested \$4,134.20.

Applicant: Cremorne Community Group

Project: Community Marquee Renewal

Funds Requested: \$638.00

Project Description: The project will replace the existing community marquees which the group has owned for a number of years. These have been extensively used during community events and by people in Cremorne and are now suffering badly from wear and tear.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing Plan.

- Active group in the community.
- Various events are held throughout the year.
- Group fundraising activities curtailed by the pandemic.

This application is supported by the Grants Assessment Panel however there were concerns about the safety and durability of lightweight marquees. For reasons of safety, additional funds are being offered to purchase a commercial quality marquee.

Recommendation: This application is supported by the Grants Assessment Panel for additional funds of \$3,000.00 to purchase a commercial quality marquee from the alternative quotes submitted rather than the lightweight cheaper marquee.

Applicant: Grace Church Rokeby

Project: Portable Sound System for Community Centre

Funds Requested: \$1,500.00

Project Description: Grace Church has slowly renovated the old Rokeby Tavern and are in the process of turning it into a community meeting space, the Grace Centre. Currently many different groups and organisations make use of the Centre on a regular basis to hold their meetings and training in the Clarence Plains area. In our desire to improve the Centre for all those using it we would like to purchase a Behringer Europort PPA2000BT 2000W PA System w/ Bluetooth which would enable us to offer a portable sound system to community groups holding meetings or training at the Centre.

Comments: Meets the eligibility criteria. Aligns with Council's COVID-19 Social Recovery Action Plan, Health & Wellbeing, Age Friendly and Access Plan/s. This application is supported by the Grants Assessment Panel as it

- Demonstrated use of equipment will be useful in recovery.
- Demonstrated partnerships.
- The organisation is heavily involved in the community.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$1,500.00.

Applicant: Hobart Bangladesh Community Inc

Project: A Day for Moms

Funds Requested: \$2,807.90

Project Description: Our proposed plan for an event is for the mothers who have gone through COVID taking care of their children and family whether they be stay-at-home mothers or working ones. Our event will be a day dedicated solely to the mental and physical wellbeing of mothers from all communities, helping them to come out of the daily routine COVID put them in. "A Day for Moms" will be a daylong event consisting of workshops and panel discussions, relaxation sessions, games, henna art and open discussion where moms can help each other with tough situations. As the CALD communities in Tasmania are ever growing and ever more important to create a better Tasmania, we believe this event will help the culturally and linguistically diverse women to feel safe enough to connect and in return will help create a better and more harmonious society.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing, Access, Age Friendly Plan/s. This application is supported by the Grants Assessment Panel however with a condition that there is an emphasis be on residents of Clarence as numbers will be limited due to compliance with social distancing.

Recommendation: This application is supported by the Grants Assessment Panel with condition, for the amount requested \$2,807.90.

Applicant: Lindisfarne Sailing Club

Project: Upgrade of Life Jackets

Funds Requested: \$1,500.00

Project Description: Wearing of lifejackets in small motorised boats such as the LSC rescue boats, and in sailing dinghies is mandatory. LSC currently has 34 club lifejackets. These are necessary for volunteers managing the start and rescue boats and for beginners in LSC training programs, and people wanting to try out sailing. From 1 January 2021 a new Australian standard (AS4758.1) for lifejackets comes into effect. Our older lifejackets, while they meet previous Australian standards, do not meet this new standard and need to be replaced by the end of 2020.

This project is to replace exiting LSC life jackets with suitable lifejackets which meet AS4758.1. Enough new lifejackets of suitable types and sizes will be required to be able to equip volunteers on rescue boats and sailors in learn to sail programs and/or club dinghies.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing, Youth and Age Friendly Plan/s. This application is supported by the Grants Assessment Panel as:

- Impact of COVID was noted on their application.
- For use by volunteers on the safety/rescue boats.
- Remain the property of the club.

Recommendation: This application is fully supported by the Grants Assessment Panel for the amount requested \$1,500.00.

Applicant: Neighbourhood Watch Tasmania

Project: Cuppa with a Cop

Funds Requested: \$1,500.00

Project Description: 'Cuppa with A Cop' (CWAC) is a Neighbourhood Watch (NHW) initiative, in conjunction with Tasmania Police, to join with a local cafe to host a community event offering a free coffee, tea or cordial to meet with the local police. The intention is to demonstrate community support for the police and to provide the opportunity for community members to engage with officers and other community members in a social environment. There are three NHW Groups in Clarence at Risdon Vale, Shoreline/Howrah and Oakdowns. Each group will host one CWAC during the course of the project.

Comments: Meets the eligibility criteria. Aligns with Council's COVID-19 Social Recovery Action Plan and Community Safety Plan. This application is supported by the Grants Assessment Panel as the program has a proven track record and the partnership includes support for local businesses.

Recommendation: This application is fully supported by the Grants Assessment Panel for the amount requested \$1,500.00.

Applicant: One Community Together

Project: Shaping the Plains

Funds Requested: \$4,800.00

Project Description: This project endeavours to build a Clarence Plains community that understands its history and recognises the people creating its future. Through the project, community residents will encounter the people and groups that have shaped Clarence Plains and those that are continuing to make the place what it is. The aim of the project is to strengthen people's ties to the area and to each other, to recognise their common humanity and value their place in creating a shared future. A volunteer (hopefully drawn from the Clarence Plains community) with skills and interest in storytelling will be engaged to gather information and present it back to the community in a story/profile format. The volunteer will be provided with an honorarium for each story to be delivered. There will be two unique and engaging stories delivered each month on different interactive social media platforms to increase community engagement, community connection and digital literacy in the Clarence Plains community. One story will profile a local resident talking about a personal story/experience about something or someone that has shaped their life. A second monthly story will feature a piece of local history from the Clarence Plains area. This may be historic information about places, people, groups and events in Clarence Plains that have helped shape the community we have today.

Comments: Meets the eligibility criteria. Aligns with Council's Social Recovery Action Plan, Health & Wellbeing, Cultural History and Age Friendly Plans. This application is supported by the Grants Assessment Panel as it:

- Reconnecting the community.
- Provides skills and experience to a volunteer undertaking the role of storyteller.
- Provides an avenue to increase digital literacy in the Clarence Plains area.
- Captures the history of residents and local area.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$4,800.00.

Applicant: Pipe Clay Coast Care

Project: Creative Cremorne

Funds Requested: \$4,997.00

Project Description: The project intends to build upon the creative initiatives promoted during the restrictive period of COVID in early 2020. The aim is to create a visual display, in the form of a large mural, of community spirit which has been shown during this difficult period and which we are not yet over.

The project will call upon locals to share their stories of COVID on blank postcards which will be letterbox dropped and promoted through the local Cremorne Community Group Facebook Page. Local designer Juls Dineen will then interpret these stories into a stunning mural of Cremorne community spirit to be displayed on the wall of the toilet blocks down at the Beach Reserve. This is a prominent location and is used by the Cremorne Community for many social gatherings in October and general get togethers.

Comments: Meets the eligibility criteria. Aligns with Council's Cultural Arts Plan and Graffiti Strategy. This application is supported by the Grants Assessment Panel as it is:

- Fresh, novel and inspirational.
- Active group with good relationships with the community.

- Permission has been sourced from Council for the mural to go on the toilet block.

Recommendation: This application is fully supported by the Grants Assessment Panel for the amount requested \$4,997.00_

Applicant: Rosny College School Association
Project: Taiko Primary School Performances
Funds Requested: \$4,050.00

Project Description: Springboard is a Rosny College program designed to support the learning, social and emotional needs of students with disability. Our group has grown to 27 and received an invitation to travel to Japan (Yaizu) in 2021 which has been postponed. The grant will enable us to:

1: Purchase our own vibracoustic instruments to be played within Springboard and the greater school community. Sound and frequency generate harmony and ease within the listener.

2: Take our Taiko drums and vibroacoustic instruments to primary schools to conduct Taiko and Sound therapy workshops. We will take what we learnt in Japan and 2019's symposium and share it with the primary schools in Clarence.

We are giving the group opportunities to perform locally in Clarence in preparation for performing in Japan. Primary schools are the target audience as this would be an ideal introduction to the experience of performing, in a non-threatening environment.

The importance of the social connections that this project will provide for the Springboard students is immeasurable. This project promotes the spirit of inclusion and tolerance and celebrates diversity. Social connections will be forged as we destroy perceived barriers of limitation that society places on people with disability.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing, Access, Age Friendly and Events Plan/s. Their application has highlighted the proven benefits of this program. This application is supported by the Grants Assessment Panel however with the condition that the travel component is to be used for local travel to partner schools only not towards any future international travel.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$4,050.00

Applicant: St Aidans Cricket Club
Project: New Women's Cricket Team
Funds Requested: \$1,500.00

Project Description: The St Aidans CC will be entering a new women's cricket team into the SCA in season 20/21. Due to this being a new team and lot of the women never playing before, we are looking to keep their cost to a minimum. There is a huge cost to get this new women's side up and going and the start-up cost will have a massive impact on the Club. If we are unable to get grants to help fund this, the cost to the women will be very high.

Funds have been requested to purchase new Playing equipment - 4 x Bats, 4 x Batting Pads, 4 x Batting Gloves, 4 x Batting Helmets, Kit bag playing balls and training equipment.

The Club has been at Cambridge for 5 Years this new women's side will add a new level to the St Aidans master business plan and future growth. This will add another sporting outlet for the local members of the Cambridge community, this will then make it possible for the junior girls to continue to play cricket in their local community.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing and Age Friendly Plans. This application is supported by the Grants Assessment Panel as long as the ownership of the equipment remains with the club.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$1,500.00.

Applicant: Tasmanian Multiple Births Association

Project: Tasmanian Multiple Birth Association Connection Project

Funds Requested: \$1,279.49

Project Description: The Tasmanian Multiple Birth Association supports families before and after giving birth to multiples. Our project will increase our visibility in the Clarence community and help to bring together more multiple birth families that are in our municipality or use facilities located in the community. Parents of multiples, particularly mothers are more susceptible to post-natal depression and isolation due to the pressure of looking after more than 1 baby at a time. We have been limited in what services we can offer during the Covid 19 pandemic as we offer mainly face to face interactions and rely on word of mouth for referrals. We are a volunteer organisation and we aim to re-engage our families who were previously accessing our services and we also need to get the TasMBA out into the community to find the multiple families that may not have heard of us yet. We would like to do this through producing and distributing flyers and business cards and by holding a community BBQ to bring families together to connect and celebrate making it through the past 5 months.

Comments: Meets the eligibility criteria. Aligns with Council's COVID-19 Social Recovery Action Plan and Health & Wellbeing Plan. This application is supported by the Grants Assessment Panel as it is reaching out to families that have been impacted by the pandemic.

Recommendation: This application is supported by the Grants Assessment Panel for the amount requested \$1,279.49.

Applications Supported for Partial Funding

Applicant: Dominoes Basketball Club
Project: Growth of Junior Basketball
Funds Requested: \$5,000.00

Project Description: Many families have been financially negatively impacted by the effects of COVID-19. Families who would love to have their children become involved in sports of all varieties, are now in a position where they can no longer sustain the financial outlay of such costs. Our club would like to be able to offer junior training programs such as Aussie Hoops to the most junior children in our sport; those in the 6-10-year-old category. Programs such as this come at a cost to families to enrol (not controlled by our club, but controlled by our Governing Body, Basketball Australia). We would like to be able to subsidise the cost of the program to allow wider participation for all.

Comments: Meets the eligibility criteria. Aligns with Council's Health & Wellbeing Plan/s. This application is supported by the Grants Assessment Panel for partial funding for the participant packs only as families can apply for assistance with registration costs through the State Government's 'Ticket to Play' fund.

Recommendation: This application is supported for the amount of \$2,500.00.

Applicant: Eastern Suburbs Rugby Union Football Club
Project: Junior Development
Funds Requested: \$1,500.00

Project Description: The project will fund registration kits for the Club's junior rugby union players (both boys and girls) and this will help foster team identity and inclusion. The project's initiatives will improve the experience of junior training and playing and thus help the Club to recruit more players, providing physical, mental and social benefits for those who participate and the wider community. The Club has lost about \$19,000 income this financial year through the downturn in trading as a result of the COVID-19 pandemic restrictions and as such grants such as this will help the Club and the sport of rugby union in Tasmania survive.

Comments: Meets the some of the eligibility criteria. Aligns with Council's Health & Wellbeing Plan/s. This application is supported by the Grants Assessment Panel for partial funding for the participant packs only as the request for funds to put towards uniforms was not supported. Ongoing operational costs including uniforms are not eligible under the Guidelines.

Recommendation: This application is supported for the amount of \$1,142.00.

Applicant: Grace Christian Church
Project: Equipment Bundle
Funds Requested: \$10,000.00

Project Description: Grace Youth are asking the funds to purchase an inflatable arena/jumping castle, Zorb Balls and portable music/microphone systems. This will allow Grace Youth to reach the Clarence Plains community with greater ability to run more diverse events. It will allow us to continue to grow connections with youth and other organisations from the use of the equipment.

The youth of Clarence Plains from grade 7-12 that come to Grace Youth are wanting to be involved in fun and engaging activities. Science does suggest that teenagers experiencing adolescents do benefit from physical activity. The equipment purchased will cater for this in a fun, and organised environment, and music to create a positive vibe and atmosphere.

Comments: Meets some of the eligibility criteria. Aligns with Council's Health & Wellbeing, and Youth Plan/s. This application is supported for partial funding by the Grants Assessment Panel however, there were concerns about the safety and durability of the jumping castle and zorb balls. The decision was to support the purchase of the portable music systems only.

Recommendation: This application is supported for the amount of \$3,000.00.

Applicant: Hobart Archers

Project: Contactless member registration and user identification

Funds Requested: \$5,000.00

Project Description: The Covid-19 proved that the club's previous method of signing-in was not in keeping with the requirements of Tas Sport and Rec in terms of hygiene, using shared pens and paper. Additionally, our insurance policy requires us to identify who has been using the club's facilities. In the days since we have been allowed to access the club grounds, we require members to use hand sanitiser before and after signing in, but this is only a short-term fix. This project will employ technology to make available both keyless entry to the club house and swipe-fob recording of members using club facilities.

Comments: Meets the eligibility criteria. Aligns with Council's COVID-19 Social Recovery Action Plan. This application is partially supported by the Grants Assessment Panel for the purchase of the equipment only. The development, upgrading or renovating government or privately-owned facilities is ineligible under the Guidelines, so the installation costs were not funded.

Recommendation: This application is supported for the amount of \$2,500.00.

Applicant: The Parkside Foundation

Project: All Abilities Inclusive Community

Funds Requested: \$7,000.00

Project Description: The All Abilities Inclusive Community project aims to support local AFL club, Clarence Junior Football Club (CJFC) to facilitate school holiday clinics for young people living with disabilities including the development and implementation of an 8 week All Abilities program in August and September 2021. It also aims to create a recreation room located at our Mornington office where members of CJFC and participants of Parkside can recreate together, fostering relationships between people living with disabilities in the Clarence municipality and members of CJFC. Parkside will also utilise this space as an ongoing base.

for school holiday programs and will be accessible for the broader community for venue hire in conjunction with our training room. These facilities are a stand-alone building to our office space at 11 Tullah Road, Mornington. The project has a broader scope with aim for Parkside to work in partnership with the Southern Tasmania Junior Football League (STJFL) and AFL Tasmania to create an ongoing annual All Abilities League for southern Tasmania. This will include supporting up to 10 clubs develop and deliver an 8 week All Abilities program and an All Abilities Carnival in August and September of each ongoing year.

Comments: Meets some of the eligibility criteria. Aligns with Council's Access, Health & Wellbeing and Youth Plan/s. This application is supported for partial funding by the Grants Assessment Panel for the purchase of the equipment only. The requested funds for the room renovations was not supported. The development, upgrading or renovating government or privately-owned facilities is ineligible under the Guidelines.

Recommendation: This application is supported for the amount of \$4,206.00.

Applications not Supported

Applicant: Bellerive Historical Society
Project: 30th Anniversary Celebrations
Funds Requested: \$1,500.00

Project Description: A 30th anniversary event of the Bellerive Historical Society for selected guests, Mayor and Aldermen for a celebration and uniting of Council and residents to not only recognise the significant input residents of Bellerive have contributed to the history of the area but also towards the well-being and sense of community coming out of the COVID-19 period. Requested funding is for costs including invitations, postage, venue hire, planning, band and refreshments for invitees. The Society would contribute 25% of the cost.

Comments: This project was not supported because:

- It is an invitation only event, member only celebration.
- There is no public or community benefit from a group celebration.
- There is no mention of community resilience or broader community connections.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Clarence Lions Club Inc.
Project: Supporting the Homeless
Funds Requested: \$2,500.00

Project Description: Clarence members have been collecting and purchasing clothing and toiletries to give to the Salvation Army. Funds are requested for a Lions Club member to continue to purchase items and pass them on to the Salvation Army to distribute to the homeless.

Comments: Although the inherent value is undeniable it appears to be an adhoc process. Council is working directly with the Salvation Army through the Homelessness project and to fund this project is passing funds on to a middleman whereas they could be passed directly on to the Salvation Army. As the grants are more about engagement, it would be more appropriate to work with the Clarence Lions Club strategically through the Homelessness project and as such, they will be invited to be a part of round the table discussions on this topic and be invited to be a part of the working group when it is formed.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Eastern Shore Croquet Club
Project: Line Marking Machine
Funds Requested: \$1,500.00

Project Description: The current line marking machine requires periodic hand pumping to maintain the pressure to deliver the spray. The purchase of a new line marking machine is to take advantage of the motorised spraying system which delivers consistent and uninterrupted pressure in painting the lines. It is a desire to improve the facilities and equipment at the club.

Comments: This application was previously submitted for a Community Support Grants which closed on 15 March 2020. However, the round was put on hold due to the COVID-19 restrictions. It was put forward for consideration through the Clarence Community Recovery Grants. The invoice that was attached to the application shows that the machine was purchased on 10 March 2020. Therefore, this application does not meet the criteria under the Guidelines and there is no reimbursement for funds already spent.

Recommendation: This application is supported by the Grants Assessment Panel.

Applicant: Richmond Football Club

Project: Community Kitchen

Funds Requested: \$3,500.00

Project Description: The Richmond Football Club has requested funds to purchase a new refrigerator, deep fryer and pie warmer to install in their renovated kitchen. The configuration of the kitchen will be tweaked, and a redundant room refurbished to increase 'working area' from 15m² to 28m². This will allow 6 volunteers at any one time to safely move around the kitchen. Separate new food preparation and food cooking stations will house a new commercial refrigerator, deep-fryer, pie-heater and oven and Covid-19 safety resources. Then there will be an overlay plan of how the kitchen will function which will include all necessary Covid-19 signage and sanitary requirements.

Comments: Although the project will enable kitchen workers to comply with social distancing, it appears that the upgrade has been flagged for several years. The purchase of the equipment is a replacement of like for like and the benefit is only to the club. The benefit is only to the club and there is no benefit to the broader community.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Tasmanian Golf Club

Project: Dining Room Tables

Funds Requested: \$5,000.00

Project Description: The provision of new, light-weight interlocking tables will enable dining room staff to more easily manage spacing and social distancing arrangements to ensure compliance with COVID19 restrictions as required. This is not only significant for Members using the dining room facility but is especially important when the staff are hosting a major community function. New dining tables with resin-moulded tops would not require a tablecloth covering, thereby enabling staff to more quickly and efficiently disinfect and clean between use.

Comments: Although the request was for funds to purchase dining room tables to comply with social distancing:

- They will be used for profit – commercial operation.
- The Tasmania Golf Club is a private club, so the benefit is only to members and guests.
- No mention of partnerships.
- No mention of community connections or resilience.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: The Matthew Millhouse Salute
Project: Marketing and Promotions Project
Funds Requested: \$4,331.00

Project Description: The Matthew Millhouse Salute was established in 2016 in honour of Trooper Matthew Millhouse, who passed away on 28 August 2015 from Young Onset Dementia, at the age of 36. The Salute is an annual family friendly outdoor fundraising event for all ages and abilities. In its fifth official year, 'The Salute' challenges participants to paddle, run, pack march or walk to raise awareness for issues arising from depression, anxiety, peri-natal depression and post-traumatic stress disorder in first responders, mums and their families. The Salute has raises funds for The White Cloud Foundation. On Sunday, 28 March 2021 participants will be able to choose between kayaking, running, pack marching or walking to and from Bellerive Beach, following the beautiful foreshore of the Derwent River's Eastern Shore to Lindisfarne Bay and back, via Kangaroo Bay. Funds are requested for promotion for the event, children's entertainment and catering.

Comments: This application is not supported by the Grants Assessment Panel as it is:

- An annual event.
- Promotion of a fundraising activity.
- A similar event of the Salute was previously supported through a Community Support Grant.
- Considered more along the lines as sponsorship.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Wildlife Bush Babies and Snake Rescue
Project: Wildlife and Snake Rescue
Funds Requested: \$5,000.00

Project Description: The funds are requested to purchase snake equipment, possum/cat traps, instant fencing and nets to attend to call outs from the public concerned about animals hit by cars, mauled by dogs, or caught by cats. Injured wallabies & possums seeking refuge in people's yards; removing snakes from gardens, compost bins and sheds; and trapping possums from roof cavities.

Comments: This application is not supported by the Grants Assessment Panel as:

- Did not meet one eligibility.
- Not well articulated as to its relation to a COVID-19 recovery response.
- No partnerships identified.
- No relation to community connectedness or resilience.

Recommendation: This application is not supported by the Grants Assessment Panel; however, A suggestion was made that the applicant make contact with Bonorong to discuss partnership opportunities.

Applicant: Lindisfarne Junior Football Club
Project: New Football Jumpers
Funds Requested: \$5,000.00

Project Description: The Lindisfarne Junior Football Club is requesting funds (\$5,000) to put towards the purchase of 340 playing jumpers for boys and girls STJFL teams at \$48 per top including GST.

Comments: Does not meet the eligibility criteria. Ongoing operational costs including uniforms are not eligible under the Guidelines.

Recommendation: Not eligible for funding under the Guidelines.

Applicant: Lindisfarne Masonic Centre

Project: Maintenance of Floor Area

Funds Requested: \$10,000.00

Project Description: Funds are requested to upgrade the floor in the main entertainment area of the Masonic Lodge in Gordons Hill Road.

Comments: Does not meet the eligibility criteria. The development, upgrading or renovating government or privately-owned facilities is ineligible under the Guidelines.

Recommendation: Not eligible for funding under the Guidelines.

Applicant: Rotary Club of Howrah

Project: Supply and Install a Disability Bus Shelter at Lauderdale

Funds Requested: \$5,000.00

Project Description: The Rotary Club in partnership with Metro Tasmania and Lauderdale Primary School, have requested funds to fabricate and install a weather resistant bus shelter at bus stop 79 on the South Arm Highway.

Comments: Does not meet the eligibility criteria. The development, upgrading or renovating government or privately-owned facilities is ineligible under the Guidelines.

Recommendation: Not eligible for funding under the Guidelines.

Applicant: Puddleduck Parent Group – Summer Breeze Consultancy

Project: Puddleduck Parent Group

Funds Requested: \$5,000.00

Project Description: The applicant has requested funds to pay for 2 administration assistants for 12 months to run the parent group.

Comments: Does not meet the eligibility criteria as the applicant is a small consultancy business. Businesses are not eligible to apply for funding under the Guidelines.

Recommendation: Not eligible for funding under the Guidelines.

Community Support Grants – Funding Summary

The budget allocation for Clarence Community Recovery Grants 2020	\$100,000.00
Total funds recommended for distribution to 18 applications	\$55,916.59
Unspent funds to be incorporated in the other 2 components of the Social Recovery Package to consider any other requests and to support practical homelessness initiatives. Consideration will be given to offering a further round of support grants in March 2021.	\$44,083.41

Clarence City Council Community Recovery Grant

Grant Guidelines

Summary

The COVID-19 pandemic has identified unmet and new needs in our community. This time of adversity and vulnerability has also shone a light on the caring, helpful and supportive ways people in Clarence look out for each other and work together.

Responses to the pandemic have shown us what our strengths are. At council we know how important it is to build on these strengths and work together. There is always more to do. And recovery is going to take time.

The Clarence City Council Community Recovery Grant aims to help our community take the lead on projects and programs that build community resilience and support the Clarence community to recover from the impacts of the pandemic.

Applications are invited for projects up to \$1,500, \$5,000 or \$10,000. All projects are for activities that contribute to the social recovery of the Clarence community. Larger projects must meet more criteria to be eligible.

There is \$100,000 available in this competitive, one-off grant round closing 17 August 2020. Applications will be assessed against how well they meet the assessment criteria. Applicants will be notified of the outcome of their application by early October 2020.

This grant is just one of the ways council is contributing to recovery efforts in Clarence. Community-led actions are at the heart of our Community Recovery Action Plan. This grant will help council identify strengths, gaps and ways to support the Clarence community to recover stronger and brighter from the pandemic.

Grant aims

The Clarence City Council Community Recovery Grant is council's investment in projects and programs to help the Clarence community recover from the impacts of the pandemic. Specifically, to:

- Support actions that foster wellbeing and a healthy, safe, and productive community.
- Assist community-led projects and activities that build community resilience and foster partnerships for recovery.
- Encourage inclusive, locally relevant, and respectful community participation in social recovery programs.
- Promote cultural opportunities and community programs to maintain social connection and community participation in Clarence.
- Work together in ways that align with council's goals and strategies as outlined in the Strategic Plan, the Social Recovery Plan, and other council plans.

Council's Strategic, Recovery and Social Plans *

Strategic Plan – Clarence is a vibrant and prosperous city.

Clarence City Council COVID-19 Social Recovery Action Plan – Outlines actions to respond to impacts and facilitates community-led, social recovery from the COVID-19 pandemic.

Access Plan – Everyone in Clarence, regardless of ability, has equal opportunity to participate in and contribute to social, economic and cultural life.

Age Friendly Clarence Plan – Clarence is an inclusive and accessible community with opportunities for health, participation and security for people of all ages. People enjoy quality of life and dignity as they age.

Community Health and Wellbeing Plan – Clarence is a beautiful, liveable and diverse city where everyone has the opportunity to improve their health and live well.

Community Safety Plan – Everyone can feel safe in their community.

Cultural Arts Plan – The quality of life for all people in Clarence is enhanced through vibrant, culturally sensitive, cultural opportunities.

Cultural History Plan – Recognition, preservation and promotion of cultural history encourages a sense of pride and participation in cultural life.

Youth Plan – Young people are supported to build resilience through meaningful connections and working together.

* You can access these plans via the hyperlinked titles or on council's website. They will help you identify how your project aligns with council aims. Sport and recreation strategies are also available on council's website.

What can you apply for?

Eligible activities include projects or activities that:

- Foster health, wellbeing, safety, welfare, and opportunity in our community.
- Support local services or actions to build community resilience and foster recovery.
- Deliver local events or programs that are socially inclusive and help the people of Clarence recover from impacts of the pandemic.
- Assist community groups, clubs, and organisations to recover from demonstrated impacts of the pandemic.

What will not be funded?

Ineligible activities are:

- Projects that have or will receive significant funding or assistance packages from either the Australian or Tasmanian Governments.
- Projects that are eligible for funding through council's Landcare and Coastcare Grants program.
- Development, upgrading or renovating government or privately-owned facilities. This includes land purchases, work to meet council development approval conditions or requirements, and/or council lease costs.
- Political activities.
- Projects or events run solely for profit.
- Funding for prize money, prizes or trophies.
- Ongoing operational costs of an organisation, including but not limited to salaries, auditing, rent, consumables, uniforms, debt or insurance premiums, and other administrative expenses.
- Reimbursement of funds already spent.

Assessment criteria

All projects will be assessed for their capacity to support recovery of the Clarence community by the following criteria:

1. Meets at least one of the eligible activities.
2. Demonstrated capacity to work with others.
3. Demonstrated alignment with council's strategic, recovery and other plans.
4. Provision of a balanced, realistic, and complete project budget.

Projects over \$1,500 and up to \$5,000 will be assessed by the criteria above and criterion 5:

5. Identified project partners and outcomes with mutual benefits, with demonstrated capacity to work together to achieve those outcomes.

Projects over \$5,000 and up to \$10,000 will be assessed by all the criteria above and the following:

6. In-kind contribution of at least 30 percent of total funding requested.
7. Provision of a Project Risk Management Plan.
8. Identified measures of success and demonstrated capacity to evaluate them.

Who can apply?

- Community groups
- Clubs and associations
- Not-for-profit organisations

Who operate in the City of Clarence.

Who cannot apply?

- Individuals
- Government organisations
- Organisations with gaming machines
- Businesses and solely for-profit enterprises

For projects over \$1,500

If your group is not incorporated, you will need to nominate an incorporated body or organisation to administer (auspice) your grant on your behalf. The auspice organisation must provide an auspice agreement stating they accept all responsibility for management of funds, acquittal requirements and insurance.

How to apply

You must lodge your application on the application form by the due date. You can access the online form on our website or request a hard copy or fillable PDF form from the Community Grants Officer. If you have any questions, or are having difficulty submitting your application, please contact the Community Grants Officer on grants@ccc.tas.gov.au or 03 6217 9572.

Grant assessment process

You will receive an email confirmation on receipt of an application, and on notification of the success or otherwise of your application in early October 2020.

An assessment panel of two aldermen, council officers, and two or three community members will assess how well your application meets all the assessment criteria that apply.

The panel will make recommendations to elected members of council for approval.

A summary of all successful applications will be made publicly available on council's website.

Successful applications

Funding agreement – A formal letter and funding agreement will be sent to successful applicants.

Payment and GST – Grants will be paid in full upon receipt of the signed funding agreement and any appropriate tax documents. Organisations registered for GST should add GST to the grant amount on their invoice.

Recognition of assistance – Successful applicants must acknowledge Clarence City Council assistance for their project.

Acquittal – Upon completion of the project, successful applicants will be required to acquit their grant, providing evidence of the completion of their project, expenditure and outcomes.

Funding requests above \$1,500 have additional acquittal requirements.

Acquittal forms and details will be available from the Community Grants Officer.

Organisations that do not satisfactorily acquit their grant may not be eligible for future funding and may be required to return the funds allocated to their project.

Unsuccessful applications

Unsuccessful applicants can contact the Community Grants Officer to discuss their application. Understanding the reasons for an unsuccessful application can be valuable for future submissions.

Checklist

Before you lodge your application. Check that you have provided all the required details and documents. Check that your budget is accurate and complete.

The following checklist may assist you. Check that you have:

- ☐ Provided a complete and balanced project budget. You must tell us about the overall project budget not just the components that you plan to fund with this grant. Your project income and expenditure must balance. This includes income from all sources.
- ☐ Provided details of your in-kind contribution in your budget (if applicable). Remember in-kind contributions go in the income column and are included in the totals.
- ☐ Answered all questions that apply.
- ☐ Answered the additional questions if applying for funds over \$1,500 or over \$5,000.
- ☐ Highlighted how your project meets the eligible activities and aligns with the grant aims.
- ☐ Attached your Certificate of Incorporation. -OR-
 - ☐ Secured an Auspice Agreement Letter from your incorporated auspice organisation (if you are not incorporated) that confirms they will be responsible for management of funds, acquittal requirements and insurance. And provided their Certificate of Incorporation along with a recent financial statement.
- ☐ Provided quotes (if applicable).
- ☐ Kept a copy of your application.

The online application or a downloadable form and all supporting documents are available at the council website www.ccc.tas.gov.au.

If you need support or have any questions, please contact the Community Grants Officer on 03 6217 9572 or grants@ccc.tas.gov.au or Community Grants Officer, PO Box 96 ROSNY PARK TAS 7018.

11.7.5 SPONSORSHIP POLICY**EXECUTIVE SUMMARY****PURPOSE**

To adopt the proposed Sponsorship Policy.

RELATION TO EXISTING POLICY/PLANS

The Clarence City Council Strategic Plan 2016 – 2026 is relevant.

LEGISLATIVE REQUIREMENTS

The Local Government Act 1993 is relevant.

CONSULTATION

Consultation with Aldermen has been undertaken.

FINANCIAL IMPLICATIONS

There are no additional financial implications arising from this policy. Funds are currently allocated within council's budget for sponsorship activities.

RECOMMENDATION:

That Council adopts the Sponsorship Policy.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Council undertook a review of the current sponsorship practices to ensure it met community expectations and good governance practices for the delivery of a contemporary sponsorship program.
- 1.2.** Following the review, a draft sponsorship policy was developed and provided to Aldermen for their consideration.
- 1.3.** A council decision is sought in order to finalise the draft policy and put it into effect.

2. REPORT IN DETAIL

- 2.1.** A draft sponsorship policy was developed following staff input and then discussed with Aldermen at a workshop held on 24 August 2020. A copy of the proposed Sponsorship Policy is attached (Attachment 1).
- 2.2.** The policy outlines council's commitment and approach to open and transparent sponsorship arrangements.
- 2.3.** The policy provides clear eligibility and selection criteria, and processes for applications, assessment and reporting.
- 2.4.** This policy has been developed because Clarence City Council provides an unallocated amount of funds for sponsorship each year for community projects and events.
- 2.5.** The policy will ensure that future sponsorships are aligned with Clarence City Council's strategic priorities, strategies and plans, and provide a distinct value, competitive advantage or benefit to the City of Clarence and its residents.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

This matter was discussed with Aldermen at a workshop on 24 August 2020.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Clarence City Council Strategic Plan 2016 – 2026 includes the following goal: *“To provide leadership and accessible, responsive, transparent and accountable governance of the City.”*

4.2. The goal is supported by strategies. The following strategies are relevant:

“6.2 – formulate and maintain a suite of policies to provide a framework for the establishment and implementation of council’s plans, strategies, programs and services.

6.3 – improve transparency of council’s decision-making processes by refining council’s governance framework and policies in relation to probity, ethics, equity and code of conduct.”

The proposed policy addresses the above strategies.

5. EXTERNAL IMPACTS

This policy will have a direct impact through improved sponsorship administration and will provide a clear and transparent framework for sponsorship requests, assessment, approval and reporting.

6. RISK AND LEGAL IMPLICATIONS

The policy meets the statutory obligations of the *Local Government Act 1993*.

7. FINANCIAL IMPLICATIONS

Council currently provides a budget allocation of \$5,000 for sponsorship allocation. Consequently, there are no additional financial implications to the council’s current budget.

8. ANY OTHER UNIQUE ISSUES

There are no other unique issues.

9. CONCLUSION

Council receives multiple requests for sponsorship each year and the proposed sponsorship policy and funding approach provides the principles and methodologies for the receipt and assessment of sponsorship requests. In addition, the policy sets out an open and transparent process that links sponsorship requests to council's strategic priorities.

Attachments: 1. Sponsorship Policy (6)

Ian Nelson
GENERAL MANAGER

SPONSORSHIP POLICY

1. PURPOSE

This policy provides direction on the equitable, transparent and efficient administration of sponsorship proposals received by council.

2. SCOPE

This policy applies to all sponsorship requests received by council as the sponsoring entity. It does not apply to requests for grants, donations or bequests. For grant funding requests, refer to the Community Grants Policy.

In each financial year council will consider as part of its Annual Estimates process the total value of sponsorship funding available for the relevant financial year.

For clarity, sponsorship is not part of normal assistance programs by council, or an endorsement of any product, service or factional cause by council.

3. DEFINITIONS

The following definitions apply to this policy:

Acquittal	means report that recipients of the sponsorship funding provide to council in line with the terms and conditions of the sponsorship agreement.
In-kind support	means a non-monetary contribution of goods or services.
Sponsorship agreement	means a commercial arrangement in which a sponsor provides a contribution in money or in-kind, to support a service, event or facility or program in return for specified benefits.



A sponsorship agreement may include the right to associate a sponsor's name, products or services with the sponsored organisation's service, product or activity, in return for negotiated benefits. Sponsorship agreements may have conditions attached and do not include grants, donations or bequests (philanthropic gifts).

4. POLICY STATEMENT

Requests for sponsorship support are often received from community organisations, individuals and clubs. This policy provides the principles and methodologies for the receipt and assessment of sponsorship requests.

5. RELATIONSHIP TO COUNCIL'S STRATEGIC PLAN

The following goals are identified in Council's Strategic Plan 2016 – 2026:

- *A people city – the degree to which the activity / program encourages diversity, equity and inclusiveness, and/or improves the health and quality of life for Clarence residents.*
- *A prosperous city – the degree to which the activity/program improves prosperity and expands both the level and equity of personal opportunity within Clarence.*
- *An environmentally responsible city – the degree to which the activity/program employs environmentally sustainable practices.*
- *A creative and innovative city – the degree to which the activity/program fosters creativity, innovation and enterprise.*

6. RELATED DOCUMENTS

LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- *Anti-Discrimination Act 1998 (Tas)*

COUNCIL POLICY, PLANS, PROCEDURES AND GUIDELINES

- City of Clarence Strategic Plan 2016 - 2026
- Community Grants Policy

7. POLICY REQUIREMENTS

ELIGIBILITY CRITERIA

Council will consider sponsorship agreements where the objectives and activities of the potential recipients are compatible with council's legislative requirements, vision, strategies, plans and policies.

The types of activity or program that council will not consider for sponsorship agreements include but are not limited to:

- political or religious organisations (excluding charities run by religious groups)
- conflicts with legislative obligations
- presents a hazard or risk to the community or environment
- promotes gambling, smoking and/or consumption of other addictive substances
- any activity or program held outside of the Clarence municipality
- any activity or program having no demonstrable benefit to the Clarence community.

Council will only enter into a sponsorship agreement with those organisations or groups that comply with the requirements of the *Anti-Discrimination Act 1998 (Tas)*.

ASSESSMENT CRITERIA

Sponsorship applicants will be assessed against the criteria set out below. Once submitted, an application will be assessed according to eligibility criteria, assessment criteria, and available funding. Applicants who meet eligibility and assessment criteria are not guaranteed funding.

Assessment Criteria (equal weighting):

1. The extent to which the proposed project, event or program is aligned with Clarence City Council's strategic goals.

2. The extent to which the activity/program supports or enhances Clarence City Council's Vision and Mission statements.
3. The extent to which the activity/program raises the profile of Clarence as a location or destination.

Requests for sponsorship will be assessed against the eligibility and assessment criteria and submitted to the General Manager for recommendation and then to the Mayor for approval.

When recommending and approving a sponsorship request, the General Manager and the Mayor must be satisfied that:

1. The sponsorship activities will not expose Clarence City Council to any unreasonable financial, legal, reputational, or other risks.
2. That the benefits provided by the sponsorship are at least commensurate with the value of the sponsorship.
3. The other party to the agreement:
 - a. is reputable, with a public image, products or services which are consistent with Clarence City Council's values and strategies
 - b. do not adversely affect Clarence City Council's consumers, community or environment
 - c. is consistent with Clarence City Council's brand.
4. The sponsorship provides a distinct value, competitive advantage or demonstrable benefit to Clarence City Council, such as:
 - a. Raising Clarence City Council's profile and brand awareness among target audiences
 - b. Providing exposure or access to new strategic partners
 - c. Creating opportunities for Clarence City Council to add value by using its content, people, facilities, places or expertise.
 - d. Provides an opportunity to Clarence residents that would otherwise not be available or possible.

AGREEMENT

All sponsorships between Clarence City Council and sponsorship recipients must be formalised via a sponsorship agreement.

Sponsorship agreements must specify any conditions or specific requirements of the activity or project, the payment schedule, the terms on which payment is made, the responsibilities of all parties, and the reporting and acquittal requirements.

The successful recipient must acquit the use of council's contributions. The acquittal may require, and is not limited to:

1. An acquittal report that, as a minimum, details:
 - a. how the project achieved (fully, partly or not at all) the objectives of the sponsorship agreement
 - b. provide a financial statement detailing how the funds were spent.

As part of any sponsorship agreement, council will be publicly acknowledged as a contributor. This recognition may include, but is not limited to:

- acknowledgement in media releases and promotional activities
- council logo used in displays/promotions associated with the sponsorship
- brand exposure at events or associated functions
- opportunities for council to do onsite promotion during events
- opportunities for council participation in formal ceremonies.

APPLICATION PROCESS

Sponsorship applications open in March and August of each year with each round competitively assessed by June and November respectively, in accordance with council's annual budgeting and planning cycle.

Applicants seeking sponsorship funding may apply by submitting an online application form within the stated application timeframes.

8. IMPLEMENTATION AND COMMUNICATION

The Manager Communication and Strategic Development is responsible for the implementation of this Policy.

This policy will be communicated via:

- council's website
- internal circulation to staff.

9. REPORTING

Reporting against outcomes related to this Policy will be provided to council via the existing quarterly reporting process.

10. ADMINISTRATIVE ARRANGEMENTS

TABLE OF AMENDMENTS

No.	Date	Brief Details

APPROVAL

COUNCIL APPROVAL DATE	XX XXX 2020
REVIEW	Every five years
RESPONSIBLE OFFICER	Manager Communication and Strategic Development
ECM REFERENCE	

11.7.6 COUNCIL MEETING SCHEDULE**EXECUTIVE SUMMARY****PURPOSE**

To consider a proposed Council Meeting Schedule for 2020-22.

RELATION TO EXISTING POLICY/PLANS

The proposed schedule is consistent with Council's previous endorsement of a 3 weekly meeting cycle for Ordinary Council Meetings.

LEGISLATIVE REQUIREMENTS

Division 1, Clause 4 of the Local Government (Meeting Procedures) Regulations 2015 requires that an ordinary Meeting of Council is held at least once in each month.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That the following Council Meeting Schedule be adopted:

**COUNCIL MEETING SCHEDULE 7 DECEMBER 2020 TO
19 DECEMBER 2022**

Monday, 7 December 2020
Annual General Meeting

Monday, 14 December 2020

2021

Monday, 18 January 2021

Tuesday, 9 February 2021
[Hobart Regatta Day Monday 8 February]

Monday, 1 March 2021

Monday, 22 March 2021

Monday, 19 April 2021
[Easter Break 2-6 April]

Monday, 10 May 2021

**COUNCIL MEETING SCHEDULE 7 DECEMBER 2020 TO
19 DECEMBER 2022 /contd...**

Monday, 31 May 2021

Monday, 7 June 2021

Special Meeting (tentative)

(for adoption of the Budget, Annual “Estimates” and Fees and Charges Schedule)

Tuesday, 15 June 2021

[Queen’s Birthday Monday, 14 June 2021]

Special Meeting (tentative)

(Fall back date for adoption of Budget, Annual “Estimates” and Fees and Charges Schedule)

Monday, 21 June 2021

Monday, 28 June 2021

Special Meeting (tentative)

[fall back date for Striking of Rates]

Monday, 12 July 2021

Monday, 9 August 2021

Monday, 30 August 2021

Monday, 20 September 2021

Monday, 11 October 2021

Monday, 1 November 2021

Monday, 22 November 2021

Monday, 6 December 2021

(Annual General Meeting)

Monday, 13 December 2021

2022

Monday, 17 January 2022

Monday, 7 February 2022

Monday, 28 February 2022

**COUNCIL MEETING SCHEDULE 7 DECEMBER 2020 TO
19 DECEMBER 2022 /contd...**

Monday, 21 March 2022

Monday, 11 April 2022
[Easter Break 15-19 April 2022]

Monday, 2 May 2022

Monday, 23 May 2022

Monday, 6 June 2022
Special Meeting (tentative)
(for adoption of the Budget, Annual “Estimates” and Fees and Charges Schedule)

Tuesday, 14 June 2022
[Queen’s Birthday Monday, 13 June 2022]
(fall back date for adoption of Budget, Annual “Estimates” and Fees and Charges
Schedule)

Monday, 20 June 2022
Special Meeting (tentative)
(for Striking of Rates)

Monday, 27 June 2022
Special Meeting (tentative)
(fall back date for Striking of Rates)

Monday, 4 July 2022

Monday, 25 July 2022

Monday, 15 August 2022

Monday, 5 September 2022

Monday, 26 September 2022

Monday, 17 October 2022

Monday, 7 November 2022

Monday, 28 November 2022

Monday, 5 December 2022
(Annual General Meeting)

Monday, 19 December 2022

COUNCIL MEETING SCHEDULE /contd...

ASSOCIATED REPORT**1. BACKGROUND**

The current Council Meeting Schedule was adopted by Council at its Meeting held on 12 November 2018 and will expire on 14 December 2020.

2. REPORT IN DETAIL

2.1. As the current Council Meeting Schedule is due to expire on 14 December 2020, it is now necessary to consider the adoption of a further Council Meeting Schedule.

2.2. The determination of a new schedule of meetings will need to enable the effective consideration and determination of forthcoming budget programmes, statutory planning processes and other general administrative matters. It has been past practice to adopt a schedule of meetings for the full term of the Council. Following legislative changes which altered the duration of the Council term to 4 years it is acknowledged that there are numerous factors which can arise which may have an impact on Council budgetary process, meeting purpose, timeframes etc and it may need change to a forward meeting schedule particularly if set for a full 4 year period. For this reason, the meeting schedule has been proposed for a 2 year period. In late 2022 a further 2 year meeting schedule will be provided.

2.3. The Annual General Meetings have also been factored into this Schedule. In past years Council has held its Annual General Meeting on the same night as an ordinary Council Meeting. In accordance with the Local Government Act, Annual General Meetings must be conducted before 15 December. In 2020 the AGM is scheduled on a separate night given that the ordinary Council Meeting falls on 14 December and it was considered that to schedule the AGM on that date did not provide sufficient flexibility to comply with the statutory date in the event that the AGM was delayed.

The same situation arises in 2021, the ordinary Council Meeting is scheduled for 13 December, so the AGM is therefore proposed for an earlier date. In 2022, the ordinary Council Meeting is scheduled for 19 December so the Annual General Meeting will need to be conducted on an earlier date.

- 2.4.** The proposed schedule includes a five-week gap between the last meeting in 2020 (14 December) and the first meeting for 2021 (18 January). A meeting earlier in January would create the need for a five-week gap in April due to Easter. It is considered that such a gap is likely to have a lesser impact in January following the Christmas/New Year period rather than during the course of the year. The same five-week gap will occur in January 2022.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Not applicable.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

It is proposed that a new schedule of meetings be established at this stage to enable forward planning and statutory and other reporting requirements to Council. The new Meeting Schedule may be revised at a later stage at the discretion of Council.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

Division 1, Clause 4 of the Local Government (Meeting Procedures) Regulations 2015 requires that an ordinary Meeting of Council is held at least once in each month.

7. FINANCIAL IMPLICATIONS

Not applicable.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

The Council Meeting Schedule as detailed in the recommendation is based on the existing 3 weekly cycle.

Attachments: Nil

Ian Nelson
GENERAL MANAGER

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**Ald Mulder**

In regard to the Kangaroo Bay Hotel and Hospitality School:

1. Has the building and plumbing permit been applied for yet or the application submitted to council?

ANSWER

We have issued a staged building permit that is for the work that has already been undertaken but we have not issued any further permits apart from the initial staged permit.

Question contd...

Have they been applied for?

ANSWER

One building approval BPA-2018/323 was issued on 13 July 2018 for the early site works which have now been completed.

A second application for the next stage of works was lodged on 29 August 2018; this was for piling works. The application was not complete and so further information was requested on 10 September 2019, however this was not provided. As the associated Certificate of Likely Compliance has expired, their application has now lapsed.

2. Have the developers secured contracts with either a hospitality school operator, hotel operator or a construction company?

ANSWER

I have no formal notification of any of those arrangements at this time.

Question contd...

Or with the person to operate the hotel?

ANSWER

Not with any of those, UTAS, a hotel operator or construction company. I have had no formal notification of any of those.

Question contd...

The last time you said you were aware of tender negotiations ongoing. Are you aware of any tender being issued or contract being obtained?

ANSWER

I am aware that the construction tenders were out to market. I have had no advice as to who they have been let to or if they have been let at all. I know that they have been out to market.

Question contd...

What are the prospects of this proposal actually meeting its substantial construction requirements in nine weeks' time?

ANSWER

14 October is the critical date. I am able to advise Aldermen that this afternoon we confirmed a request from Chambroad and Hunter as the designers to present to council at a workshop on 7 September as an update.

Ald Kennedy

There was a matter that came before us in closed Meeting recently and there was a number of representations regarding this topic. The representors put a lot of time and effort into those representations so how do we intend to communicate the outcome with them given it was in Closed Meeting

ANSWER

We received your request this afternoon in regard to that matter and will prepare an Aldermen's advice for you. But the short answer is that without a decision by council to release its reasons then we are somewhat limited in terms of what we can say publicly. We will prepare that advice and provide it to you and that advice will be in a form that you can discuss safely without breaching the Local Government Act requirements.

Ald Ewington

Something has been in the media lately in relation to the Hobart Airport interchange. I know when we approved the development application that came before us a couple of months ago we were advised that negotiations were well underway with the owner of the land adjacent to the airport in Holyman Drive and they were told that the negotiations were well advanced to provide them with access to their land to allow them to develop it to its full potential. Now it appears that that has fallen over, so my question is were we advised that that had fallen over and that there were problems; that the Department of State Growth had withdrawn themselves from discussion with the consortium that owns the land?

ANSWER

I have had some discussions with the Department of State Growth in respect to that matter. The advice I have received was at the point in time when an appeal was lodged by the owners of the relevant land. DSG are now focussed on the appeal and are not of a mind to conduct negotiations on two fronts.

Question contd...

So we weren't advised before negotiations broke down?

ANSWER

It wasn't for either party to advise us.

Question contd...

Are we planning on doing anything to resolve the situation and ensure the developer gets the opportunity to develop their land to its highest potential?

ANSWER

The Mayor and I have a meeting with the landowners this week.

Ald Edmunds

Regarding Pipeclay Esplanade I heard that there was a grant given to the council to investigate some of the erosion issues there. Is there any detail as to whether there was a grant received and was it reported or what the status of that is?

ANSWER

I don't believe there was any grant but council did provide some funds last financial year to investigate some subsidence to the embankment. We have received a report from WRL and part of that may even be part of the discussion on the coastal policy when we bring it to a workshop this month.

Question contd...

So if the report exists and we are able to, can we have a look at it?

ANSWER

Yes, we can release that report with advice in relation to the coastal policy in terms of that and we will issue a briefing report to all Aldermen in terms of the issues related to it. I can follow-up also the previous workshop in terms of looking at a polymer surface and whether that was applicable to Pipe Clay Esplanade.

Further information: Council has received three documents from UNSW Water Research laboratory on seawall options to improve the existing rock/embankment along Pipe Clay Esplanade, Cremorne. The information will be provided to Aldermen prior to the workshop on the Draft Coastal Hazards Policy, as the information is relevant to the application of the proposed policy.

Ald Walker

1. A survey was undertaken in recent times and I believe is in the process of working through the results in relation to the South Arm master plan. Whilst no doubt a workshop will be forthcoming would I be able to get a rough ball park figure as to when the mitigation agreed on by council will likely to actually be put in place as the issues are still on-going and causing some profound challenges to certain residents?

ANSWER

A Briefing Report was issued to council last Friday. We are preparing a workshop to council which will discuss the mitigation options, possible timing and it is dependent on where council wants to take the review of the master plan as well.

2. How many electrons have we dispensed through our electric vehicle charging and if you want to round it up to kilowatts or something else that will be fine?

ANSWER

The figures for the period 1 July 2020 until 2 September 2020 are a charging time of 18 hours and usage of 116.64kWh.

Ald Blomeley

1. In relation to the legal action with the Hobart International Airport, and an email earlier this month from the General Manager regarding the August 6 Full Bench decision, I am just wondering how much to date, the associated legal action has cost the ratepayers of Clarence?

ANSWER

I took the opportunity to ask our Chief Financial Officer earlier today what those costs were. To date we have paid in terms of court costs, \$29,700, legal fees \$160,000 and that does not take into account any costs that we may get back through the successful appeal as that is still in play. To put that into perspective, currently on our calculation which obviously is the central issue of dispute, we say that the Hobart International Airport owes council outstanding rates in the order of \$4.1 million for the period 1 July 2014 to 31 August 2020.

2. Regarding the Howrah Men's Shed, I visited there today and there is an issue with the Men's Shed using the shed whilst the Howrah Bowls Club is playing outside. It is one regarding noise. I understand that council officers went there and that a council environmental health officer and workplace health and safety officer found that there was not a big issue there but clearly there are neighbours with activities side by side. The Men's Shed are very keen to find out if there is any support council may be able to provide to deal with that issue.

ANSWER

As I understand it this is not a compliance issue. The noise levels are compliant with relevant permits so in the context of any work that we might consider at this point I am not aware that we have done any work in that regard or have a budget.

(Mr Toohey)

In order to attenuate the sound issue to some extent we really need qualified or expert advice from a sound engineer in order to work out what would be a solution that might mitigate it, so it doesn't become an annoyance. At the moment it is not a nuisance and possibly it's an annoyance between those two. At the moment the budget does not provide for engagement of a sound engineer to do some preliminary investigation but what we could afford and could do is to initiate some further discussion between both organisations the bowls club and the Men's Shed to see if we can work around getting some greater understanding and appreciation so there is minimal effect on both sides.

(Mayor)

I wonder if the Men's Shed may be interested in looking at a project to put some sound proofing into the shed.

ANSWER

(Mr Toohey)

They might Mr Mayor but first of all we need that expert advice to make sure we weren't coming up with a solution that wouldn't work.

Question contd...

I understand that for a quote and for the work alone is \$1400.00 and I suppose that is really where they are seeking support from council.

(Ald Mulder on behalf of the Howrah Committee Centre Committee)

The issue has been raised a couple of times and although they have an assessment it has been done on a pro bono basis where all the Men's Shed have is a report which recommends installation of a sound wall/fence and that was discussed by the committee at its last meeting. It was decided that the \$1400.00 quote for a wall that would attenuate noise is probably not going to achieve very much at all given the cost of our South Arm arrangement. If you think about the noise of a skate board every now and then compared to a massive buzzing and at the meeting it was suggested that perhaps we should look at having a sound engineer come in and have a look at how you would sound proof that shed because the machines are located within sheds, those sheds have only tin walls which means they probably act as amplifiers, so the idea about internal attenuation is not as silly as it seems. That is where we stood with the Men's Shed at the last meeting so I think that discussion is actually in the minutes of the meeting which I am yet to receive and table so there is some progress in that area but we do need to have a look at that and if there is going to be attenuation we would be going to have a look at some costs. The proposal by the engineer, I don't know whether for \$1400 they could build a sound wall, I would think that would not be money well spent.

Question contd...

I do have a copy of the minutes here so it has been dealt with as reported by Ald Mulder but I go back to my original question, would the officers be able to give me an answer so that I can go back to the Men's Shed about what support if any, council are able to provide?

ANSWER

Council's preferred approach is to engage a sound engineer to assess the situation and make recommendations. We don't have a budget allocation to do that at this time. It is possible that another approach, such as an arrangement as to when machinery is used or not used, could be agreed as an interim step.

Ald Peers

1. I understand today there was a meeting with council officers about the Rosny Bowls Club, the RSL and the Croquet Club. When will we be brought up to date with what's happening there?

ANSWER

I will provide an update at the next workshop.

2. The Howrah Rec Centre and the school parking issue, have we got any more on that?

ANSWER

We have been corresponding with the Parents' association and the school and to be blunt everyone is pointing fingers at everyone other than themselves right now. The issue that we have and we have tried to correspond with the school on a number of occasions and with the Parents' Association is that this is an issue that prima facie resides with the school. Our concern as we raised originally was that parents picking up and dropping off children within the Howrah Community Centre carpark was inherently dangerous particularly when those children were unsupervised as they departed from cars or came towards them. That area is not designed for that purpose and the afternoon pickup time has a high volume of activity from centre users. We seem to be going around in circles in terms of creating a common understanding of the problem. I need to be very clear that our understanding and our view is the problem resides with the school and the way that their pickup is designed and operated. We are encouraging them to look at that issue. We have offered the assistance of council officers from a traffic management point of view in that regard.

Ald James

1. In relation to 19 Corinth Street in Howrah what is the current situation in relation to a minor amendment under Section 56 and where it stands at the Tribunal and also is Section 62 a consideration?

ANSWER

There is a briefing report on this matter, there is not much more I can add to it at this point. We are waiting on advice from the Tribunal as to whether an application has been lodged or will be lodged with it to seek approval for certain changes to the building at 19 Corinth Street. I have spoken to the lawyer representing the developer last week and they indicated to me that they would be lodging something in the next two weeks. We will not know which section of the Act an application will be lodged under because that is a matter for the applicant, and we will be notified by the tribunal as to what course of action they will be taking.

2. Is Mr Morris of Simmons Wolfhagen council's legal consultant/advocate at most or all matters in relation to mediation and the planning appeal process?

ANSWER

Mr Morris' firm represents us on most planning applications. He is not necessarily our only advocate as there are 2 or 3 other lawyers from Simmons Wolfhagen that also represent council.

Question contd...

Does that mean that Simmons Wolfhagen whether it's Mr Morris or any of the other legal representatives do they handle or are council's legal advocate on all matters pertaining to council's planning appeals process?

ANSWER

Simmons Wolfhagen have been engaged for some time as our principal legal representatives in planning matters unless they have a conflict in which case we look elsewhere. On some occasions we may require specialist advice from a different firm so we are not solely using Simmons Wolfhagen but for a majority of the time that would be the case.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 TENDER T1385-20 DUNTROON DRIVE – ROAD RECONSTRUCTION WORKS

13.3 TENDER T1301-19 – ASPHALT SUPPLY CART AND LAY

13.4 LEGAL MATTER

13.5 HARDSHIP APPLICATION

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:

- contracts and tenders for the supply of goods and services;
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- applications by Aldermen for a Leave of Absence;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council;

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

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

PROCEDURAL MOTION

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