

COUNCIL MEETING
MONDAY 21 SEPTEMBER 2026

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

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

1. ACKNOWLEDGEMENT OF COUNTRY

The Mayor will:

- make the following statement:

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

I pay respect to Elders past and present.”

- invite those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are livestreamed, audio-visually recorded and published to Council’s website. The meeting is not protected by privilege. A link to the Agenda is available via Council’s website.
- advise that conduct at our council meeting must be respectful and considerate. Any conduct that is considered offensive, defamatory or threatening is not acceptable and will not be tolerated.

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE

In accordance with Regulation 10 of the Local Government (Meeting Procedures) Regulations 2025 and Council’s adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

4. OMNIBUS ITEMS

4.1 CONFIRMATION OF MINUTES

Council Meeting 10 August 2026

It has been brought to Council's attention that a discrepancy exists between the minutes of the meeting of 10 August 2026 and the recording of that meeting. The discrepancy relates to Item 7.1 Planning Application PDPLANPMTD-2025/057675 – 242 Tranmere Road, Tranmere – Additions And Alterations Including Rectification Works (Single Dwelling).

Regulation 43(7) of the Local Government (Meeting Procedures) Regulations 2025 requires that if after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting is noticed, council is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording. Council's audio visual recording has been reviewed which shows that Councillor Goyne voted for the item which was not reflected in the minutes. The minutes have been corrected and now need to be confirmed as amended to be a true record.

RECOMMENDATION:

That the Minutes of the Council Meeting held on 10 August 2026, as amended, be taken as read and confirmed".

Council Meeting 31 August 2026

RECOMMENDATION:

That the Minutes of the Council Meeting held on 31 August 2026, as circulated, be taken as read and confirmed.

4.2 MAYOR'S COMMUNICATION

4.3 COUNCIL WORKSHOPS

A Councillor's Meeting Briefing (workshop) was conducted on the Friday immediately preceding the Council Meeting.

RECOMMENDATION:

That the Councillor's Meeting Briefing (workshop) conducted on the Friday immediately preceding the Council Meeting be noted.

4.4. TABLING OF PETITIONS

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

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

4.5 REPORTS FROM OUTSIDE BODIES

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

REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representative: Cr Walker
Cr Goyne (Proxy)

Quarterly Reports

September and December 2025 and March and June 2026 Quarterly Reports pending.

Representative Reporting

- **TASWASTE SOUTH**

Representative: Cr Ritchie (Mayor's nominee)
Cr Hunter (Proxy)

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

The newsletter from the Australian Coastal Councils Association Inc dated September 2026 is provided for information (Attachment 1).

NEWSLETTER

September 2026



EDITORIAL: NSW Land and Environment Court ruling criticised by Association

A ruling allowing a seawall to be constructed at the Entrance North on the New South Wales central coast highlights the need for a coordinated national approach to managing coastal hazards.

The ruling, by the NSW Land and Environment Court, overturns a decision by the Central Coast Council to refuse a development approval for the project.

The ruling states that both sides agree that without coastal protection works being carried out, it is almost certain that some of the dwellings on the site will eventually be undermined by erosion and recession, and catastrophically damaged.

But the court's decision allows a piecemeal approach to dealing with coastal erosion and inundation, whereas what is needed is a national strategy involving all three levels of government.

The ruling follows emergency intervention by the NSW government in the wake of the 2025 storms, when emergency coastal protection works were authorised to place 15,000 cubic metres of sand and 6000 tonnes of rock along the shoreline while authorities considered a permanent solution.

The impact of coastal hazards is a significant national issue that cannot be addressed by cash-strapped local councils. It requires a national strategy with national leadership and national funding.

The Australian Coastal Councils Association argues that coastal councils lack the resources needed to respond effectively to the impact of climate change on the nation's extensive coastline.

The challenge NSW councils face is in part due to a lack of coastal planning coherence at the state level. In 2016, then Minister for Planning, Rob Stokes, unveiled the Coastal Management bill, which he said would be "one of the most innovative pieces of coastal planning legislation in the world".

The Coastal Management Act had this objective: "to manage the coast in an ecologically sustainable way for the social, cultural and economic wellbeing of the people of NSW".

Last September, in an investigation into the Act and its implementation, the NSW auditor-general stated that the objectives were "not being achieved". The result is that coastal management has disintegrated into an ad hoc system which is frequently the subject of legal disputes.

Cr Karen Foster, Chair, Australian Coastal Councils Association Inc.

New guide to help councils manage climate change

The Federal Government has released a new Local Government Climate Risk Management Guide to help Australia's councils strengthen how they identify, assess and manage the risks posed by climate change.

The guide has been developed through the Climate Risk and Opportunity Management Program (CROMP) and is aimed at helping local government shape their response to risk, building on tools and resources already available across the public sector.

It provides councils with practical and accessible guidance they can use to better understand climate risks, strengthen planning, and support more resilient communities.

A practical "how-to" resource for councils, the guide includes climate risk management benchmarks, learning and development modules and a digital tool, supplemented with webinars and a dedicated local government community where members can share insights and learnings.

Councils will be able to walk through the process of looking at both physical risks – like flooding, bushfires, coastal erosion and extreme heat – and transition risks, such as regional change from transition to renewables or new industries.

Sitting alongside the guide and already used by 120 councils, the free online Climate Risk Digital Tool enables councils to work through a risk assessment step-by-step.

For example, a council might use it to better understand future flood risk and decide whether to upgrade drainage, change planning rules, or invest in protective infrastructure.

Developed in partnership with the Australian Local Government Association and the Victorian Climate Resilient Councils, the climate risk guide is currently being trialled in 16 councils – Alpine, Bass Coast, Boroondara, Hume, Indigo, Kingston, Knox, Maroondah, Mornington Peninsula, Nillumbik, Pyrenees, Stonnington, Surf Coast, Warrnambool, and Yarra Ranges.

The pilot, which will continue over the next 18 months, aims to test its usability, better understand council needs, and strengthen climate risk capability across the sector, with the guide refined and updated as feedback is received.

Assistant Minister for Climate Change and Energy, Josh Wilson, said the Local Government Climate Risk Guide brings together integrated, accurate, timely, and accessible information that underpins expert advice to ensure that councils have better tools, capability and guidance to respond effectively to climate change.

"We know councils are on the front line of dealing with climate change and are already managing the risks and impacts of events like bushfires, heatwaves, flooding and coastal hazards in their communities, often with limited resources, which is why this work is focused on providing practical, accessible support," he said.

More information - <https://shorturl.at/TZP4P>

New research calls for rethink of coastal law

As sea levels rise and coastlines erode, Australia's legal system is struggling to keep up. Longstanding assumptions about who owns the coast—and who should pay when it disappears—are now at the centre of growing disputes.

Along the east coast, councils have faced backlash from beachfront homeowners resisting managed retreat from coastal fringes. In the Byron Shire and along the Mid North Coast of NSW, proposals to limit rebuilding or development approvals have triggered legal challenges. Debates over seawalls and sandbagging to mitigate erosion continue to divide communities.

Now, new international research led by coastal management expert Professor Tim Smith of Southern Cross University is challenging the legal foundations underpinning these conflicts. The study argues that coastal law, which commonly privileges private ownership in Western legal systems, is increasingly incompatible with a dynamic, climate-affected shoreline.

Professor Smith, who recently took up the position of deputy vice-chancellor for research at Southern Cross University, says the problem is structural.

"In Australia, land below the high-water mark belongs to the Crown and is therefore public land. While this is technically an 'ambulatory' boundary, our common law tradition assumes coastlines are stable and coastal property boundaries can be fixed," he said.

"But as the effects of climate change become more dramatic, those assumptions no longer hold."

Titled [Beach law in the Anthropocene](#) and published in the journal *Ocean & Coastal Management*, the paper found that coastal governance frameworks globally are dominated by private property rights and short-term economic priorities. This is often at the expense of environmental and Indigenous values, not to mention the public's right to access the beach.

The authors note that examples of this tension abound. In one landmark Queensland case cited by the researchers, a court's interpretation of the high-water mark granted private rights that extended into the sea on Great Keppel Island. Legislation was needed to close this loophole—but not before a number of private owners obtained favourable resurveys of their land.

In another case in California (U.S.), community groups resorted to litigation to reopen public access to a beach that had been closed by a private road. In Naples (Italy), beach access that had been closed by a gate (erected to manage a bathing concession) also had to be restored through a legal challenge.

Co-author Professor Justine Bell-James from the University of Queensland said the imbalance in coastal law was shaping how disputes play out on the ground. "We are seeing legal frameworks struggle to respond to sea-level rise, erosion and the effects of extreme weather on our beaches, with impacts across public spending, governance, real estate and even insurance," she said.

"Who owns the beach, who can access the beach and who should pay for restoring a beach are questions communities around the world are grappling with."

More information - <https://sl1nk.com/dt6x3yo>

Regions could be worse off under Disaster Recovery Funding changes – Qld Mayor

The Mayor of the Sunshine Coast says proposed changes to national disaster recovery funding could leave frequently impacted regions worse off.

Mayor Rosanna Natoli said the move to a new funding split between the Commonwealth and the states and territories risked shifting more costs onto disaster-prone communities.

Under the proposed changes, the federal government would contribute 50 per cent of eligible disaster recovery funding, replacing current arrangements under which it contributes the majority of eligible expenditure across the disaster recovery program.

Mayor Natoli said any reduction in federal support could ultimately impact local councils and communities. "When pressure builds at the state level, it inevitably flows down to local government and onto our communities," she said.

Federal Emergency Management Minister Kristy McBain said councils would not be worse off under the reforms, which aimed to simplify funding and improve recovery and resilience efforts.

But Mayor Natoli, who chairs the Sunshine Coast Local Disaster Management Group, said regions like the Sunshine Coast faced unique challenges. "From where we stand, on the frontline of disaster response, there are serious concerns these changes could shift the risk, cost and uncertainty onto communities like ours," she said.

"A one-size-fits-all funding model might sound fair on paper, but it ignores a fundamental truth: disasters are not evenly distributed across Australia. Queensland is hit more often and more severely. A uniform approach will not deliver fairness: it will deliver disadvantage. Any new framework must ensure funding is not only faster, but sufficient, reliable and fair," Mayor Natoli said.

"When disaster hits, that's when our communities need support the most. The winding back of federal funding is a serious concern," she said.

Queensland Minister for Disaster Recovery Ann Leahy joined Mayor Natoli in expressing concerns. "The federal government is walking away from a longstanding partnership that supports communities in their hour of need, putting recovery at risk in the most decentralised and disaster-prone state in the country," she said.

However, Minister McBain said councils should not be worse off under the proposed changes. "Councils are not responsible for disaster recovery funding and that will not change under our proposed reform," she said.

"We are proposing to embed an equal partnership between the Australian, state and territory governments through a 50:50 funding model after every major event. Our reforms will make the process simpler and faster for councils to navigate and no council should be worse off."

World's oceans hottest on record for June

Research by CSIRO finds the world's oceans are the hottest on record for June, pushing past records set during the 2023–24 El Niño years.

Right now, the average sea surface temperature is just under 21°C across the world's tropical and temperate oceans. Before widespread industrialisation in 1870, the temperature was about 19.6°C.

That may not sound like a big difference, but the study found that heating the world's oceans this much requires a truly enormous amount of energy. Of all the extra heat trapped by greenhouse gases from burning coal, gas and oil, more than 90% has gone into the world's oceans.

As a result, the oceans are getting rapidly warmer. In 2025, the heat added was the equivalent of about 12 Hiroshima-scale nuclear bombs exploding every second of every day.

CSIRO reports that to find a climate analogue comparable to what's happening now in the oceans, we would have to go back around 120,000 years to before the last ice age. Back then, slow shifts in Earth's orbit led it to heat up gradually over thousands of years. The study noted that humans had accomplished a similar result in a little over a century.

But the heat in the ocean doesn't just stay there. Hotter oceans fuel stronger cyclones, a more humid atmosphere, more intense rainfall and more heat in air masses over the seas, which can in turn make heatwaves over land more likely and more intense.

CSIRO warns that the El Niño forming in the tropical Pacific right now is likely to be a big one. As it develops, we can expect to see warmer temperatures and extreme events such as marine heatwaves in the western Indian, tropical Atlantic and eastern Pacific Oceans.

Europe has been sweltering through a record-breaking heatwave during the northern summer. The oceans surrounding the region and in enclosed seas are also exceptionally hot.

The report found that parts of the Mediterranean are up to 6°C hotter than the long-term average. Parts of the North Sea are up to 3°C warmer than average.

The forming El Niño has led to sea surface temperatures about 1.24°C warmer than average across a large area of the central eastern Pacific.

There's much more heat below the surface as well. Subsurface conditions in the eastern Pacific are more than 6°C above average.

A typical El Niño lasts about a year. The full effect on atmospheric heat becomes clearest towards the end of the cycle. That means while we can expect 2026 to be very hot – perhaps a new record – next year is very likely to be even hotter, as ocean heat is moved back to the surface. We saw this during El Niño events over 2023–24 and 2015–16.

Steady ocean warming coupled with longer lasting and more intense marine heatwaves pose huge threats to marine ecosystems such as coral reefs, sea grass meadows and coastal reefs. Research on the 2023–24 El Niño and the warm 2024 year showed widespread impacts.

More information at - <https://shorturl.at/YxL4X>

Small increases in protected area benefit coastal mangroves

A global study of mangroves has found a modest boost in conserved area could significantly increase their ability to adapt to the changing climate, including rising sea levels.

University of Queensland PhD candidate Alvise Dabalà led analysis which showed safeguarding the coastal mangrove ecosystem didn't require huge expansions in protected areas, just smarter planning.

"Mangrove forests are vital fish nurseries and carbon sinks that also shield coastlines from storms and erosion, but they're vulnerable to rising sea levels and development," Mr Dabalà said.

"While 43 per cent of the world's mangroves are in protected areas, these are not always in the best locations when climate change is considered.

"By preferentially targeting places where there is less impact of climate change, our analysis found just a 7.3 per cent increase in protected areas can make mangrove networks 13.3 per cent more resilient.

"In practical terms, a small increase protecting where mangroves have the best chance of surviving in the future and not just where they exist today will pay dividends."

The study led by UQ's School of the Environment combined maps of mangrove species and distribution with a model that predicts the probability of mangrove loss under future climate change.

It then compared a standard conservation plan with a climate-smart plan that prioritised the most resilient areas.

"Our research shows climate-smart conservation is achievable and affordable," Mr Dabalà said.

"It also reveals a need for tailored strategies for the landward and seaward edges of mangrove forests, because they face different climate-related stressors.

"On the landward sides infrastructure like roads can block mangroves migrating inland as sea levels rise, so a strategy that allows room for movement would protect the ecosystem for the long term.

"International cooperation is crucial to success, because transboundary planning protects more resilient mangroves while using less total area than isolated national efforts."

Co-author Professor Anthony Richardson said the study's blueprint for mangroves could be applied to other ecosystems.

"Where there is data on distribution and climate resilience, this methodology can help future-proof other vulnerable ecosystems by focusing conservation and protection efforts," Professor Richardson said.

The [research](#) is published in *Nature Communications*.

IN BRIEF

\$4M Grants Boost WA Coastal Projects

The West Australian Government has awarded \$4.09 million in CoastWA grants to support 35 projects addressing coastal erosion, hazards, and management across Western Australia. Since 2021, the CoastWA program has invested more than \$22.4 million in grant projects that strengthen the State's ability to manage and protect its coastline, including coastal monitoring, technical studies, adaptation planning, and capacity building. The 2026-27 grants will support coastal land managers and community groups to deliver a range of projects, including on-ground works, coastal protection planning, and education initiatives to build resilience to coastal change. Key projects in this year's funding round include: Shire of Gingin - \$458,250 for sand nourishment, design of emergency works, and a coastal processes study in Lancelin; City of Mandurah - \$1.5 million to support the design and implementation of coastal protection works at Doddi's Beach, building on previous CoastWA-funded planning; and City of Fremantle - \$175,000 to develop a Coastal Hazard Risk Management and Adaptation Plan, including short-term actions and long-term adaptation pathways. Originally established as a five-year \$33.5 million program, CoastWA was extended by a further three years in 2026 with another \$24.1 million to be invested in the program.

Gold Coast Rental Costs Highest in Australia

The median asking price for rentals on the Gold Coast climbed to \$900 in June, according to property website Domain, making it Australia's most expensive area to rent a home. Property experts say supply shortfalls and lack of affordable new builds are putting pressure on the established housing market. Home rents on the Gold Coast have reached a record-high, but property analysts say Australia's most expensive rental market does have pockets of relative affordability. The Gold Coast's median house rent rose to \$950 per week in the June quarter, and units to \$850, according to data published by property website Domain. A separate dataset from the REA Group's PropTrack showed the median asking rent on the Gold Coast went up to \$890, following a 2.5 per cent increase in the three months to June. The Gold Coast's strong rental growth is consistent with a nationwide trend.

Victorian grants aimed at preserving Port Phillip Bay

Safety Beach in Victoria is set to receive a boost in coastal protection thanks to new grants from the state government aimed at preserving Port Phillip Bay. A \$19,280 investment will go towards stabilising dunes affected by coastal erosion and managing invasive weeds to help future-proof the sandy shores. The project is part of a broader \$2m funding round supporting 26 community-led initiatives across the bay. Frankston Foreshore Reserve will also benefit from the grants, with \$20,000 dedicated to removing damaging weeds and planting over 5,000 native species, restoring the beach for families to enjoy. Other initiatives include a project by the University of Melbourne, in collaboration with Bunurong Land Council Aboriginal Corporation and Wadawurrung Traditional Owners Aboriginal Corporation, using drones to monitor coastline changes. This \$194,945 project will help identify areas needing extra protection in a changing climate. More information

- marineandcoasts.vic.gov.au/grants

ASSOCIATION CONTACT DETAILS

TEL	0418 254 132
ADDRESS	PO Box 550, Williamstown VIC 3016
EMAIL	info@coastalcouncils.org.au
WEB	https://coastalcouncils.org.au

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 31 August and 7 and 14 September 2026 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 31 August and 7 and 14 September 2026 be noted.

5. PUBLIC QUESTION TIME

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

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

5.1 PUBLIC QUESTIONS ON NOTICE

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

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

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

PAY RISE COUNCIL EMPLOYEES

1. What has been each annual pay rise for council employees for the past 4 years?

WEED MANAGEMENT

2. I originally brought to council's attention pipe works behind Raleigh Court, Howrah in 2021. Council have confirmed these works were associated with SD-2010/44 and controlled under a Weed and Hygiene Management Plan dated September 2020. Although bringing weed management concern to council's attention almost every year and council having an officer inspect the site recently. No weed control has occurred since the works proceeded in 2021. It's my understanding the developer is now wanting to get stages 3 and 4 sealed yet still aren't complying with weed management for this particular area which council are saying formed part of SD-2010/44 and subsequently governed by its weed management plan. Thousands upon thousands of weeds have spread from this site onto council and public owned land over these past 5 years and Spring is about to spread them some more. What action is council going to take on this?

5.2 ANSWERS TO QUESTIONS ON NOTICE

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

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 31 August 2026 Mr J Woodward of Risdon Vale asked the following question.

DEVELOPMENT APPLICATION PDPLANPMTD-2026/060959

My question is relating to development application PDPLANPMTD-2026/060959 which relates to the Storage Facility, Contractors' yard and Associated Buildings and Infrastructure partial retrospective application for 20 and 42 Scotts Road, Risdon Vale, which is the Spectran Reprocess Tas site and my questions and concerns regarding this are that this document is submitted as a retrospective and future planning document. It has multiple prior reports attached to it as supporting documentation which still contain activities which have been discontinued as per the EPA Tasmania environmental protection notice that was filed against Spectran. The documentation still makes reference to storing materials and associated activities that are previously filed as part of the use classification in its light industrial zoning. So, my concern is can this proceed with such confusing inaccuracies contained in the documentation and should the request be refiled with specifics relating to exactly what they want to do with the site rather than referencing any of the previous activities with regard to waste management, storage, processing and other uses?

ANSWER

The Head of City Planning took the question on notice.

(Further information) This application has a long history of development with a recent Level 2 planning application being withdrawn. The documents have been modified to confine the activities to that which can be solely considered by Council. This has created some confusion. However, as there is sufficient information to determine the application, it is considered inappropriate to require further changes to "tidy up" the application. Instead, it is considered more appropriate to bring the matter to Council for determination. The matter is listed on this Agenda.

At Council's Meeting of 31 August 2026 Mr B Walker of Howrah asked the following question.

HOMELESSNESS

My question is for you, Mayor Blomeley. Following last meeting's discussions about homeless people staying at the boulevard site, I called yourself on the Friday morning to discuss options for Danny's Bus to potentially provide assistance for those living there. I left a message but have yet to receive a reply. The Rokeby Hills Landcare group also reached out to yourself by email to discuss their activities in the reserve, which was declined. You have often mentioned you have an open door policy, could you please expand on how the community can best connect with you?

ANSWER

The Mayor took the question on notice

/ contd on Page 17...

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

(Further information) As Mayor, I remain committed to being accessible to members of the Clarence community and welcome genuine engagement on matters affecting our city.

I acknowledge that Mr Walker left me a telephone message. While it is not always possible for me to respond personally to every approach, community members can contact the Office of the Mayor via email and phone or contact Council through its established customer contact channels. This helps ensure enquiries are recorded and directed to the appropriate area for a timely response.

In relation to the Rokeby Hills Landcare Group, the most recent correspondence received by me is dated 28 March 2022. Any current request from the group can be forwarded to Council for consideration by the relevant area.

Anyone seeking assistance or proposing an initiative - including in relation to homelessness or activities on Council-managed land - is encouraged to provide sufficient information for the matter to be properly considered and directed to the appropriate area of Council.

At Council's Meeting of 31 August 2026 Rachael [surname not given] of Lindisfarne asked the following question:

CLARENCE CITY COUNCIL LOGO POLICY

My question is about the Clarence City Council logo policy. I recently saw on Facebook a seemingly council approved post promoting the Poochibald Prize and I really admire the Poochibald Prize, it is a great initiative to support creativity and visual arts in the municipality and beyond but I was therefore disappointed to hear that the post was completely AI generated, complete with an AI generated painting of a dog. My immediate response was why not use the many previous entrants' creative work, human generated, wonderful pieces of artwork.

So, I queried that on a post. My query was immediately deleted, so I posted the question again because I thought perhaps that was an accident, but I was actually blocked then so I could no longer see any of these posts. So, I contacted the council because I was worried that this doesn't seem like a great response by a council to block a legitimate query about a council post and I discovered it wasn't actually a council approved post, despite having the council logo, it was a post by the Deputy Mayor and so that response I received by being blocked was actually the Deputy Mayor's response. So my question is, what is the council's policy about elected members posting unapproved material with a council logo because as a ratepayer and a member of the municipality, it is quite confusing to see things that appear to be council approved and if they are in fact not, I think there needs to be some policy around that so that people can understand what is an official council position and what is not because AI use is a concerning development it is not entirely concerning but it certainly is where it might replace human creativity. I admire the council in supporting the visual arts so this is just an example I suppose about what can happen if there are no controls about what is council approved and what is not, so my question is, what is the council's logo policy about elected members using the council logo?

ANSWER

The Chief Executive Officer took the question on notice.

/ contd on Page 18...

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

(Further information) Council has a Use of Council Arms / Logo Policy 2006. The policy can be found on council's website: [Council-Policy_Use-of-Logo-1.pdf](#) The policy permits councillors to use the 'Clarence – a brighter place' logo for communications with the community, including self-generated communications provided:

- its use is not to construe an official communication of the Council; and
- that the councillor uses the logo to give emphasis that the councillor is communicating as an elected member of the Council.

Councillor social media pages are not regulated by council – they are personal pages of the relevant elected member. In that context, it is a matter for each councillor as to how they manage their social media.

There are no restrictions on councillors using AI generated messages.

Mr Victor Marsh of Bellerive asked the following question:

KANGAROO BAY SPORTS OVAL

I note that Kangaroo Bay Sports Oval is closed in preparation for the cricket season. How much are ratepayers now paying per year for maintenance costs for a once public open space?

Answer

The Chief Executive Officer took the question on notice.

(Further information) The Kangaroo Bay Oval maintenance costs for the 2025-2026 financial year are approximately \$163,620. This includes the weekly operational costs and approximate costs for the spring renovation in preparation for the cricket season. Over the cricket season, the oval is hired between 6 and 7 days a week, with a total of 1,174.5 hours of use for the 2025-26 season.

5.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

All questions and answers must be kept as brief as possible.

The name of the person asking a question without notice and the question will be included in the meeting minutes.

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

6. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(In accordance with Regulation 46 of the Local Government (Meeting Procedures) Regulations 2025 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

7 PLANNING AUTHORITY MATTERS
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In accordance with Regulation 29 (1) of the Local Government (Meeting Procedures) Regulations 2025, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

7.1 PLANNING APPLICATION PDPLANPMTD-2026/060959 – 20 AND 42 SCOTTS ROAD, RISDON VALE - STORAGE FACILITY (CONTRACTORS YARD) AND ASSOCIATED BUILDINGS AND INFRASTRUCTURE (PARTIAL RETROSPECTIVE APPLICATION)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Storage Facility (Contractors Yard) and associated buildings and infrastructure (partial retrospective application) at 20 and 42 Scotts Road, Risdon Vale.

RELATION TO PLANNING PROVISIONS

The land is zoned Light Industrial and subject to the Parking and Sustainable Transport Code, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Natural Assets Code, Potentially Contaminated Land Code, Road and Railway Assets Code and the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary use and/or 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 2025.

Council is required to exercise a discretion within the statutory period which expires on 23 September 2026.

CONSULTATION

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

- Stormwater drainage;
- Poor site history;
- Accuracy of application information;
- Cessation of Level 2 activity;
- Memorandum of Understanding 143/13 P;
- No current noise assessment;
- Shed contents;
- Grass Tree Hill Road maintenance;
- Potential fire danger;
- Visual impacts and screening;
- Residential Amenity; and
- Improvement in air quality.

RECOMMENDATION:

A. That the Planning Application for Storage Facility (Contractors Yard) and associated buildings and infrastructure (Partial Retrospective Application) at 20 and 42 Scotts Road, Risdon Vale (Cl Ref PDPLANPMTD-2026/060959) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Any works occurring within or near to a waterway must be undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within waterway areas must be avoided.
3. GEN AM7 – OUTDOOR LIGHTING.
4. A minimum of 54 car parking spaces must be provided on-site. Each space, including disabled parking, must be clearly marked and used solely for parking purposes.
5. All loading and unloading of vehicles must be carried out wholly within the property.

The loading and unloading of goods, materials and equipment must only be carried out on the site within designated areas and must not disrupt the parking and circulation of vehicles on the site.

6. Within six months of the date of this permit, a Parking and Traffic Management Plan must be submitted to and approved by Council's Chief Executive Officer or delegate.

The plan must be to scale and generally in accordance with the recommendations contained within the Traffic Impact Assessment prepared by Hubble Traffic Consulting (June 2023) and must show:

- (a) the location and number of all car parking spaces;
- (b) bicycle parking facilities;
- (c) loading and unloading areas;
- (d) internal vehicle circulation routes;
- (e) pedestrian pathways and pedestrian safety measures;
- (f) parking delineation and line marking;
- (g) access widths and access arrangements; and
- (h) any associated traffic management signage.

When approved, the Parking and Traffic Management Plan will form part of this permit. All works and measures identified on the approved Parking and Traffic Management Plan must be implemented within the same six month period and thereafter maintained to the satisfaction of Council's Chief Executive Officer or delegate for the life of the use.

7. Access associated with the approved industrial and transport depot activities must be via the approved access arrangement shown on the endorsed plans. Any modification to the approved access arrangement requires the further written approval of Council.
8. The development and use must be undertaken substantially in accordance with the recommendations of the Flood Hazard Report prepared by Flüssig Engineers dated 23 December 2021. Any future buildings or works within the flood-prone hazard area not assessed by that report will require separate assessment and approval by Council.
9. A landscape plan must be submitted to and approved by Council's Chief Executive Officer or delegate prior to the commencement of works to ensure that adequate screening is provided along the frontages to Grasstree Hill Road and Scotts Road, Risdon Vale. The plan must be to scale and show:
 - a north point;
 - existing trees to be retained and those to be removed;
 - proposed driveways, paths, buildings, car parking, retaining walls and fencing;
 - any proposed rearrangement of ground levels;
 - details of proposed plantings including botanical names, and the height and spread of canopy at maturity; and
 - estimated cost of the landscaping works.

The landscaping works must be completed prior to the commencement of the use. All landscape works must be maintained:

- in perpetuity by the current and future owners/occupiers of the land, regardless of any change in ownership;
- in a healthy state; and
- in accordance with the approved landscape plan.

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

10. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
11. The development must meet all required Conditions of Approval specified by TasWater notice dated 14/05/2026 (TWDA 2026/00466-CCC).

B. That in addition to standard advice, the following advice be provided to the proponent:

- a. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013 and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development (Stormwater-Management-Procedure-for-New-Development (1).pdf). This requirement will be assessed as part of engineering plans assessment if the proposed DA is approved.

- b. All plumbing works must comply with the Tasmanian Plumbing Code and Australian Standard 3500.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

The subject property has a long history of planning applications and enforcement issues. The property previously conducted Level 2 activities as identified in Schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPCA) involving material handling, which recently ceased operation.

The business operating from the site has been before the Resource Management and Planning Appeal Tribunal for failure to comply with planning permits, as well as having received various environmental infringement notices under EMPCA for unapproved filling of the site and environmental nuisance.

The following planning applications are relevant to the subject sites:

- D-2007/400: Landfill approved on 14 November 2007.
- D-2007/471: Transport Depot approved December 2007.
- D-2008/357: Landfill (temporary permit expired) approved on 24 November 2008.
- D2009/149: Mobile Crushing Plant refused on 30 November 2009.
- D-2010/22: Landfill refused on 24 May 2010.
- D-2011/123: Site Office, Extension of Operating Hours, Light Industry, Landscape Supplies, Signage approved 16 May 2012.
- D-2018/642: Storage shed approved 16 April 2019.
- PDPLANPMTD-2021/022567: Addition to Industrial Outbuilding approved 26 May 2022.

- PDPLANPMTD-2022/030292: Temporary Change of Use - Recycling & Waste Disposal (Scrapyard) approved 18 October 2022.
- PDPLANPMTD-2023/034830: Waste storage and reprocessing facility (Recycling and Waste Disposal), (Partial retrospective application and Level 1 and 2 Activity) including associated buildings, stockpiling areas and associated works withdrawn September 2026.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Light Industrial under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 18.0 – Light Industrial Zone;
- Section C2.0 – Parking and Sustainable Transport Code;
- Section C3.0 – Road and Railway Assets Code;
- Section C7.0 – Natural Assets Code;
- Section C12.0 – Flood Prone Areas Hazard Code;
- Section C13.0 – Bushfire Prone Areas Code;
- Section C14.0 – Potentially Contaminated Land Code; and
- Section C16.0 – Safeguarding of Airports Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The application comprises of two properties, 20 and 42 Scotts Road, both of which are occupied by the same business. The property located at 20 Scotts Road is a 4.9ha lot on the corner of Grass Tree Hill Road and Scotts Road. The property contains industrial buildings used for storage, stockpile materials, a caretaker's residence and on-site car parking.

The property to the north is 42 Scotts Road and is similarly zoned Light Industrial and contains a transport depot, machinery, wash bay, weigh bridge and on-site car parking.

The two properties have on-site vehicular access connection, and each has its own access to Scotts Road. Scotts Road is currently sealed to a width of approximately 6m alongside the subject site with grass verges.

Land to the east and west of the site is zoned Rural and is currently used for residential purposes. Land to the south of the site on the opposite side of Grass Tree Hill Road is zoned General Residential and mainly contains Single Dwellings forming part of the Risdon Vale urban area.

The waterway traversing the property has been piped and diverted, with stormwater managed on-site via two retention basins prior to discharge into the waterway.

3.2. The Proposal

The proposal is to operate two primary uses across both sites, this being a transport depot and storage of inert construction and landscaping materials. Both uses will be supported by existing (some unapproved) and proposed ancillary structures and outbuildings. The details of each of these uses and structures are as follows:

- Storage and handling of inert and landscaping materials;
- Stockpiling of materials within existing and proposed bunded concrete storage bays;

- Outbuildings, container structures and shelters to be used for storage and handling;
- A truck wash facility and associated outbuildings; and
- Ancillary infrastructure including parking, access, circulation, office functions and site-layout improvements.

The operating hours of the business will be as follows:

- 7:00am - 6:00pm Monday to Friday,
- 7:00am - 4:00pm Saturday, and
- No operations on Sundays or Public Holidays.

Parking will be provided on-site for staff, visitors and for overnight parking of heavy vehicles. A total of 54 car parking spaces will be provided on-site.

This application differs from the recently withdrawn application, in that the Level 2 activity involving a reprocessing facility (Recycling and Waste Disposal) has ceased operating and the applicant is no longer pursuing approval for such a use.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

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

4.2. Determining Applications [Section 6.10]

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

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

References to these principles are contained in the discussion below.

4.3. General Provisions

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

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

4.4. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Light Industrial Zone and the Parking and Sustainable Transport Code, Bushfire-prone Areas Code, Flood-prone Hazard Areas Code, Natural Assets Code, Potentially Contaminated Land Code, Road and Railway Assets Code and the Safeguarding of Airports Code with the exception of the following.

Light Industrial Zone

- **Clause 18.3.1 A2 All Uses** - the use will operate within 50m of a General Residential zone and will operate external lighting outside of the required hours of 11pm to 6am.

The proposal must be assessed against Performance Criteria P2 of Clause 18.3.1 as follows.

Performance Criteria	Assessment
“Clause 18.3.1 P2	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i>	
<i>(a) the level of illumination and duration of lighting; and</i>	The applicant advises that all outdoor lighting will be designed and installed to comply with Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.

(b) <i>the distance to habitable rooms of an adjacent dwelling.”</i>	This will ensure the level of illumination and duration will not cause an unreasonable loss of amenity to the surrounding residential area. The property located at 20 Scotts Road is located within close proximity to the dwellings along Fuchsia Road that is to the south of the site. This distance ranges between 30m and 50m. Due to the close proximity of habitable rooms to the use, it is considered reasonable, that should a permit be issued, a condition be included within the permit to ensure the lighting does not cause an unreasonable loss to amenity.
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- **Clause 18.4.4 A1 Outdoor Storage Areas** – the storage areas of the inert materials will be visible from the adjoining roads.

The proposal must be assessed against Performance Criteria P1 of Clause 18.4.4 as follows.

Performance Criteria	Assessment
<i>“Clause 18.4.4 P1</i>	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.”</i>	The outdoor storage areas will be primarily located away from the frontages and towards the western boundary of the sites to assist with the visual amenity of the site. However, the applicant proposes the following measures will further mitigate the visual impacts of the storage areas: • Some of the storage areas will be screened from adjoining roads by being located behind buildings and structures located on-site; • A 5.5m wide landscaping area will be provided along both Scotts Road and Grass Tree Hill Road frontages, that will include established trees ranging in height of 3m – 9m; and • Ensuring stockpiles and storage bays are located away from visually sensitive road viewing areas. A condition of the permit will be required for appropriate landscaping along the frontages, which will also ensure storage areas are appropriately screened, and the site will not cause an unreasonable loss of visual amenity.

Road and Railways Assets Code

- **Clause C3.5.1 A1.4 – Traffic generated at a vehicle crossing** - the proposal will increase vehicle movements to and from the site by more than 20% and therefore cannot meet the acceptable solution.

The proposal must be assessed against Performance Criteria P1 of Clause C3.5.1 as follows.

Performance Criteria	Assessment
<i>“Clause C3.5.1 P1</i>	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</i> <i>(a) any increase in traffic caused by the use;</i>	A former application was submitted for Level 2 recycling and processing activities, for which a supporting traffic impact assessment (TIA) was provided. The applicant requested that this current revised application, that is limited to a Level 1 Materials Handling and Storage Facility and Transport Depot, also be supported by the previously submitted TIA. The supporting TIA assessed a higher intensity operation than that now proposed and therefore represents a conservative assessment of potential traffic generation.
<i>(b) the nature of the traffic generated by the use;</i>	The proposed use generates a combination of employee, visitor and commercial vehicle traffic associated with transport depot and storage activities. The TIA assessed heavy vehicle access and concluded that the surrounding road network and access arrangements are capable of accommodating these vehicle movements safely and efficiently.
<i>(c) the nature of the road;</i>	Scotts Road primarily functions as a local industrial access road servicing a number of industrial and transport related uses. The TIA concludes that Scotts Road is suitable for the traffic generated by the use of the site and that no adverse impacts on the surrounding road network are anticipated.

<i>(d) the speed limit and traffic flow of the road;</i>	Scotts Road is subject to a 50km/h speed limit. Traffic surveys undertaken as part of the TIA found relatively low traffic volumes on Scotts Road and concluded that motorists currently receive a high level of service. The intersection of Scotts Road and Grass Tree Hill Road was assessed and found to be at the level of Service A, which is providing the highest level for give way controlled junctions, meaning motorists are not incurring delays, with ample gaps in the traffic stream for vehicles to turn. This measurement was found during both morning and afternoon peak periods.
<i>(e) any alternative access to a road;</i>	A separate alternative access arrangement is not required.
<i>(f) the need for the use;</i>	The proposal seeks approval for an established industrial operation and associated storage and transport depot activities located within the Light Industrial Zone. The use is consistent with the function of the surrounding industrial area.
<i>(g) any traffic impact assessment; and</i>	A TIA prepared by Hubble Traffic assessed the operation and concluded that the traffic generated by the site does not adversely affect the safety or efficiency of the surrounding road network. The TIA found that sight distances are adequate, traffic volumes are low and the existing road network can accommodate the traffic generated by the development.
<i>(h) any advice received from the rail or road authority.”</i>	The traffic and access arrangements have been assessed through the submitted TIA and the proposal is capable of operating safely subject to implementation of the recommended traffic management improvements.

Parking and Sustainable Transport Code

- **Clause C2.5.1 A1 Car Parking Numbers** – Table C2.1 requires 64 on-site car parking spaces for the proposed Storage and Transport Depot uses. The application proposes 54 spaces, resulting in a shortfall of 10 spaces.

The proposal must be assessed against Performance Criteria P1.1 of Clause C2.5.1 as follows.

Performance Criteria	Assessment
<i>“Clause C2.5.1 P1.1</i>	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</i> (a) <i>the availability of off-street public car parking spaces within reasonable walking distance of the site;</i> (b) <i>the ability of multiple users to share spaces because of:</i> (i) <i>variations in car parking demand over time; or</i> (ii) <i>efficiencies gained by consolidation of car parking spaces;</i> (c) <i>the availability and frequency of public transport within reasonable walking distance of the site;</i> (d) <i>the availability and frequency of other transport alternatives;</i> (e) <i>any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</i>	The site is located within an industrial area and is not serviced by public off street parking facilities. The use therefore relies on parking provided on-site. A Traffic Impact Assessment (TIA) prepared by Hubble Traffic assessed the operational parking demand and concluded that a functional parking demand of approximately 35 spaces is generated by the use. The proposal provides 54 on-site spaces, exceeding the assessed parking demand. The TIA identifies consolidated parking areas serving office staff, yard staff, transport drivers and visitors. Parking demand occurs at different times throughout the day, and the consolidated layout improves utilisation of available parking supply. The TIA identifies that the closest bus stops are near the junction between Sugarloaf Road and Sycamore Road, and Grasstree Hill Road and Kerria Road. These bus stops are within approximately 700m of the site and are serviced by buses that run approximately once every 30 minutes. There are limited alternative transport options available given the industrial location and operational nature of the use. The TIA; however, does propose bicycle parking facilities to support an alternative transport mode. The site contains existing buildings, circulation areas, drainage infrastructure and operational work areas. While additional parking could potentially be accommodated on the site, the TIA concludes that 54 spaces exceed the actual operational demand of 35 spaces and therefore additional parking is not required for the site.

(f) <i>the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</i>	The TIA identifies that Scotts Road is not suitable for regular on-street parking and concludes that parking demand should be accommodated on-site. The proposed parking supply is intended to prevent overflow parking onto surrounding roads.
(g) <i>the effect on streetscape; and</i>	The proposed parking arrangements are contained within an established industrial site and do not introduce additional access points or significant visual changes to the public realm. Accordingly, the parking provision is not expected to adversely affect the streetscape character of the Scotts Road industrial area.
(h) <i>any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.”</i>	The TIA assessed both the statutory parking requirement and the actual operational parking demand. The report concluded that there is sufficient parking on-site; however, the following recommendations were made to improve the parking areas: • Landscaping to improve the visual impact of the site; and • Appropriate lighting for pedestrians and vehicles to manoeuvre in a safe manner.

- **Clause C2.6.5 A1.1 Pedestrian Access** – The proposal does not comply with Acceptable Solution A1.1 because more than 10 car parking spaces are required and the listed pedestrian protections are not provided.

The proposal must be assessed against Performance Criteria P1 of Clause C2.6.5 as follows.

Performance Criteria	Assessment
“Clause C2.6.5 P1	The proposal is assessed as satisfying the performance criteria as outlined below.
Safe and convenient pedestrian access must be provided within parking areas, having regard to: (a) the characteristics of the site;	The site is a large industrial facility comprising of a transport depot, material storage areas, employee parking areas and heavy vehicle circulation routes. Parking and manoeuvring areas are flat and open with good lines of sight.

	Pedestrian movements are generally associated with staff and visitors accessing offices and operational areas.
(b) the nature of the use;	The use is for a transport depot and storage facility where employees are familiar with the industrial operating environment and site safety requirements.
(c) the number of parking spaces;	The use provides 54 parking spaces distributed across the site. Pedestrian movement is largely internal and associated with staff parking areas and administration buildings.
(d) the frequency of vehicle movements;	The frequency of vehicle movements in the parking areas is expected to be low and would also be a low-speed environment.
(e) the needs of persons with a disability;	The application does not identify any issues relating to access for persons with a disability and no concerns arise in relation to this criterion.
(f) the location and number of footpath crossings;	The TIA identifies pedestrian pathways between visitor parking, office parking and office accommodation areas. These measures can be secured through permit conditions requiring implementation of the TIA recommendations.
(g) vehicle and pedestrian traffic safety;	The TIA recommends pedestrian separation measures, barriers and designated pathways to improve safety outcomes within the site. Subject to implementation of these recommendations, pedestrian safety can be appropriately managed.
(h) the location of any access ways or parking aisles; and	Parking and circulation areas are arranged within a large industrial site with sufficient space to accommodate vehicle manoeuvring and pedestrian movements.
(i) any protective devices proposed for pedestrian safety.”	The TIA recommends protective barriers associated with visitor parking and pedestrian pathways, together with other safety improvements identified in Section 9. These measures can be imposed as permit conditions.

Flood Prone Areas Hazard Code

- **Clause C12.6.1 A1 Buildings and works within a flood prone hazard area**
 - the proposal is unable to meet the acceptable solution due to there being no assessment criteria to assess against.

The proposal must be assessed against Performance Criteria P1.1 and P1.2 of Clause C12.6.1 as follows.

Performance Criteria	Assessment
<i>“Clause C12.6.1</i>	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>P1.1</i> <i>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</i> <i>(a) the type, form, scale and intended duration of the development;</i> <i>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</i> <i>(c) any advice from a State authority, regulated entity or a council; and</i> <i>(d) the advice contained in a flood hazard report.”</i>	The development comprises industrial buildings, storage areas, transport depot operations and associated infrastructure within the Light Industrial Zone. A Flood Hazard Report prepared by Flüssig Engineers assessed flood behaviour across the site and concluded that the development can achieve and maintain a tolerable level of flood risk for its intended life. The report identifies that flood hazard across the developed portions of the site remains predominantly within the H1 hazard category and considers the proposal capable of satisfying the requirements of the Flood-Prone Areas Hazard Code. The Flood Report assessed the site against the 1% AEP event plus climate change allowance and concluded the development can achieve and maintain a tolerable level of flood risk throughout its intended life. The report concludes that the proposal satisfies the performance requirements of the Flood-Prone Areas Hazard Code without reliance on flood protection measures. The proposal is supported by a Flood Hazard Report prepared by a suitably qualified engineer and no advice has been received that would indicate the development cannot achieve a tolerable level of flood risk. The Flood Hazard Report concludes that the development can maintain a tolerable level of flood risk and does not increase flood impacts on adjoining land or public infrastructure.

<i>“P1.2 A flood hazard report also demonstrates that the building and works:</i> <i>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</i> <i>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.”</i>	The Flood Report compared pre-development and post-development scenarios and concluded there is no material increase in flood depths or flood extents on adjacent land or public infrastructure. The report states that the development will not adversely affect flood behaviour through surrounding properties and results in minimal flood flow displacement. The Flood Report assessed the site against the 1% AEP event plus climate change allowance and concluded the development can achieve and maintain a tolerable level of flood risk throughout its intended life without reliance on flood protection measures.
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5. REPRESENTATION ISSUES

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

5.1. Stormwater Drainage

The representors all raised concern with respect to the water flow across the site and drainage. Further concern was raised in relation to the wash bay and if specific drainage will be included for this use. One representor stated that whenever there is heavy rain, water seeps under Grass Tree Hill Road and floods their backyard.

- **Comment**

The site has a history of modifications that have been made to the watercourse on the site, which has caused stormwater to overflow onto the neighbouring properties. In 2020, engineering approval was granted for stormwater works on-site, to redirect the water flows and connect to the existing drainage to the on-site retention basin.

A stormwater drainage plan detailing how stormwater run-off from the site would be managed and a flood hazard report were provided as part of the application.

These have been assessed by Council's Development Engineers against the requirements of the Scheme who determined stormwater would not have an impact upon adjoining or nearby properties. Nevertheless, the stormwater discharge from the property will require approval under the *Urban Drainage Act 2013* and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development.

5.2. Poor Site History

Three of the representors are concerned that the business operating from the two sites has a history of not complying with the Planning Scheme requirements or permit conditions, with some actions leading to an Environment Protection Notice (EPN). The representors believe that the business cannot be trusted to comply with any conditions and as such a permit should not be granted.

- **Comment**

Whilst the business has a history of non-compliance on this site, the intention of this application is to bring use and development on the site into compliance. As such, it is appropriate to consider this application on its merits and not pre-empt non-compliance with a permit. If non-compliance with a permit or the Scheme is brought to Council's attention, the matter would be investigated and dealt with in accordance with the legislative requirements.

5.3. Accuracy of the Application Information

Two of the representors have expressed concern that the information submitted as part of the application is not accurate and is inconsistent. This includes the following:

- The application refers to processing facilities and operations which have ceased.
- Reference to storage materials like mulch and clean fill, which according to the representor is in contradiction to the cessation of works agreement between the EPA and Spectran Pty Ltd.
- The traffic impact assessment and Stormwater Management Plan were prepared for a recycling and reprocessing operation, rather than for the current storage application.

Due to the discrepancies within the application, the representor suggests the application should be denied until all discrepancies are clarified and updated reports provided.

- **Comment**

The applicant originally submitted a planning application in 2024, that included a Level 2 activity of recycling and processing. This application was supported by several reports; however, a revised proposal to remove the Level 2 activity was submitted and forms this application. At the applicant's insistence the supporting reports that were submitted as part of the Level 2 activity were carried over to this application and accepted given there is relevance to this application, albeit at a lower intensity of operation.

In essence, there is an oversupply of information with sufficient information to enable determination of the application. The further information provisions under section 54 of LUPAA only relate to where further information is required for assessment.

Although the information provided considers the proposed use as well as a higher level use, it is considered that the application clearly states the proposed uses and development, and that the reports address the assessment requirements of the Scheme.

5.4. Cessation of Level 2 Activity

One representor raised concern that the application did not include information confirming the cessation of the Level 2 activity on-site. The representor states documentation such as a formal EPA advice; the current status or revocation of the EPN; an independent report confirming the processing equipment has been decommissioned; current dust, noise, stormwater or water-quality monitoring results; or confirmation that historical waste and contaminated material have been removed.

- **Comment**

The application states the site will no longer operate as a Level 2 activity. There is no requirement to ask for any further information about the cessation of the Level 2 activities that had previously occurred on-site. Therefore, this matter is not of determining weight.

5.5. Memorandum of Understanding 143/13 P

A representor raised concern that the application does not meet certain requirements within the EPA's memorandum of understanding (MoU) document 143/13 P.

- **Comment**

The application was referred to the Environment Protection Authority for assessment/comment. Upon review of the application, the EPA did not raise any issues in relation to the MoU. Due to Council not being a party to this MoU, this matter is not of determining weight for the application.

5.6. No Current Noise Assessment

A representor raised concern that the application does not include a current acoustic assessment addressing impacts of heavy vehicles using the road network, reversing alarms, loading and unloading, internal movement of materials, truck washing and activities associated with the transport depot.

- **Comment**

A noise assessment in relation to heavy vehicles using the site is not a requirement under the Scheme. For this application, a noise assessment would have been required should the hours of operation be outside of those specified within the relevant acceptable solution in the Light Industrial zone, or if the Attenuation Code applied.

5.7. Shed Contents

One representor is concerned about what is going to be stored on-site and whether the proper authority has been informed, for example Tas Fire, Transport Tasmania and all emergency services. Furthermore, has the area been prepared for a sudden event if ever happens.

- **Comment**

The outbuildings and storage areas are used for storage and maintenance associated with the transport depot and storage of inert materials. The proposal does not include storage of hazardous substances; however, the safe storage of any such substances would be subject to the requirements of the Australian Dangerous Goods (ADG) Code. This issue is therefore not of determining weight.

5.8. Grass Tree Hill Road

One representor is concerned about the maintenance of Grass Tree Hill Road, with the increase of trucks travelling to and from the site, and whether Building Tasmania has been made aware of this application.

- **Comment**

As part of the advertising process of the application, Building Tasmania was notified of the application. The department notified Council that based on the information provided, they had no comments.

5.9. Potential Fire Danger

Two representors are concerned about fire risk on the site, one being the vegetation that has been planted around the boundary, which they claim is highly flammable. Also, the mulch and unprocessed timber storage as well as other material stockpiles may create a fire risk. Also noted that a fire-risk assessment or fire-management plan were not advertised.

- **Comment**

The Bushfire-Prone Areas Code (C13.0) does not apply to the application because the proposal does not involve a vulnerable, hazardous, or critical use, and no subdivision is proposed. Therefore, there was no requirement for any fire assessments or plans under the Scheme.

5.10. Visual Impact and Screening

One representor raised concern that the outdoor storage and stockpiles will be visible from adjoining land and roads. Although the application proposes vegetation to reduce this impact, there is no information about plant size, density, establishment period, maintenance or replacement of failed plants.

- **Comment**

Landscaping is proposed to be provided alongside both the Scotts Road and Grasstree Hill Road frontages to enhance the appearance of the site from adjoining viewpoints. Information in relation to plant size, density, and the like can be dealt with through a landscaping condition on the permit to ensure appropriate landscaping is provided and maintained.

5.11. Residential Amenity

Two of the representors raised concern that the site is in close proximity to residential areas, which may affect the amenity, use and value of the properties.

- **Comment**

In relation to the above concerns, the Scheme requires an assessment of amenity under the Light Industrial zone. The application has been assessed against these requirements and found that the proposed site operations meet the Scheme requirements without an unreasonable impact on residential amenity in the area.

It is noted that the zoning arrangements are generally reflective of those which have existed in this area since the adoption of the Eastern Shore Planning Scheme 1963.

5.12. Improvement in Air Quality

All of the representors made comment that the air quality in the area had improved since the cessation of works on-site.

- **Comment**

These complimentary comments are consistent with the cessation of the Level 2 activities on-site, that was managed by the EPA.

6. EXTERNAL REFERRALS

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

The application was referred to Building Tasmania, due to Grass Tree Hill Road being a state owned and managed road. The department did not provide any comments.

The application was referred to the Environment Protection Authority (EPA), who has confirmed that they will not call in the proposal.

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 and furthers the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

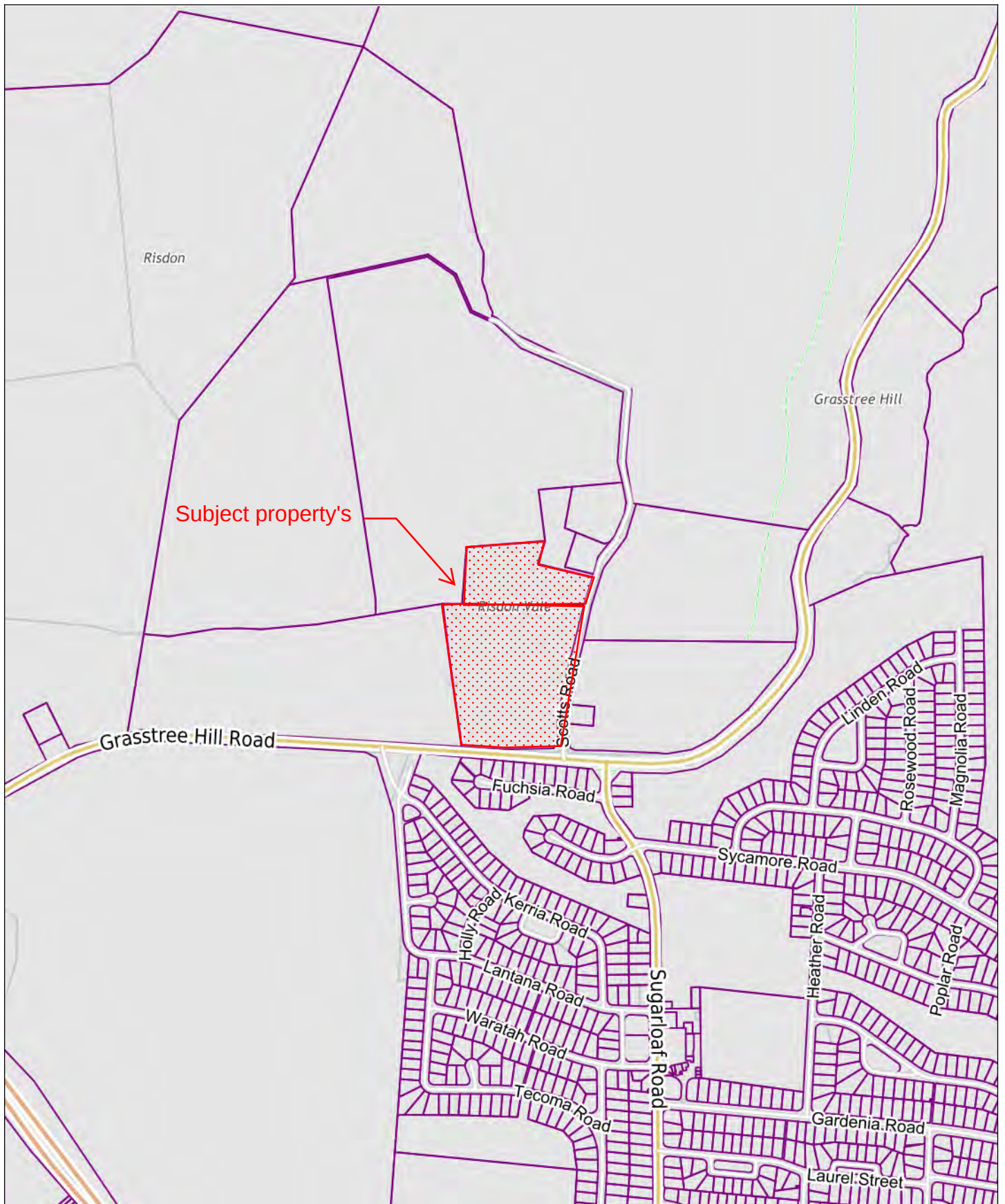
9. CONCLUSION

The application for the continuation of the transport depot and storage facility, and associated buildings and structures at 20 and 42 Scotts Road, Risdon Vale satisfies the relevant standards of the Scheme and is therefore recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (29)
3. Site Photos (2)

Daniel Marr
HEAD OF CITY PLANNING

Attachment 1



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

08/09/2026

1:9028



EXISTING & PROPOSED USES

for: A.T.F.O. Pty. Ltd.
at: 20 & 42 Scott's Road, RISDON VALE

Project No. **221104**

Date: Nov. 2024

DESIGN DEVELOPMENT DRAWINGS

Drawing Schedule

DD01	Site Parking Plan	DD16	Building 6 Existing Shed Plan
DD01A	Table of Building Structures & Uses 1	DD17	Building 6 Existing Shed Elevations
DD01B	Table of Building Structures & Uses 2	DD18	Building 16 Existing Wash Bay Plan
DD02	Site Plan (Combined)	DD19	Building 16 Existing Wash Bay Elevations
DD03	Site Buildings Layout	DD20	Building 38 Approved Shed Plan
DD04	Site Vegetation & Normal Water Management Event Plan	DD21	Building 38 Approved Shed Elevations
DD05	Recycling & Waste Transfer Station Zones & Site Fencing	DD22	Building 18 Proposed Container Shelter Plan
DD06	Site Flood Event Water Flow	DD23	Building 18 Proposed Container Shelter Elevations
DD07	Site Concrete Storage Bays & Use Class Areas	DD24	Building 19 Proposed Container Structures & Stockpile Bays
DD08	Building 4 Existing Office Plan		
DD09	Building 4 Existing Office Elevations		
DD10	Building 7 Existing Office Plan	DD29	Site Cross Section A
DD11	Building 7 Existing Office Elevations	DD30	Site Cross Section B
DD12	Building 13 Existing Office Plan		
DD13	Building 13 Existing Office Elevations		
DD14	Building 8 Approved Shed Plan		
DD15	Building 8 Approved Shed Elevations		

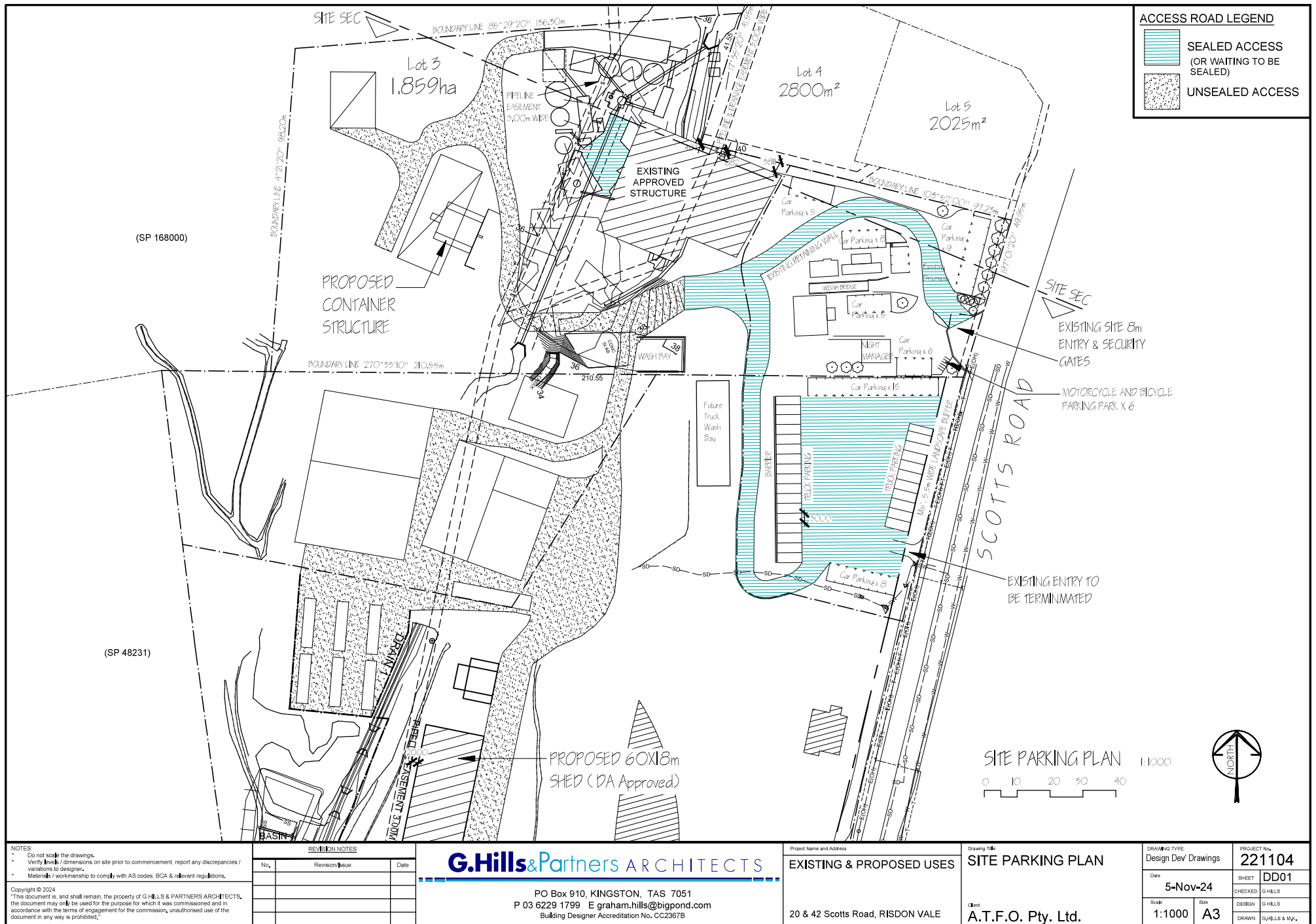
Prepared by:

G.Hills&Partners ARCHITECTS



P.O. Box 910, Kingston, Tas 7051
Ph: (03) 6229 1799 Mob: 0419 883 370
Email: graham.hills@bigpond.com
Tas Building Practitioner No. CC2367B

Note: DD25, DD26, DD27 & DD28 removed as they are no longer applicable (no level 2 activity occurring on site)



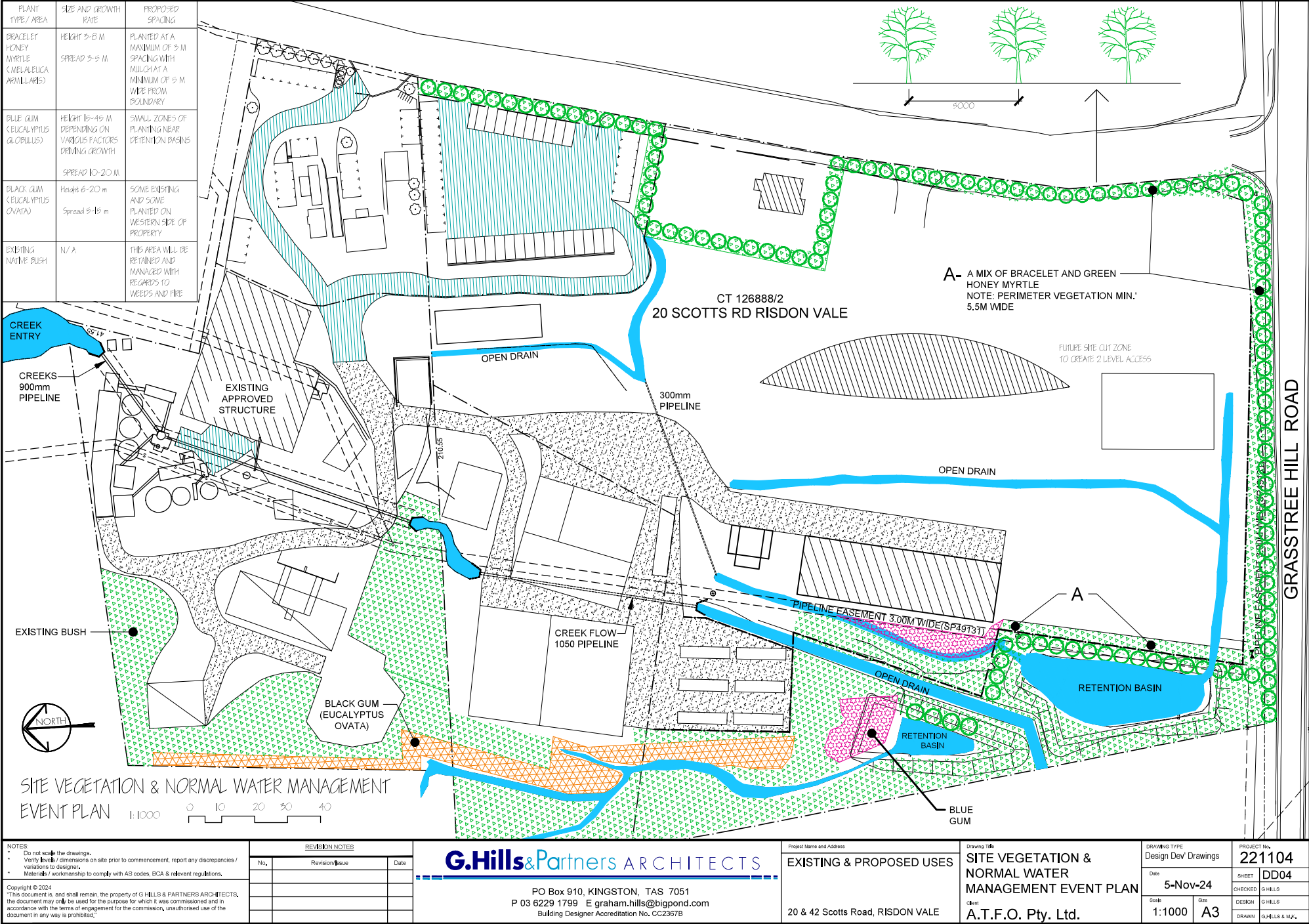
No	Use	Address	Approval Status	Status	Notes
1	Caretaker Cottage	42 Scotts Road	Approved	No Change	Caretakers cottage - incidental use. This building is located near the weighbridge.
2	Nil	42 Scotts Road	Approved	Ceased	Relocation of wood yard Located at western end of property.
3	Transport Operation	20 and 42 Scotts Road	Approved	No Change	Transport depct. D-2007/471 It is noted that no operating hours requirement as approved by CCC are specified on the permit.
4	Reprocess Office and Operations	42 Scotts Road	Approved	No Change	Site office - light industry (wood yard), landscape supplies and signage The proposed trading hours are: • Mon-Fri: 7:00am – 6pm • Sat: 8:30am – 5pm • Sun: 9am – 4pm The site office is located next to the existing weighbridge. The approved signage is for 'Risdon Woodyard' and 'Tas Firewood', now not Applicable Approves the uses 'light industry' and 'landscape supplies'.
5	General Site	20 Scotts Road	Approved	No Change	Wholesale garden supply & woodyard. Operating hours: • Deliveries to the site must only occur from Monday to Saturday 7:30am – 6pm. • Works involving the use of any machinery on site must only occur Monday to Saturday 8am to 6pm.
6	Storage Building	42 Scotts Road	Approved	No Change	Storage shed. Used for undercover materials storage
7	Storage Building	42 Scotts Road	Approved	No Change	Storage shed for Repocess administration and testing equipment
8	Storage Building	42 Scotts Road	Approved	No Change	Storage & Equipment Maintenance shed
9	Nil	42 Scotts Road	Approved	Ceased	Temporary change of use -recycling & waste disposal (scrap yard). The permit was valid for a period of five months and expired on 19 March 2023. The approved use allowed for a (scrap yard) to facilitate 430 m ³ of TasRail ballast materials to be reprocessed. The operating hours were: • Mon-Fri: 7am – 5pm • Sat: 7am – 3pm Refer to section 2.2 for more context in terms of the defined use.
10	Reprocess Site Waste Transfer Station	20 & 42 Scotts Road	EPA (underway)		Level 2 Activity
11	Scrap Yard		Approved	Ceased	Temporary in nature (no longer in progress)
12	Reprocess Site Waste Transfer Station	20 & 42 Scotts Road	EPA (underway)		Level 2 Activity
13	Transport and Site shed (outbuilding)	42 Scotts Road	Proposed	No Change	Transport Operations Office and Transport attachment storage

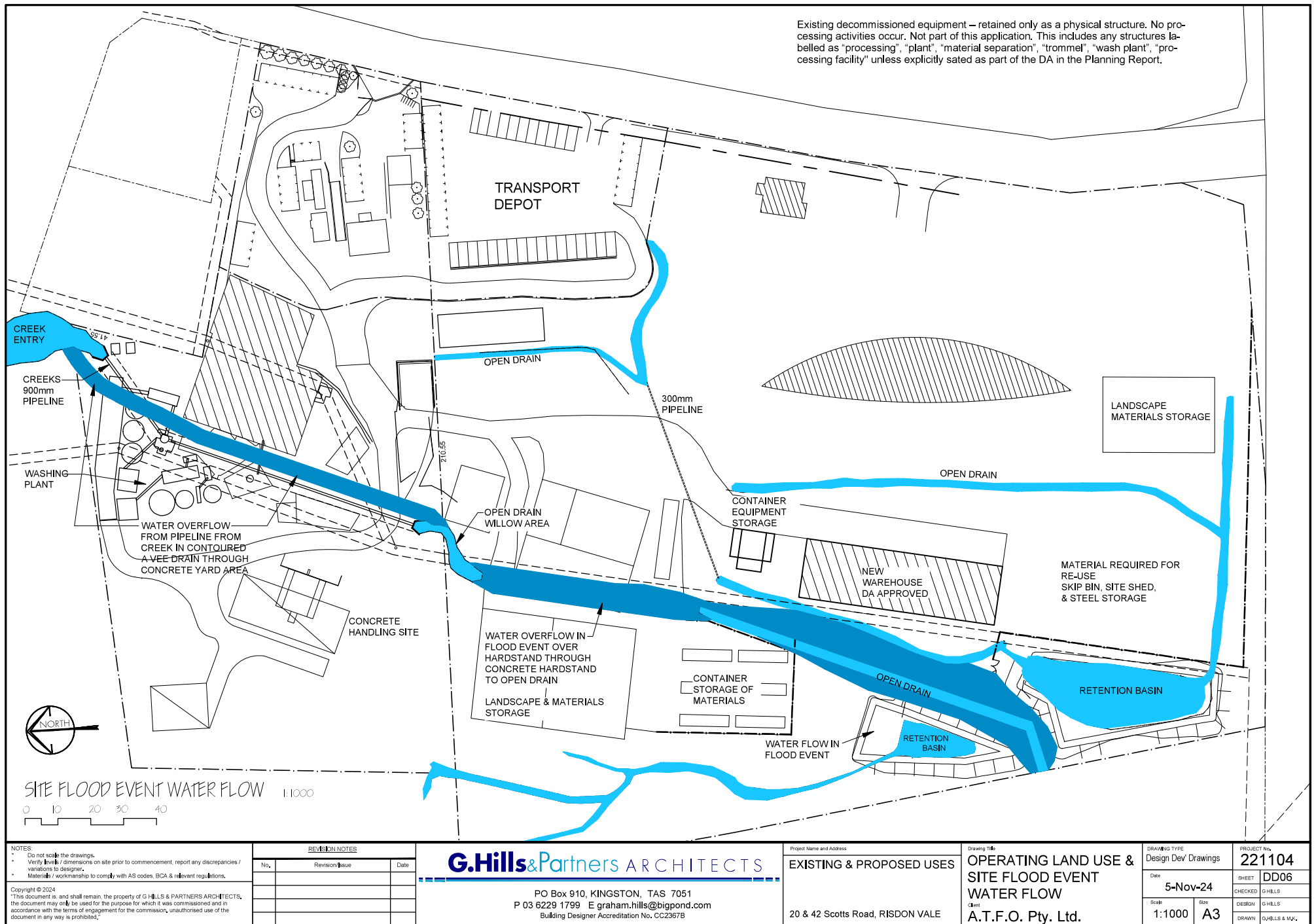
Rows shown struck through (in red) relate to former Level 2 activities that have permanently ceased and are not proposed or approved under this application. They are retained solely to document the site's planning history.

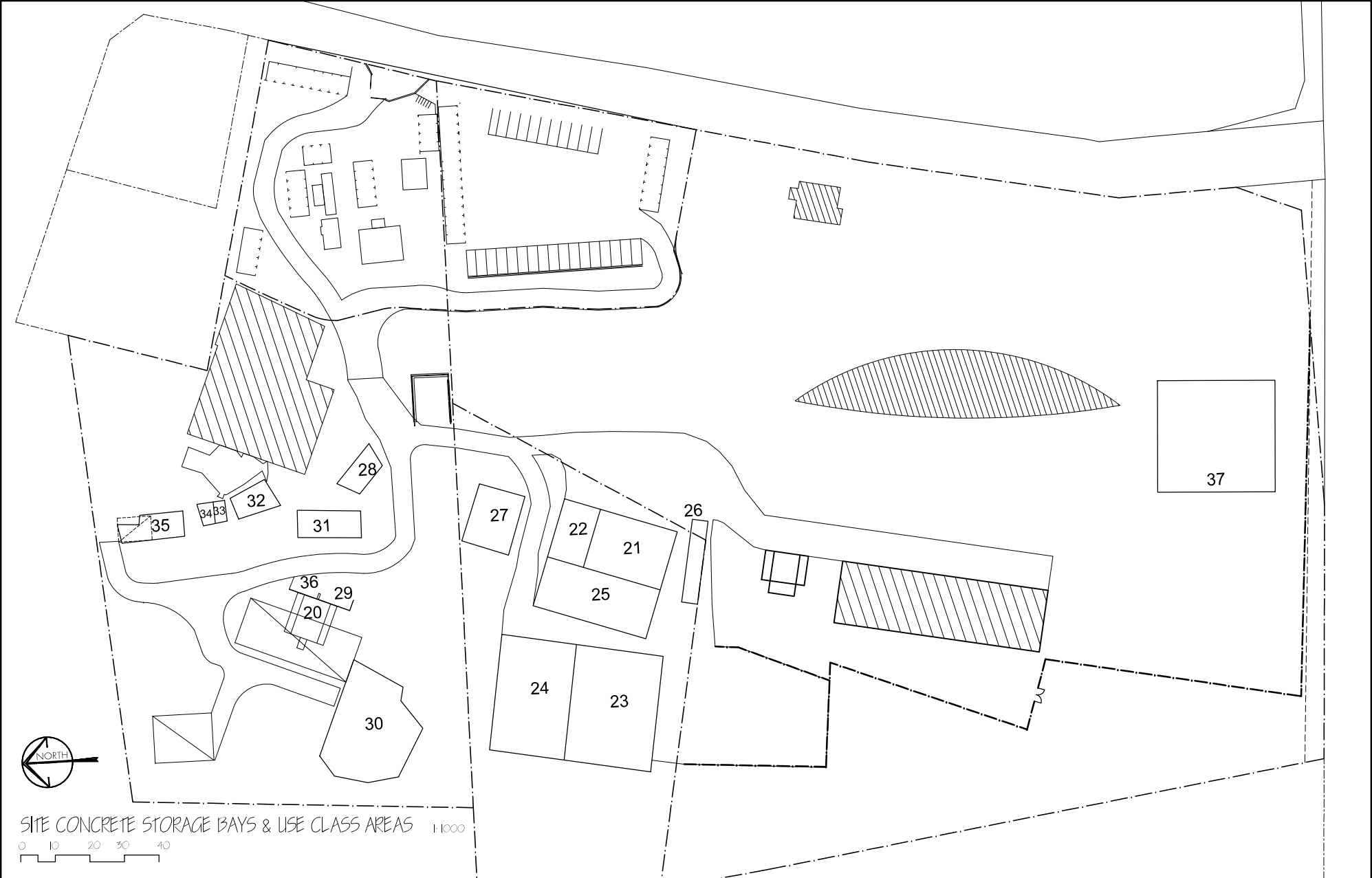
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					EXISTING & PROPOSED USES		TABLE OF BUILDING STRUCTURES & USES 1		Date 5-Nov-24		SHEET DD01A		
							20 & 42 Scotts Road, RISDON VALE		Client A.T.F.O. Pty. Ltd.		CHECKED G.HILLS		
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	16 Existing Wash bay 42 Scotts Road Proposed No Change Existing Washing Plant and Interceptor tanks for truck and equipment cleaning with the proposed Roof to be constructed			
	17 Future Wash bay 20 Scotts Road Proposed <td></td> <td>Proposed washing plant designed to enable truck and trailer units to be washed</td>			Proposed washing plant designed to enable truck and trailer units to be washed
	18 Container structures and container shelter 20 Scotts Road Proposed No Change Storage of general plant fittings and attachments in association with the above operations .			
	19 Container structures and container shelter 20 Scotts Road Proposed No Change Undercover storage of demolition, building and construction materials (4 * 40 ft containers with roof over)			
	20 Concrete Material Processing 42 Scotts Road Proposed			Enclosed Container shed with dust extraction for concrete processing
	21 Concrete Storage Bay 20 Scotts Road Proposed No Change Clean Fill Storage 431 m2			
	22 Concrete Storage Bay 20 Scotts Road Proposed No Change Brick Storage 174m2			
	23 Storage Bay 20 Scotts Road Proposed No Change Sand and Loam storage 839m2			
	24 Storage Bay 20 Scotts Road existing No Change Mulched Timber 717m2			
	25 Concrete Storage Bay 20 Scotts Road existing no Change Timber unprocessed			
	26 Concrete Storage Bay 20 Scotts Road Proposed no Change Screened Loam			
	27 Concrete Storage Bay 20 Scotts Road Proposed no Change 40mm Processed Concrete			
	28 Concrete Storage Bay 42 Scotts Road Proposed no Change Bedding Sand			
	29 Concrete Storage Bay 42 Scotts Road Proposed no Change 20mm Processed Concrete			
	30 Storage Bay 42 Scotts Road Proposed no Change Concrete Receive Area			
	31 Concrete Storage Bay 42 Scotts Road Proposed no Change Bedding Sand			
	32 Concrete Storage Bay 42 Scotts Road Proposed no Change Aggregate			
	33 Concrete Storage Bay 42 Scotts Road Proposed no Change Aggregate			
	34 Concrete Storage Bay 42 Scotts Road Proposed no Change Aggregate			
	34 Concrete Storage Bay 42 Scotts Road Proposed no Change Course Sand Storage			
	36 Concrete Storage Bay 42 Scotts Road Proposed no Change 50mm Processed Concrete			
	37 Storage Bay 42 Scotts Road Proposed no Change Processed Landscape Rocks			
	38 Storage Shed 20 Scotts Road Proposed no Change Planning Approval PMPD-2021/c22679 Storage of resaleable building materials			
	39 Retention Basins 20 Scotts Road Proposed no Change Retention Basins for approval site stormwater management			
	40 Existing House 20 Scotts Road Proposed Cease Does not fit with Property Zoning			

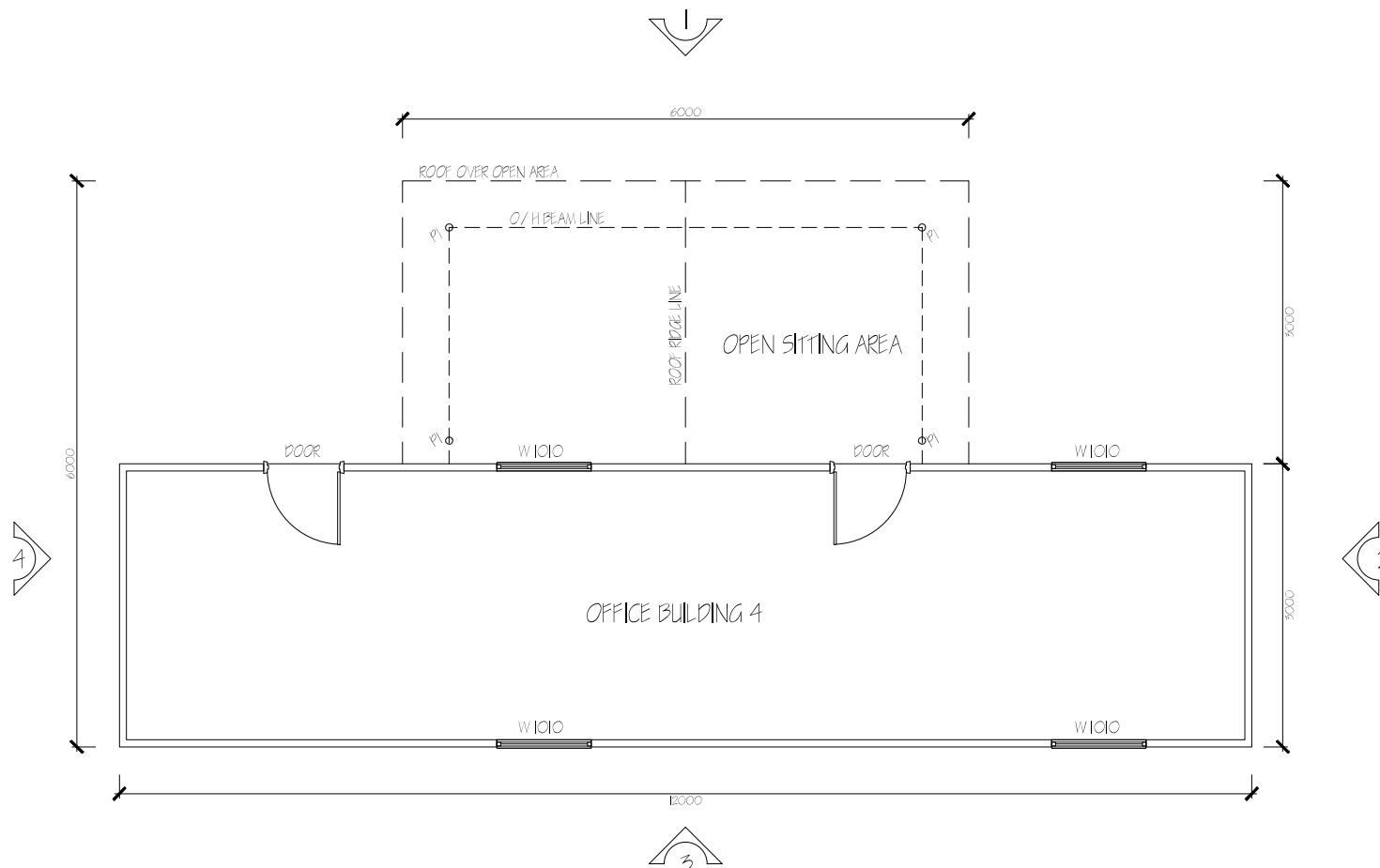
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	SITE STORAGE BAYS & GENERAL USE CLASS AREAS									
	A.T.F.O. Pty. Ltd.									
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BUILDING A EXISTING OFFICE PLAN

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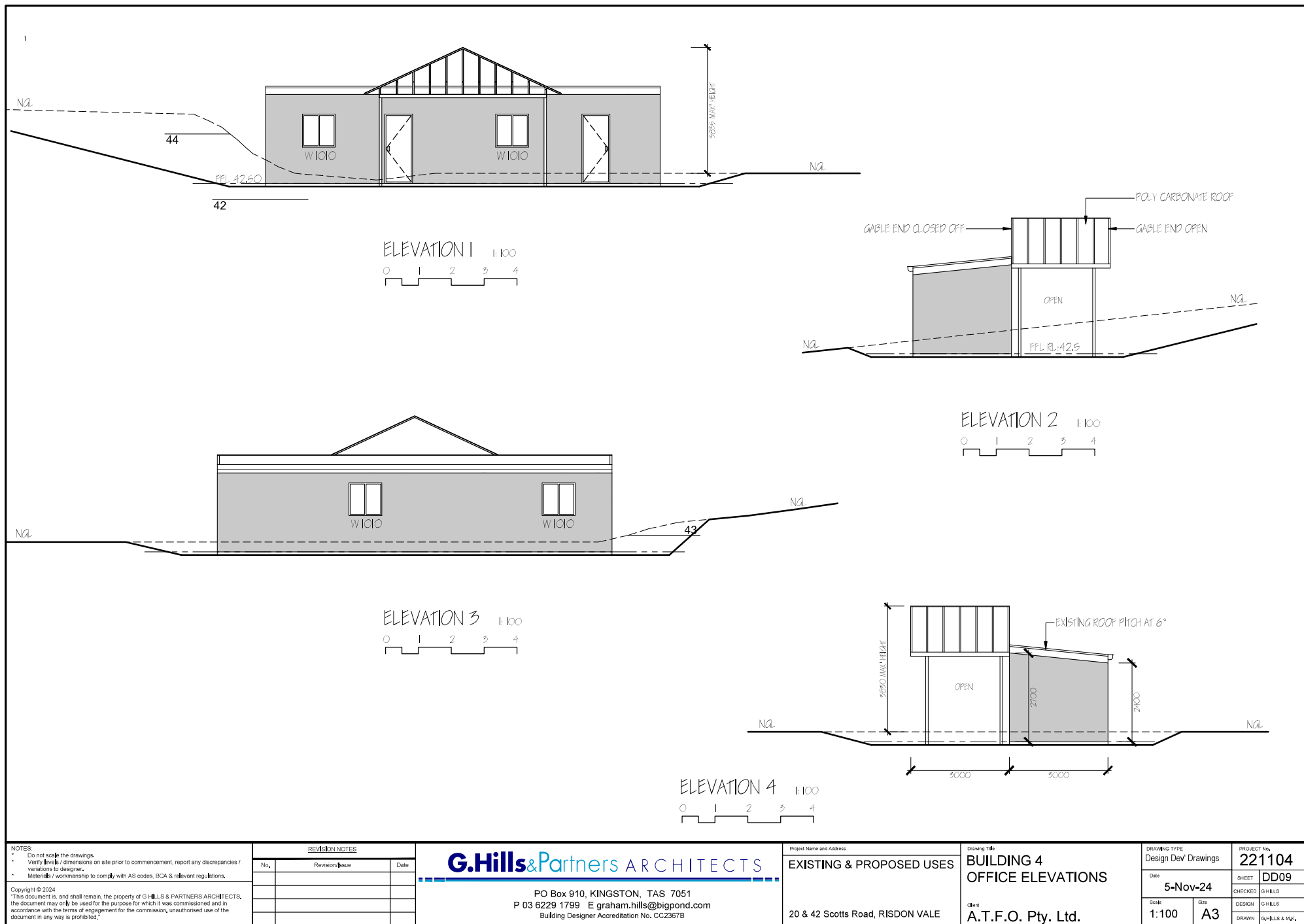


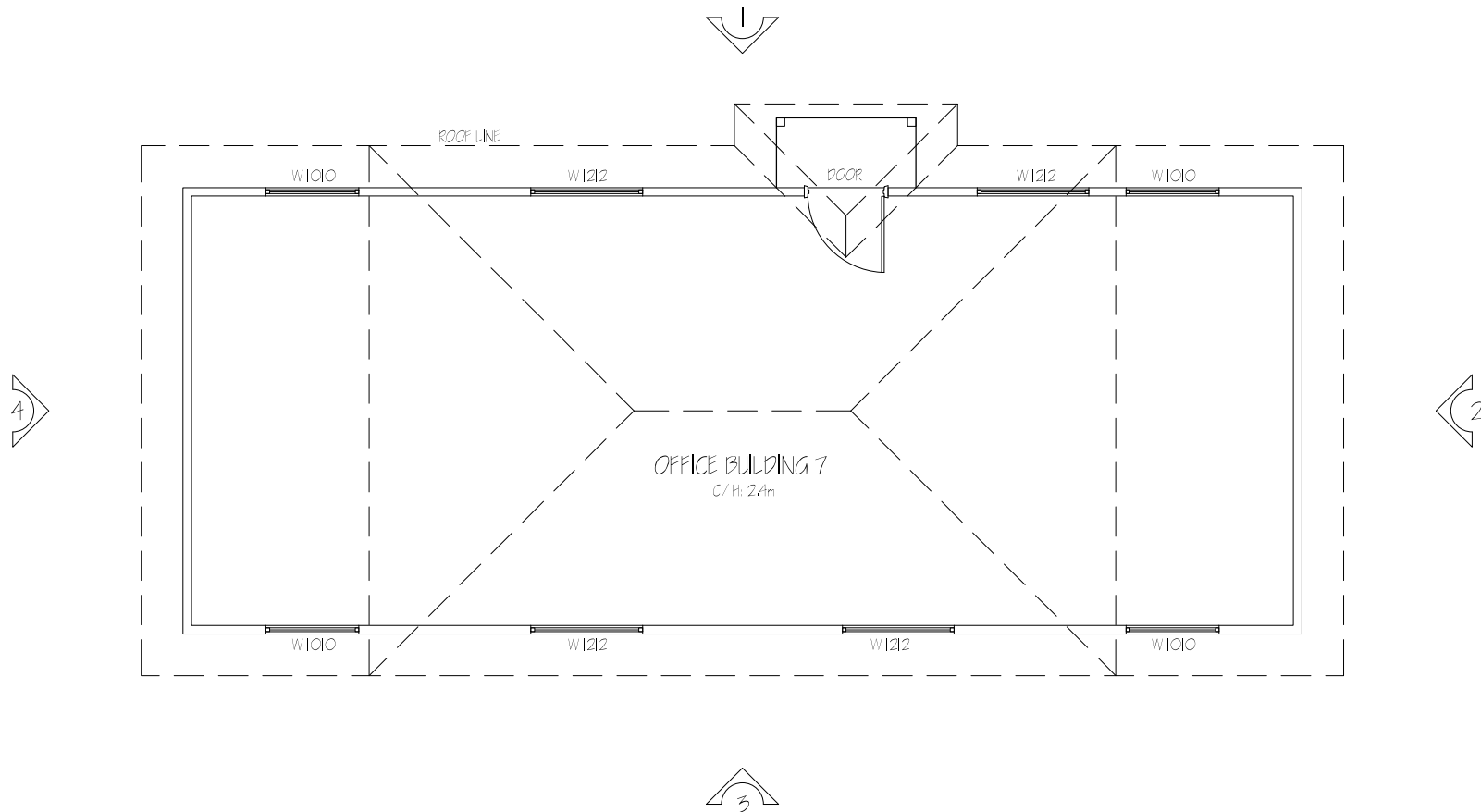
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BUILDING 7 EXISTING OFFICE PLAN

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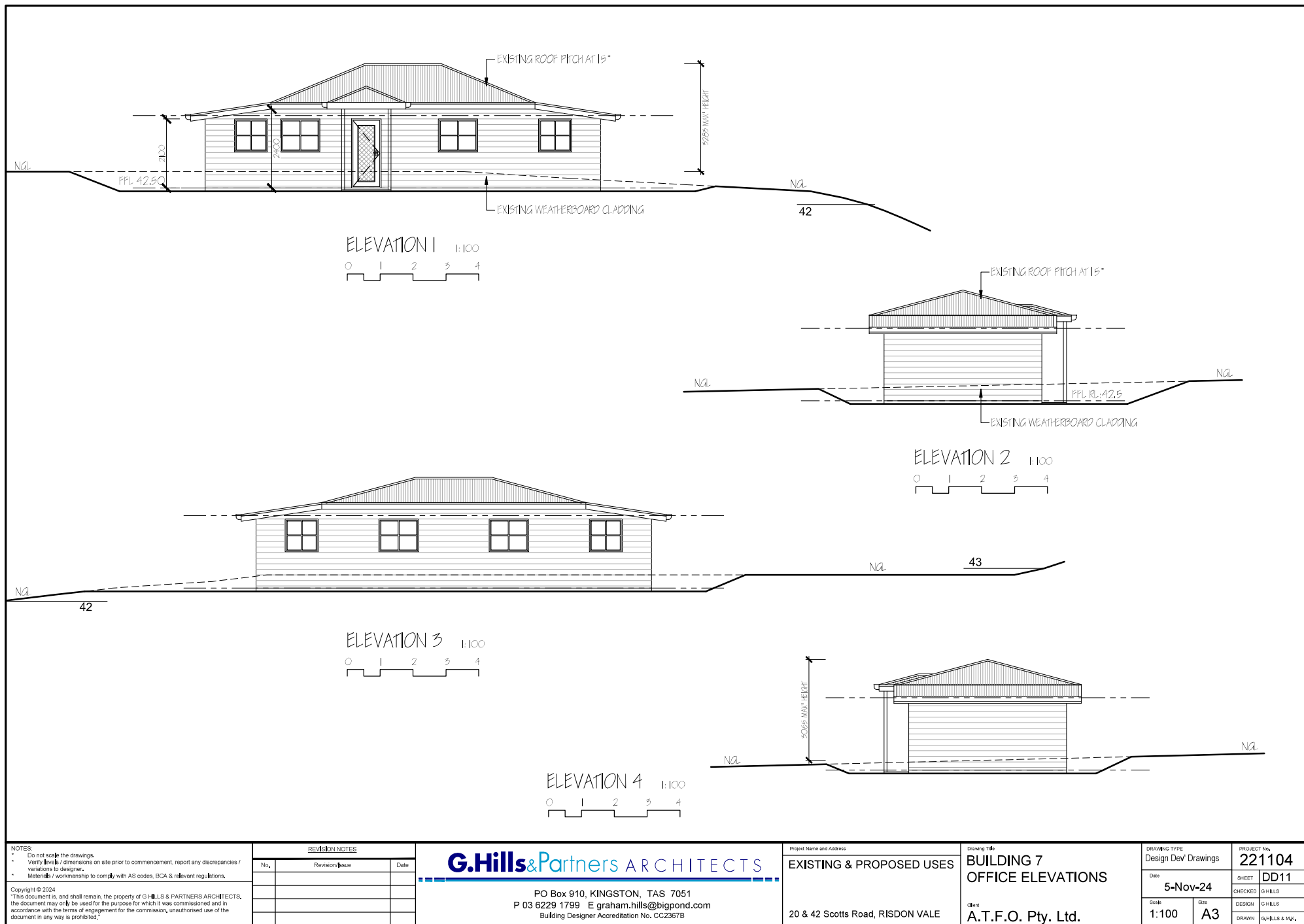
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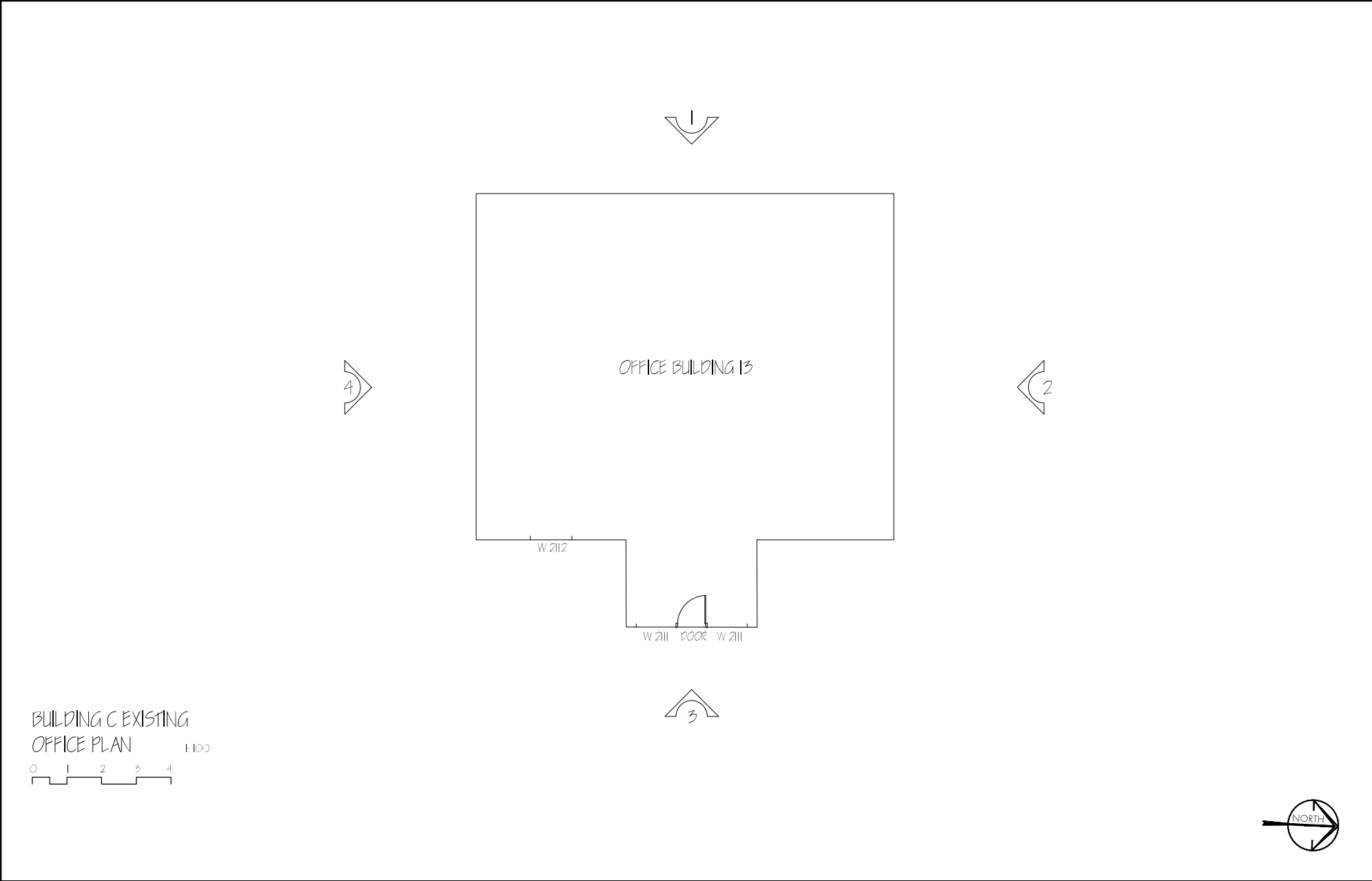
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 P 03 6229 1799 E graham.hills@bigpond.com
 Building Designer Accreditation No. CC2367B

Project Name and Address
EXISTING & PROPOSED USES
 20 & 42 Scotts Road, RISDON VALE

Drawing Title
**BUILDING 7
 EXISTING OFFICE PLAN**
 Client
A.T.F.O. Pty. Ltd.

DRAWING TYPE Design Dev' Drawings		PROJECT No. 221104	
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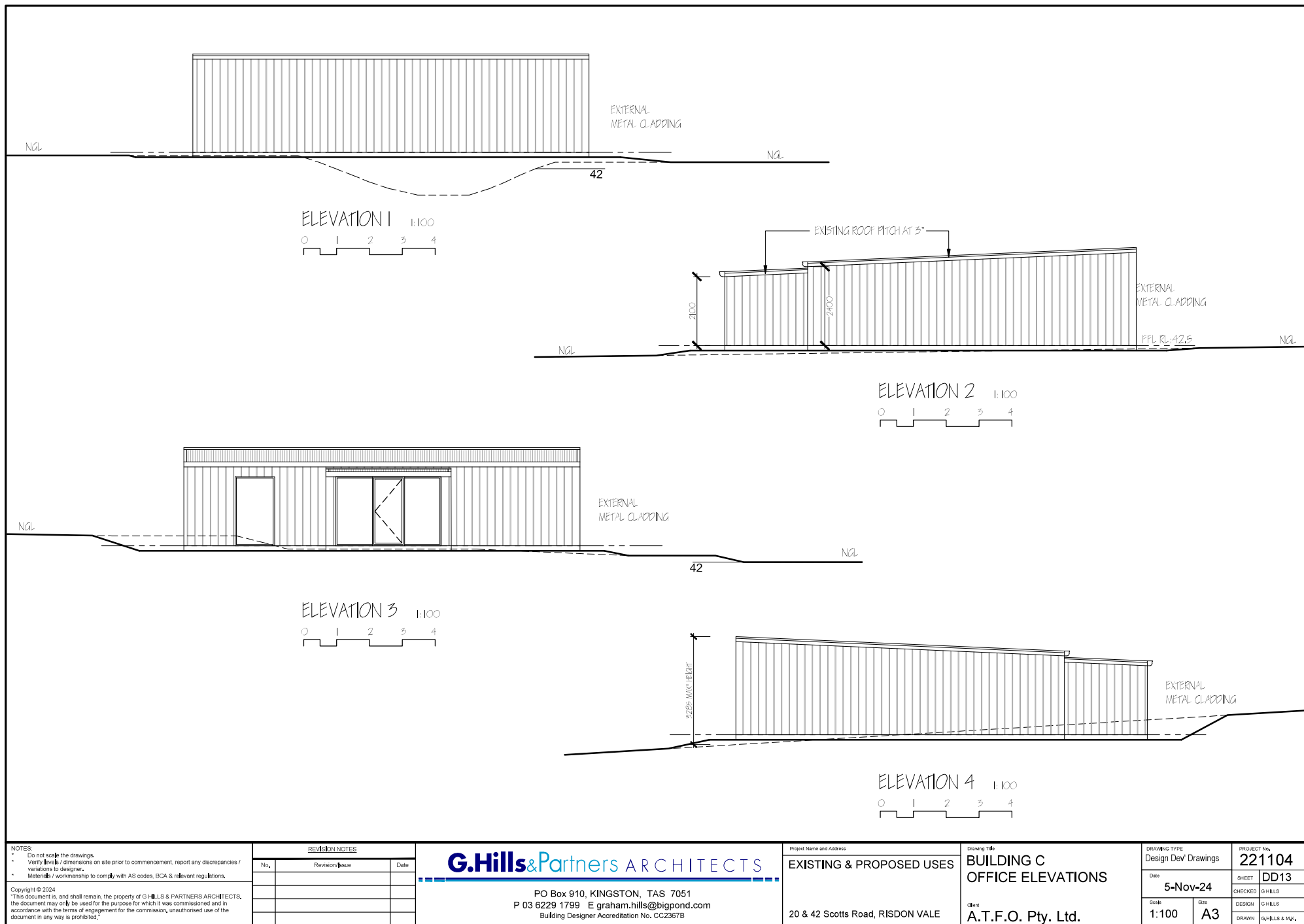


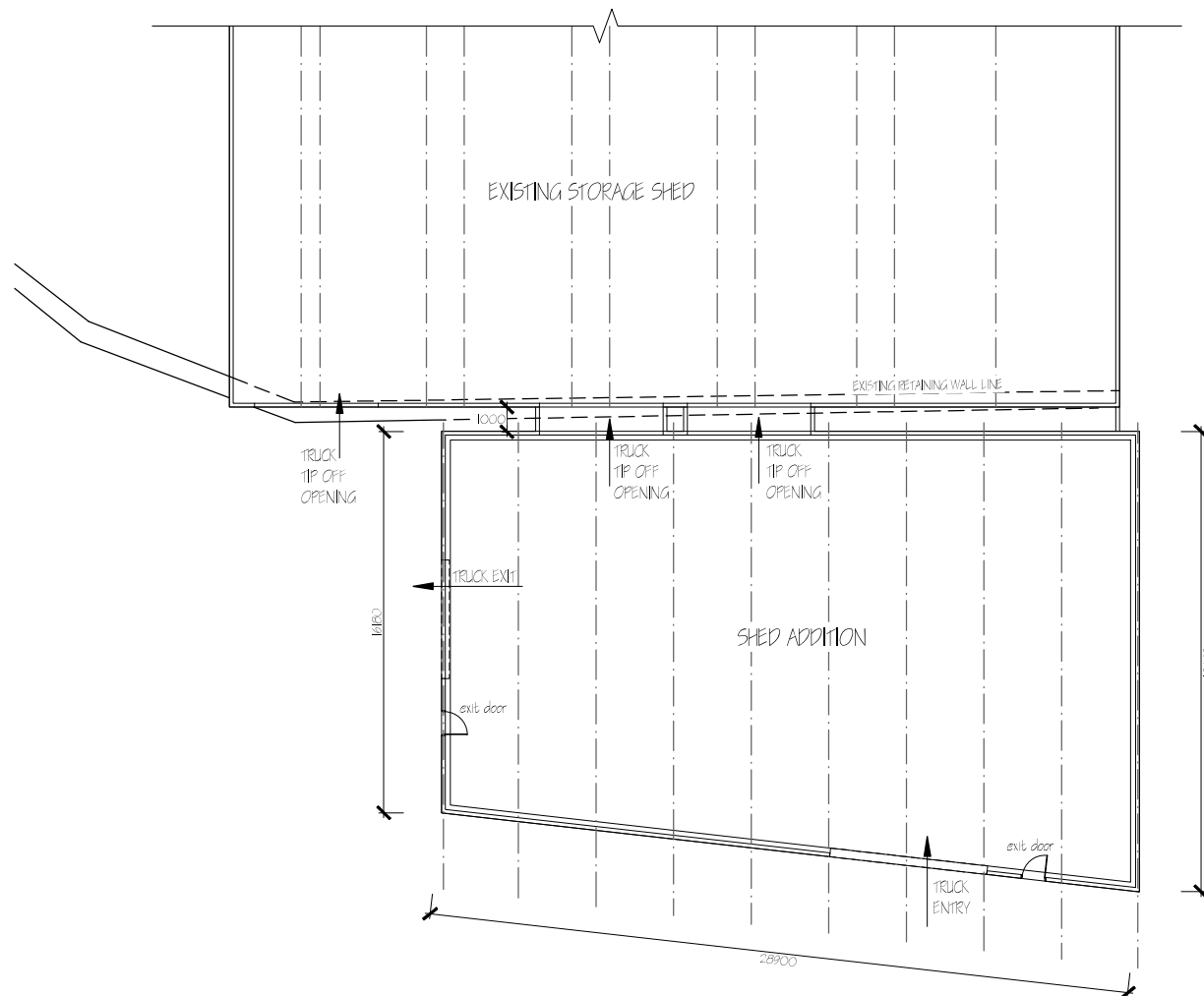


BUILDING C EXISTING
OFFICE PLAN 1:100

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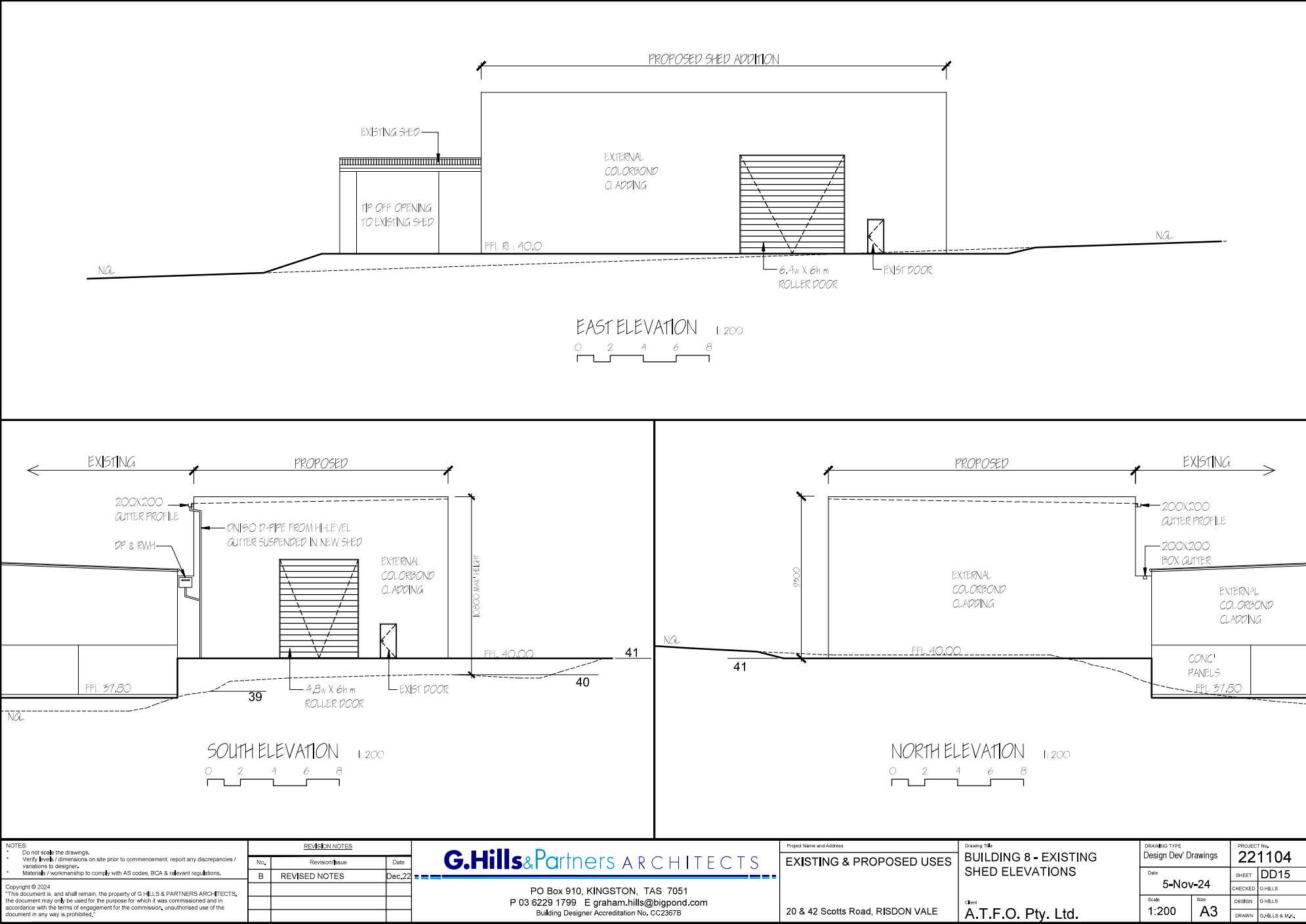


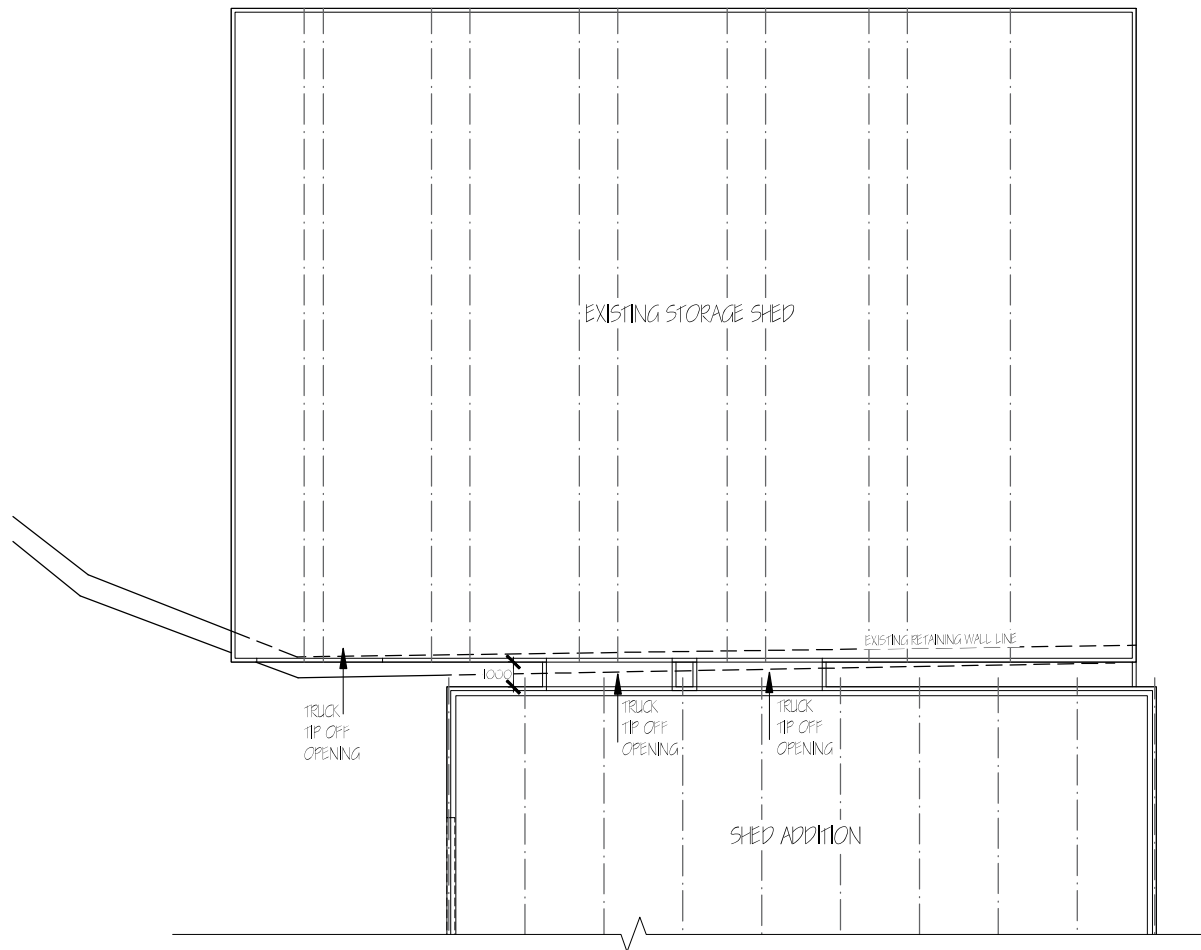


EXISTING SHED 6 PLAN 1:200



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EXISTING SHED PLAN 1:200

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REVISION NOTES		
No.	Revision/Issue	Date

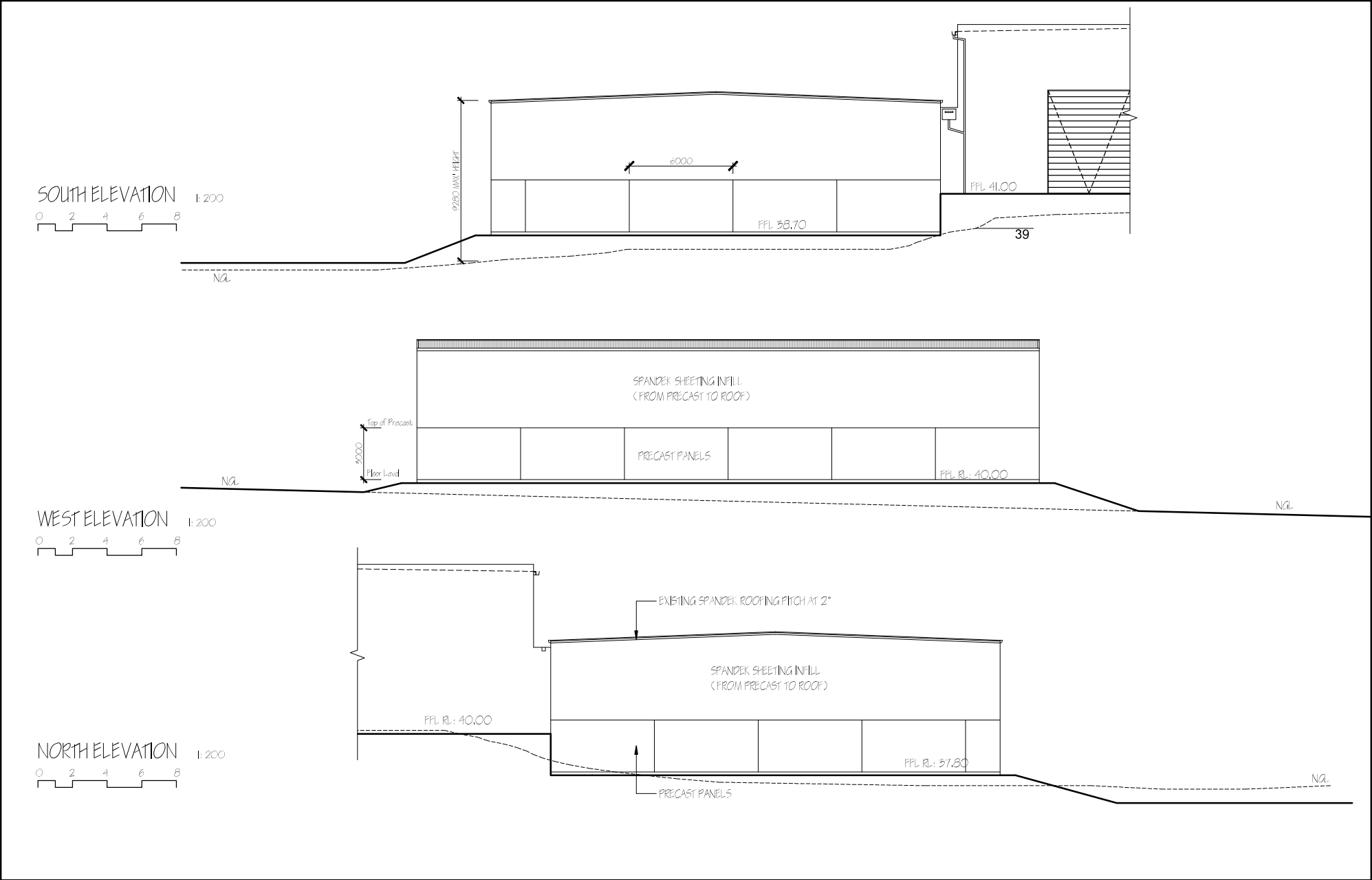
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 Building Designer Accreditation No. CC2367B

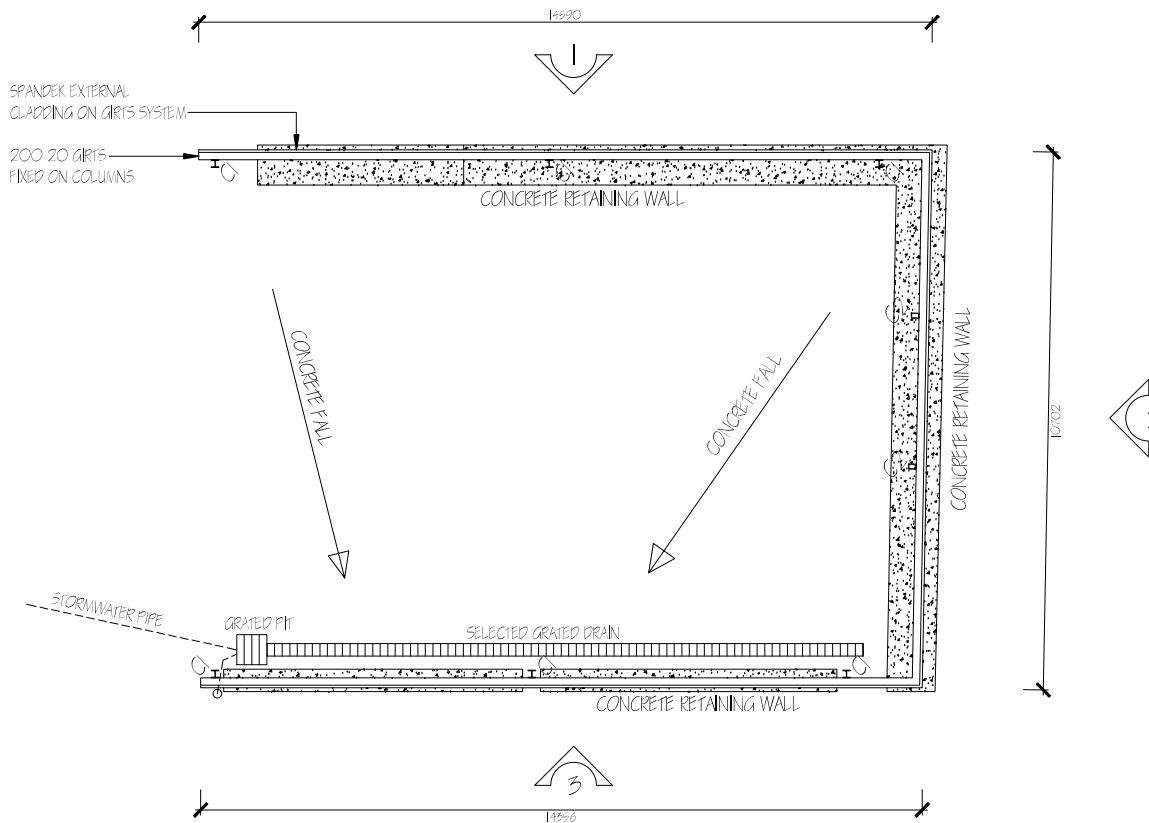
Project Name and Address
EXISTING & PROPOSED USES
20 & 42 Scotts Road, RISDON VALE

Drawing Title
BUILDING 6 EXISTING SHED PLAN
Client
A.T.F.O. Pty. Ltd.

DRAWING TYPE	PROJECT No.
Design Dev' Drawings	221104
Date	SHEET
5-Nov-24	DD16
Scale	Size
1:200	A3
Drawn	DESIGN
G.HILLS & M.P.	G.HILLS



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	No.	Revision	Issue				Date	Date	5-Nov-24	SHEET	DD17
	B	REVISED NOTES					Dec,22			CHECKED	G.HILLS
										DESIGN	G.HILLS
										DRAWN	G.HILLS & M.P.



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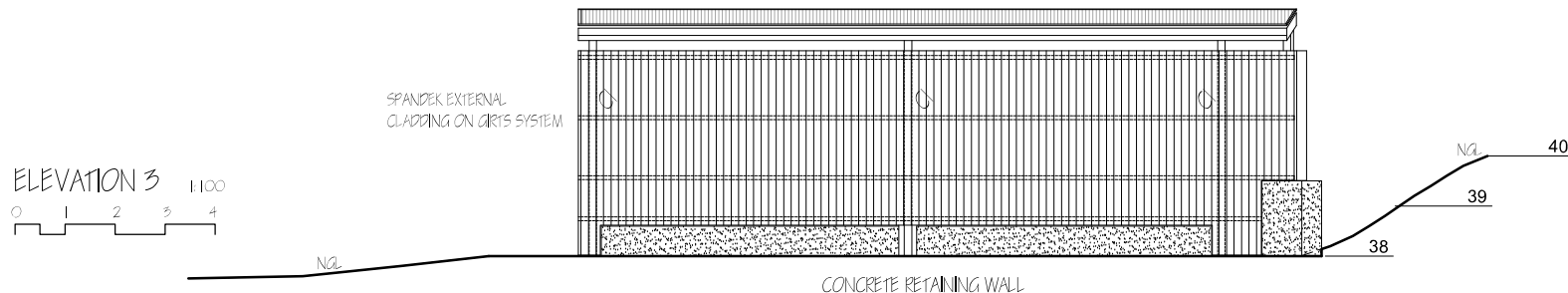
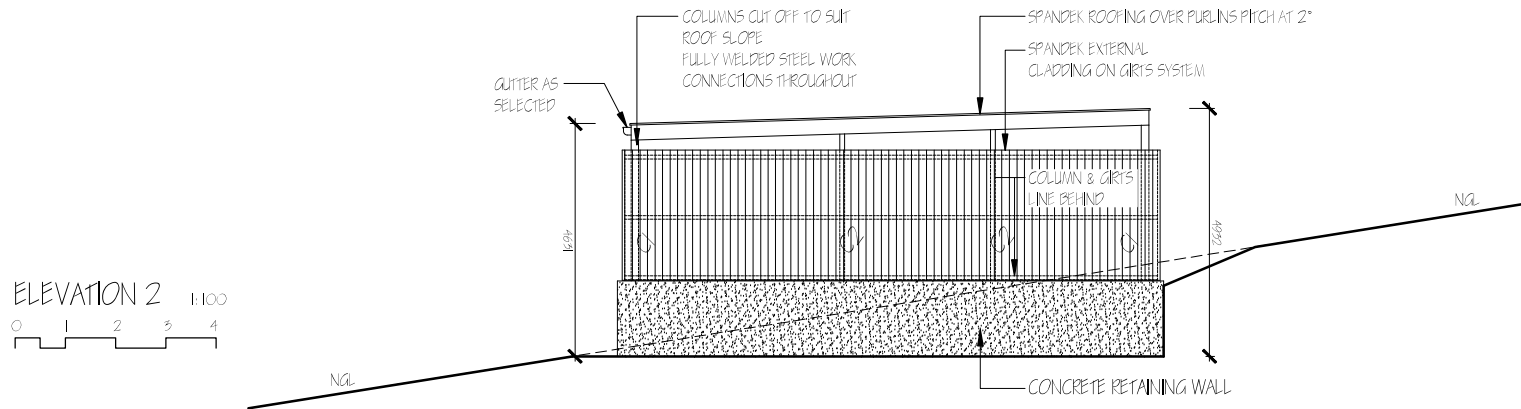
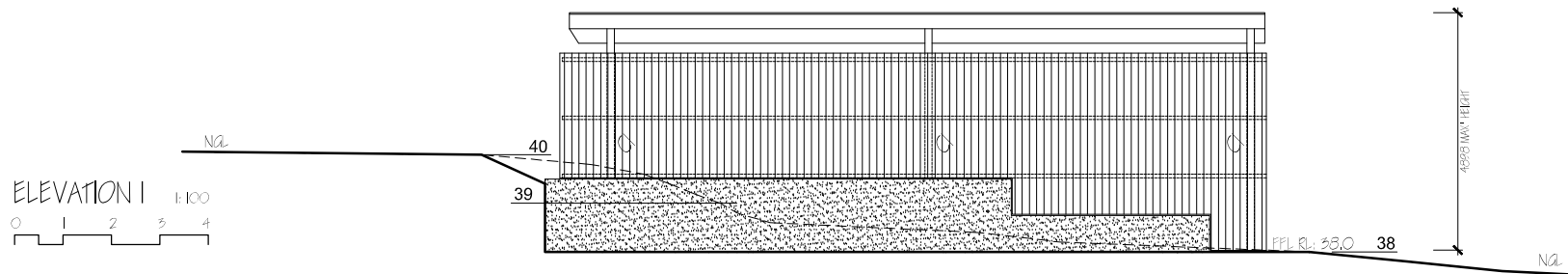
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 P 03 6229 1799 E graham.hills@bigpond.com
 Building Designer Accreditation No. CC23678

Project Name and Address
EXISTING & PROPOSED USES
20 & 42 Scotts Road, RISDON VALE

Drawing Title
BUILDING 16 EXISTING WASH BAY
Client A.T.F.O. Pty. Ltd.

DRAWING TYPE	PROJECT No.
Design Dev' Drawings	221104
Date 5-Nov-24	SHEET DD18
Scale 1:100	CHECKED G.HILLS
Size A3	DESIGN G.HILLS
	DRAWN G.HILLS & M.P.





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Project Name and Address

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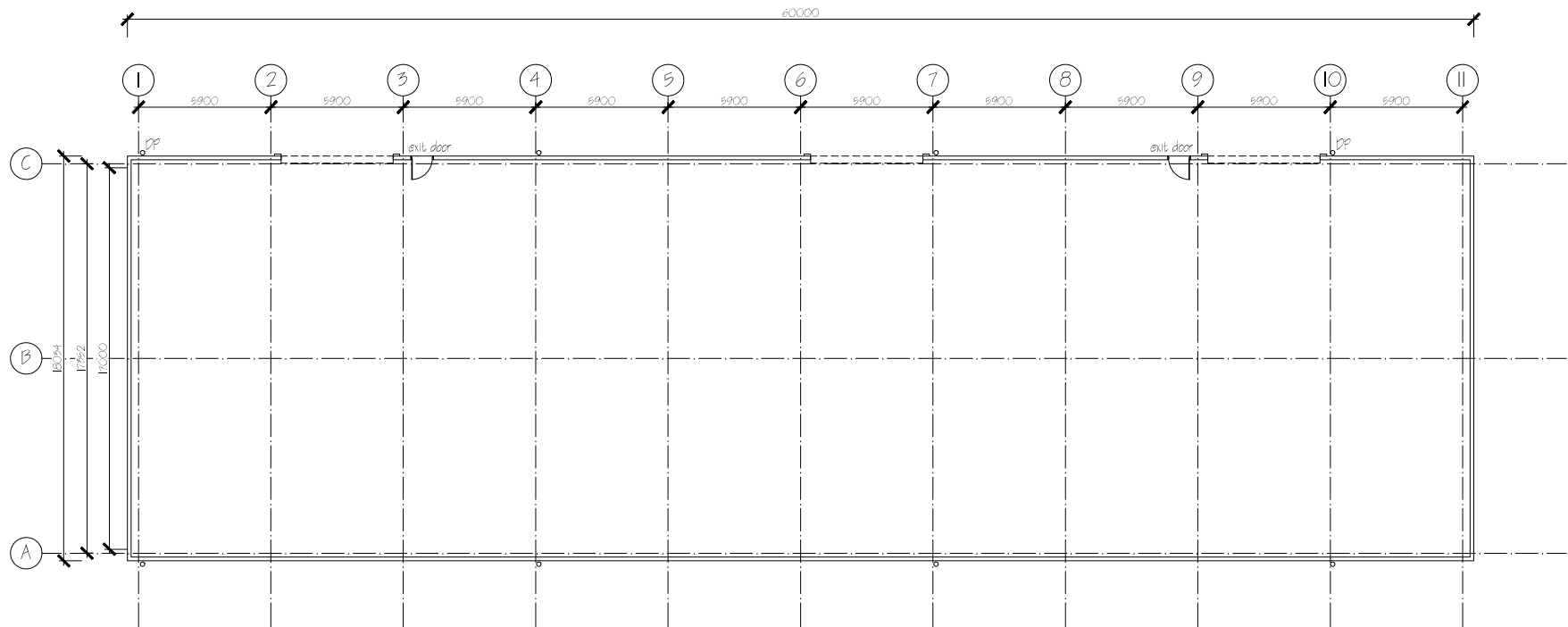
20 & 42 Scotts Road, RISDON VALE

Drawing Title

**BUILDING 16
WASH BAY ELEVATIONS**

Client
A.T.F.O. Pty. Ltd.

DRAWING TYPE		PROJECT No.	
Design Dev' Drawings		221104	
Date	5-Nov-24	SHEET	DD19
Scale	1:100	CHECKED	G.HILLS
Size	A3	DESIGN	G.HILLS
		DRAWN	G.HILLS & M.P.



APPROVED SHED FLOOR PLAN

1:200



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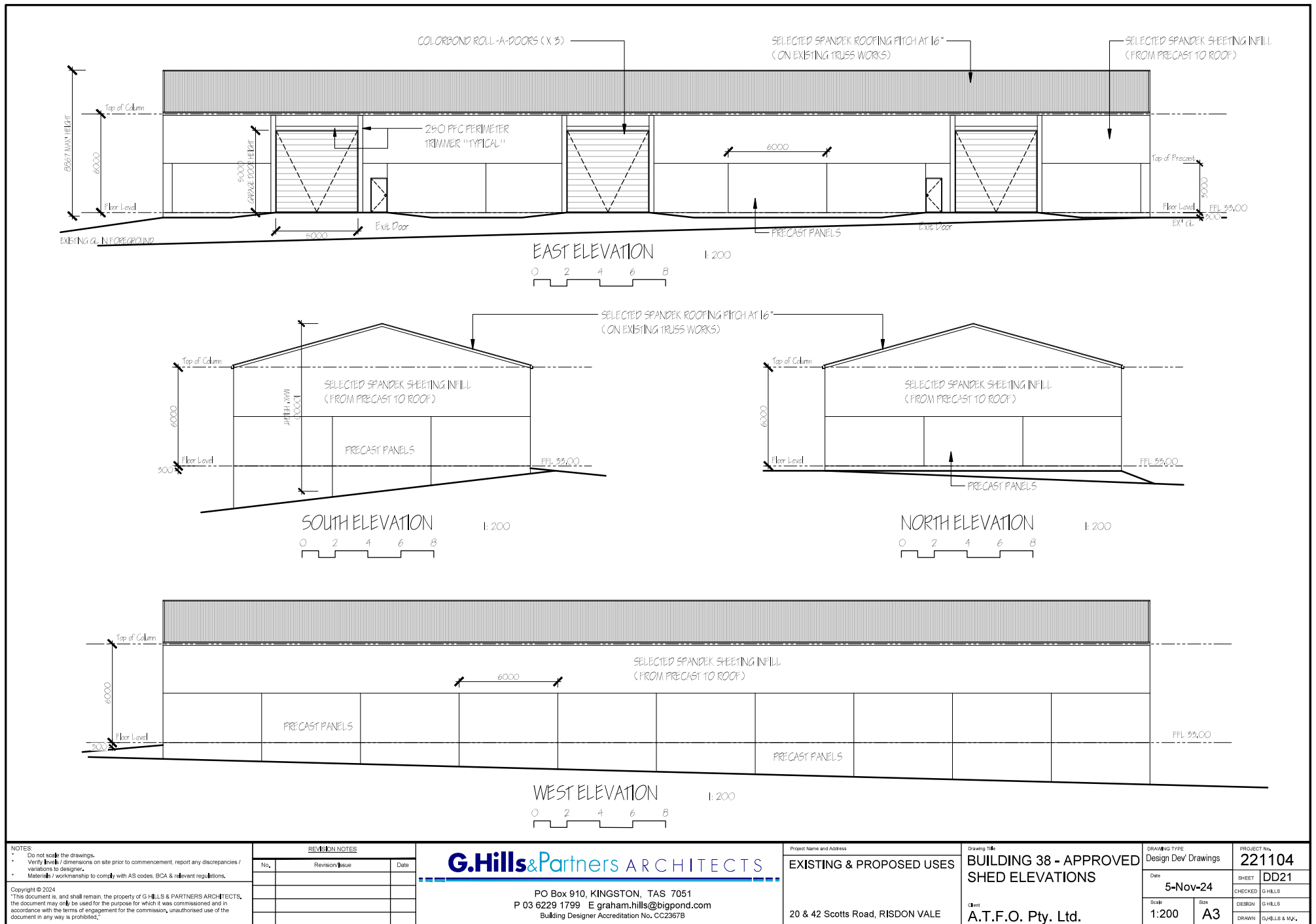
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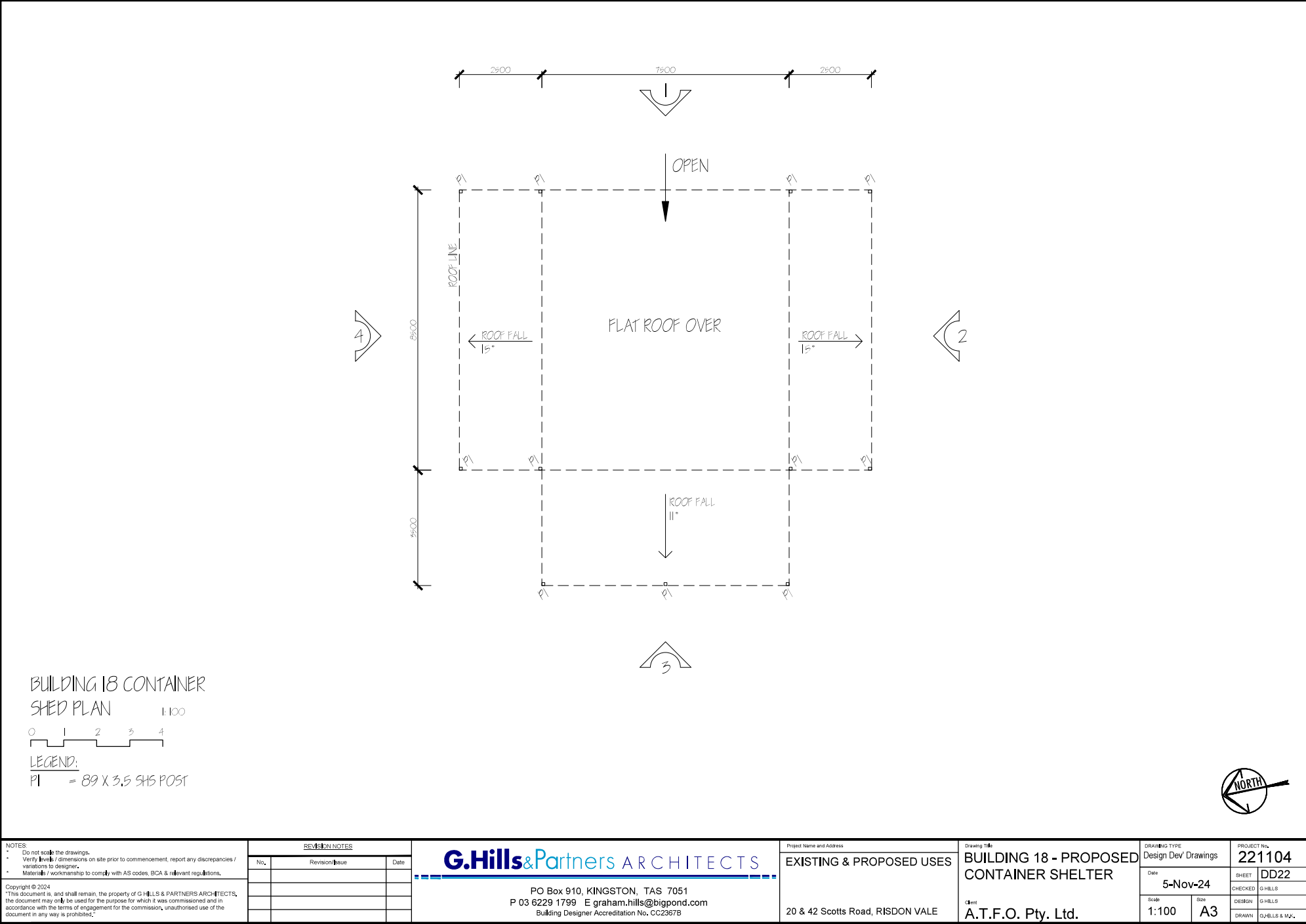
Project Name and Address
EXISTING & PROPOSED USES
 20 & 42 Scotts Road, RISDON VALE

Drawing Title
**BUILDING 38
 APPROVED SHED PLAN**

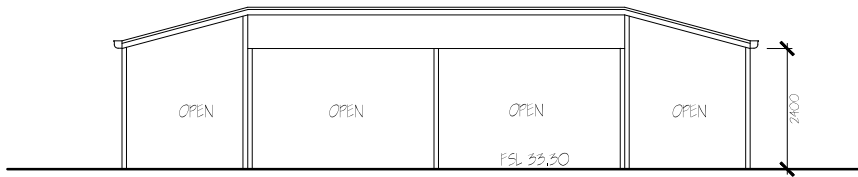
Client
A.T.F.O. Pty. Ltd.

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Size A3	Scale 1:200	DESIGN G.HILLS	DRAWN G.HILLS & M.P.

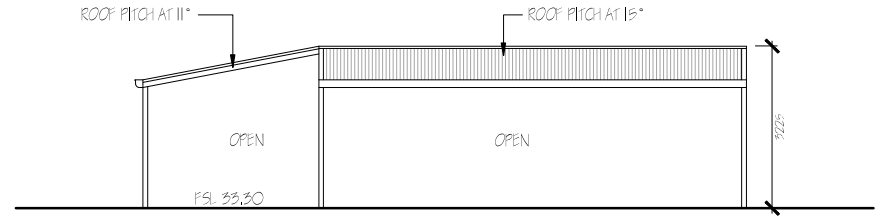




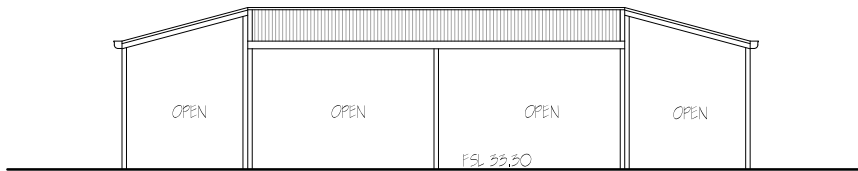
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	No.					Revision/Issue	Date	SHEET		DD22
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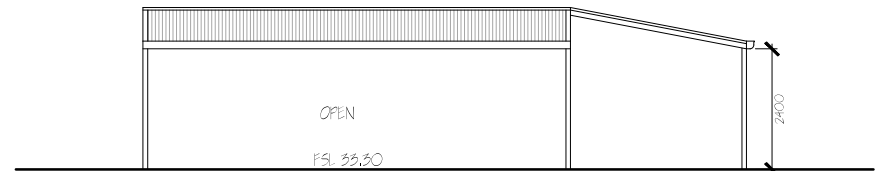
ELEVATION 1 1:100



ELEVATION 2 1:100



ELEVATION 3 1:100



ELEVATION 4 1:100

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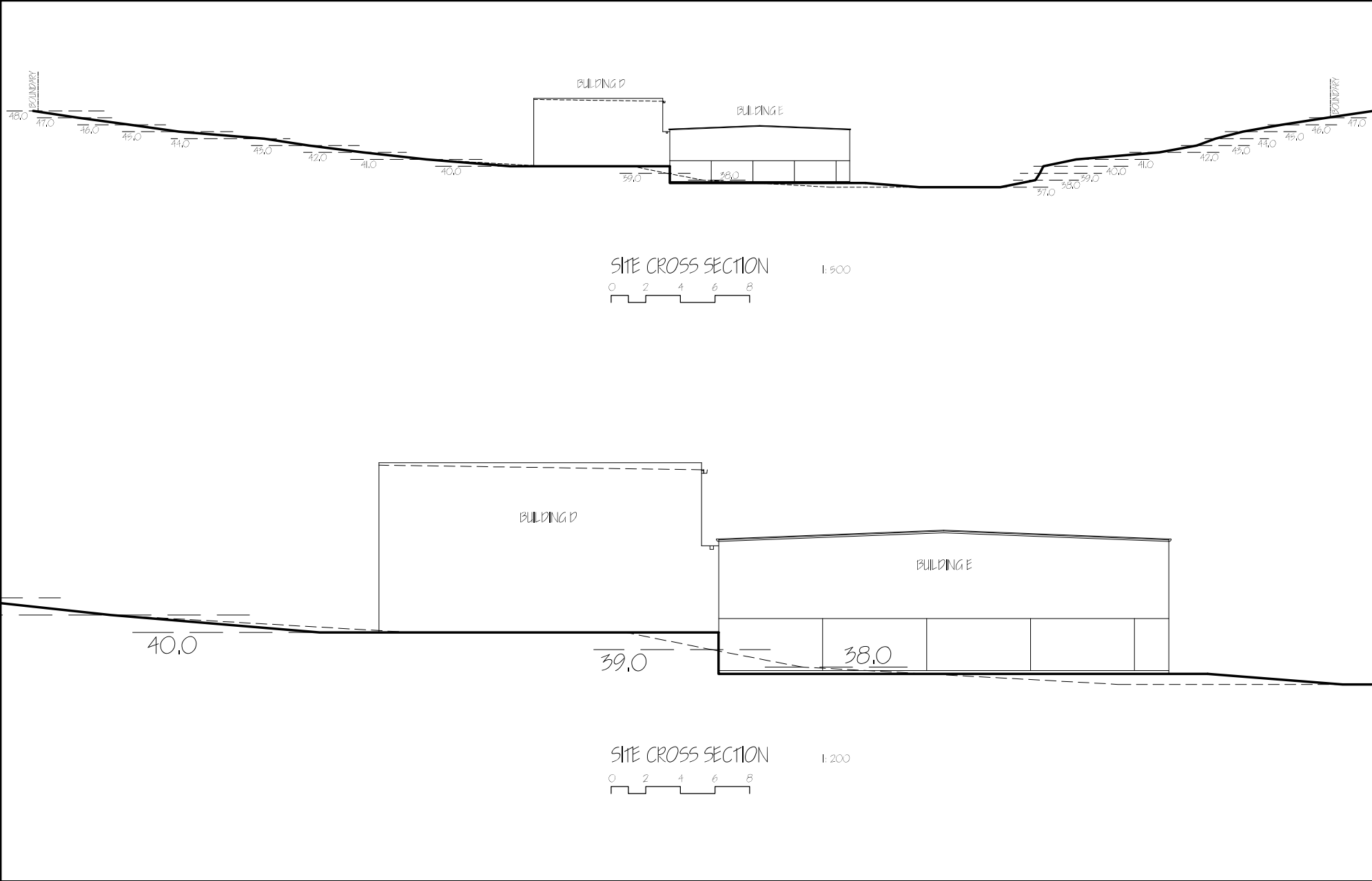
Project Name and Address
EXISTING & PROPOSED USES
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Drawing Title
BUILDING 18 - PROPOSED SHELTER ELEVATIONS

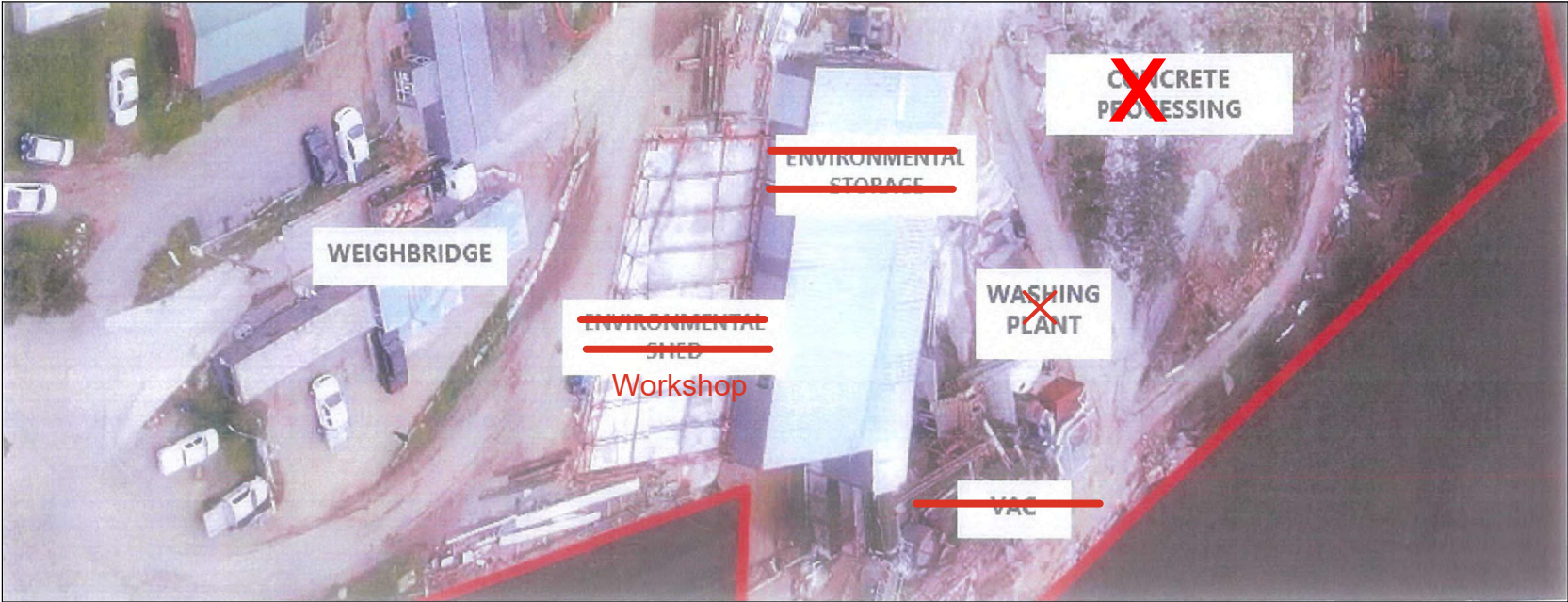
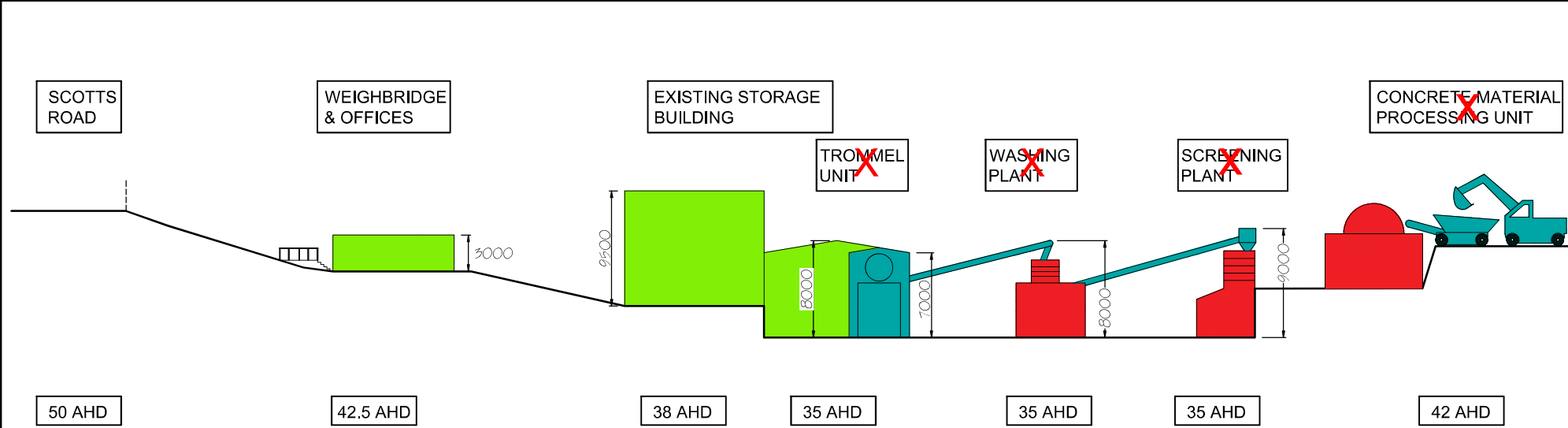
Client
A.T.F.O. Pty. Ltd.

DRAWING TYPE Design Dev' Drawings		PROJECT No. 221104	
Date 5-Nov-24		SHEET DD23	CHECKED G.HILLS
Scale 1:100	Size A3	DESIGN G.HILLS	DRAWN G.HILLS & M.P.





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	No.	Revision	Issue				Date	DATE 5-Nov-24	SHEET DD29	
								Scale SHOWN	Size A3	DESIGN G.HILLS
										DRAWN G.HILLS & M.P.



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	No.	Revision/Issue	Date				Date	5-Nov-24	SHEET	DD30
							Scale	NTS	Size	A3
							Drawn	NTS	Size	A3



Photo 1 - Entry into 42 Scotts Road, Risdon Vale



Photo 2 - car parking area on 20 Scotts Road, Risdon Vale



Photo 3 - Storage of materials on 20 Scotts Road, Risdon Vale



Photo 4 - Looking south down Scotts Road, Risdon Vale

7.2 PLANNING APPLICATION PDPLANPMTD-2026/062775 – 24 ESPLANADE, SEVEN MILE BEACH – ADDITIONS AND ALTERATIONS (SINGLE DWELLING)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions and alterations (Single Dwelling) at 24 Esplanade, Seven Mile Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Coastal Erosion Hazard, Coastal Inundation Hazard, Flood-prone Hazard Areas, Natural Assets, Safeguarding of Airports, and the Parking and Sustainable Transport Codes under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary use and/or 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 2025.

Council is required to exercise a discretion within the statutory period which expires on 25 September 2026.

CONSULTATION

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

- Stormwater drainage to Acton Creek;
- Visual bulk; and
- Privacy.

RECOMMENDATION:

A. That the Planning Application for Additions and Alterations (Single Dwelling) at 24 Esplanade, Seven Mile Beach (Cl Ref PDPLANPMTD-2026/062775) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The outbuilding (garage and mezzanine) is approved for residential storage only, and must not be used for habitable, commercial, or other unapproved use without further approval from the Planning Authority or authorised delegate.
3. This permit approves the Single Dwelling (Residential) use of the site only, and the dwelling must not be divided into separate lots created under the *Strata Titles Act 1998*.

4. ENG M1 – DESIGNS DA.
5. ENG M5 – EROSION CONTROL.
6. The stormwater outlet to Acton Creek must be designed to provide safe maintenance access and incorporate scour protection and energy dissipation measures to the satisfaction of Council's Chief Executive Officer or delegate.
7. An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil and Water Management on Building and Construction Sites document, must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of the works / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan or to the satisfaction of Council's Chief Executive Officer or delegate prior to the commencement of works.
8. Prior to commencement of works, detailed engineering drawings of the stormwater discharge system to Acton Creek must be submitted to and approved by Council's Chief Executive Officer or delegate.

The drawings must demonstrate:

- the location and extent of the discharge point;
- erosion and scour protection measures;
- outlet energy dissipation measures;
- protection of adjoining land and the creek bank; and
- compliance with the recommendations of the submitted consultant reports.

The approved works must be installed prior to occupation of the development.

- B. That in addition to standard advice, the following advice be provided to the proponent:
 - a. The property is within a mapped Coastal Erosion Hazard prone area. Your Building Surveyor will advise if any Hazard Reports for Erosion may be required from a suitably qualified person that meets the requirements of the Determinations and *Building Act 2016*. These reports must form part of the certified documents issued by the Building Surveyor for the building application.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

**PLANNING APPLICATION PDPLANPMTD-2026/062775 – 24 ESPLANADE,
SEVEN MILE BEACH –ADDITIONS AND ALTERATIONS (SINGLE DWELLING)
/contd...**

ASSOCIATED REPORT**1. BACKGROUND**

The existing dwelling on-site was constructed in 1954 with the outbuilding added in 1988. The outbuilding to the centre of the site was approved under B-1988/299. No records of approval can be located with regard to the carport to the north of the site, which appears to have been exempt from approval under a previous planning scheme. Stormwater is via on-site soakage pits.

The fencing of the site appears not to correspond to the property boundaries. This has been addressed in the application with a site survey provided confirming the development in relation to property boundaries.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Low Density Residential under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 6.11 – Conditions and Restrictions on a Permit;
- Section 10 – Low Density Residential Zone;
- Section C2.0 – Parking and Sustainable Transport Code;
- Section C7.0 – Natural Assets Code;
- Section C11.0 – Coastal Inundation Hazard Code;

- Section C12.0 – Flood-prone Hazard Areas Code; and
- Section C16.0 – Safeguarding of Airports Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 938m² lot located at the southern end of the Esplanade, separated from Acton Creek by the residential property at 34 Seabrook Street to the south, and the road reserve to the east.

The site is flat, and clear of vegetation. It currently supports a single dwelling and outbuildings, with access provided by an unsealed driveway and crossover to the cul-de-sac of the Esplanade.

The surrounding area has a mix of large double-storey and single-storey dwellings, with relatively high site-coverage and narrow side boundary setbacks – mainly facilitated by historical zoning provisions.

3.2. The Proposal

The proposal is made for the alterations to the existing single dwelling on-site, and the addition of an outbuilding with mezzanine. The proposal includes demolition of outbuildings to allow for the proposed development. Stormwater is proposed to be discharged into Acton Creek.

The additions to the dwelling include a second storey with deck, as well as a pool and sauna joined to the dwelling by terraced decks. Multiple living areas, including kitchens are proposed to allow for multigenerational living within the single dwelling.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

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

4.2. Determining Applications [Section 6.10]

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

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

References to these principles are contained in the discussion below.

4.3. General Provisions

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

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

Single Dwelling Use

The proposal includes living areas, bedrooms, kitchens, and laundries on both levels. This was confirmed by the proponent to allow for multigenerational living. This is relevant as a Multiple Dwelling use would be prohibited due to insufficient site area. Internal access between both levels is proposed, and all services would be shared under the proposal. The proposal is assessed as a single dwelling on this basis, and a condition on the permit is recommended to confirm this.

Compliance with Zone and Codes

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

Low Density Residential Zone

- **Clause 10.4.3 Setback** – the proposal would have a side setback less than the 5m prescribed by the acceptable solution for A1.

The proposal must be assessed against Performance Criteria P1.

Performance Criteria	Assessment
"Clause 10.4.3	The proposal is assessed as satisfying the performance criteria.
<i>P2</i> <i>The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i> <i>a) the topography of the site;</i> <i>b) the size, shape and orientation of the site;</i> <i>c) the setbacks of surrounding buildings;</i>	The proposed siting would not cause an unreasonable loss of amenity, as outlined below. The topography of the site is flat and level with surrounding properties. This does not contribute to a loss of amenity. The size, length and width of the site constrain development between the driveway, wastewater treatment, and boundaries. Two-storey development is considered a reasonable siting response to these constraints. The setback of the dwelling at 23 Esplanade is 3m from the shared boundary with 24 Esplanade, which would create a setback from the proposed private open spaces and dwelling of more than 6.65m. The dwellings at 32A and 34 Seabrook Street are setback a minimum of 18m from the shared boundary to the subject site. This distance creates a buffer for any loss of amenity that would be further minimised by existing outbuildings and mature vegetation along the shared boundaries.

d) <i>the height, bulk and form of existing and proposed buildings;</i>	The height, bulk and form of the proposed buildings would be comparable to the massing of existing two-storey construction at 20, 21, and 22 Esplanade.
e) <i>the existing buildings and private open space areas on the site;</i>	The existing buildings on the site are arranged haphazardly, and result in private open space to the north of the site and nearest to that of 23 Esplanade. This would be resolved in the proposal by largely retaining the existing footprint of structures, and formalising private open space with terracing and decks towards the south of the site. This location is buffered from the private open space of 34 Seabrook Street to the south by a substantial setback and dense vegetation.
f) <i>sunlight to private open space and windows of habitable rooms on adjoining properties; and</i>	There are no habitable rooms or private open space that would experience unreasonable overshadowing under the proposal. Specifically, no habitable rooms or private open space on adjoining properties that would be overshadowed by more than 50% for more than three hours between 9am and 3pm on 21 June.
g) <i>the character of development existing on established properties in the area.”</i>	The proposal would be in keeping with the area, which is characterised by a mix of construction types including large, two-storey construction and outbuildings.

Natural Asset Code

- **Clause C7.6.1 Buildings and works within a waterway and coastal protection area**– the proposal would include buildings and works within the mapped area of code, and there is no determined building area on the sealed plan as required by the acceptable solution for A1. A new stormwater point is proposed to discharge into a watercourse, contrary to the requirements of acceptable solution A3.

The proposal must be assessed against Performance Criteria P1.1, and P3.

Performance Criteria	Assessment
<i>“Clause C7.6.1</i>	The proposal is assessed as satisfying the performance criteria as outlined below.
<i>P1.1</i> <i>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</i> <i>a. impacts caused by erosion, siltation, sedimentation and runoff;</i> <i>b. impacts on riparian or littoral vegetation;</i> <i>c. maintaining natural streambank and streambed condition, where it exists;</i> <i>d. impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i> <i>e. the need to avoid significantly impeding natural flow and drainage;</i> <i>f. the need to maintain fish passage, where known to exist;</i>	The proposal was assessed by Council engineers, who raised no concerns with the proposal, subject to a condition for an erosion and sedimentation control plan (ESCP) be provided. The proposal would largely retain the existing footprint of buildings by demolishing two outbuildings and extending the dwelling upwards rather than across the site. This reduces any additional disturbance and associated adverse impacts. Construction works can be reasonably controlled by the ESCP proposed. A small amount of grassed area is proposed to be cleared or directly affected by the works, with no significant vegetation affected. All stormwater is proposed to be directed under the road reserve, before discharging into Acton Creek. The natural streambank of Acton Creek would remain slightly modified for the stormwater outfall to allow for a headwall with a filter layer, and weather resistant stone (riprap) blended into surrounds. These design features would serve to reduce erosion and maintain the broader natural condition of the streambank and streambed. The location proposed for the headwall and scour protection predominantly above the creek bank would have minimal impact on in-stream natural habitat, with no significant vegetation in the affected area. The proposal would retain the existing natural overland flow and drainage of the site. This would be further improved by the addition of stormwater infrastructure that does not currently exist. The passage of fish is anticipated to remain unaffected by the proposal, with the stormwater infrastructure proposed largely above the stream bank.

g. <i>the need to avoid land filling of wetlands;</i>	No land filling of wetlands is proposed.
h. <i>the need to group new facilities with existing facilities, where reasonably practical;</i>	All proposed facilities would remain grouped with existing facilities.
i. <i>minimising cut and fill;</i>	The proposal would be built above ground, or re-use existing concrete slabs on-site. No additional cut or fill is proposed, with the exception of works required for installation of the stormwater outlet.
j. <i>building design that responds to the particular size, shape, contours or slope of the land;</i>	The proposal would minimise the impact at ground level by building up rather than out, and through the inclusion of useable, permeable outdoor decks.
k. <i>minimising impacts on coastal processes, including sand movement and wave action;</i>	The impact on coastal processes is assessed by council engineers as negligible. The discharge from the stormwater outlet would reticulate stormwater that currently flows into the creek overland.
l. <i>minimising the need for future works for the protection of natural assets, infrastructure and property;</i>	The proposal includes controls for stormwater, where none currently exist on-site. This is considered to minimise the need for future works. The discharge to Acton Creek is considered to minimise the need for future works relative to on-site detention, due to the high-water table reducing the effectiveness of absorption beds.
m. <i>the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</i>	A condition is proposed to control sediment generated by construction works associated with the development.
n. <i>the guidelines in the Tasmanian Coastal Works Manual.”</i>	

<i>“P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</i> <i>a. the need to minimise impacts on water quality; and</i> <i>b. the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.”</i>	The proposal includes a stormwater discharge into Acton Creek, and no alternative reticulated stormwater network exists. The proposal would minimise the impacts on water quality relative to current site conditions, which only allow for overland flow. The proposed stormwater outlet design consists of a headwall, filter layer, and stone scour protection. The headwall would act to retain the stream bank, while the geo-textile filter layer and stone prevent soil loss and erosion. Conditions for erosion control are also recommended as a condition of approval to further mitigate impacts arising from construction.
--	--

5. REPRESENTATION ISSUES

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

5.1. Visual Bulk

A representor raised concern at the visual bulk of the proposed outbuilding to the north-west of the site specifically.

- **Comment**

The visual bulk of the proposal is assessed above under Clause 10.4.3 P2. While the representor raised concern that the *outbuilding* was not in keeping with the character of prevailing outbuildings, the standard gives little weight to this distinction. Both the standard and the objective use the term *dwelling*, which is defined broadly in the Scheme as including any outbuilding. On this basis the proposal is considered to not cause unreasonable loss of amenity as assessed under 10.4.3 P2, and the representation is considered to have no determining weight.

5.2. Privacy

A representor raised privacy concern in relation to the proposed outbuilding to the north-west of the site specifically.

- **Comment**

There are no privacy standards in the Low Density Residential Zone. As the area was previously zoned Village, this results in outcomes that may not have been anticipated in the drafting of Low Density Residential Zone standards, where large lots sizes are envisaged. The concern is therefore understandable, despite no controls being available for privacy specifically. Notwithstanding this, the proposal is for an outbuilding, with a single fixed window proposed to the upper mezzanine level facing the north-west. This would be almost parallel to the rear boundary and mature vegetation at the north of 34 Seabrook Street. It would be horizontally offset more than 2m from the backyard of 32A Seabrook Street. The location and height of the structure would decrease direct lines of sight to the north-west from the habitable areas of the proposal. These factors are considered to give a high degree of privacy equivalent relative to the lack of controls available. Additionally, a condition is recommended to ensure the outbuilding is used for non-habitable, residential storage use only.

5.3. Stormwater

Representors raised concern at the stormwater discharge proposed to Acton Creek, with the potential for creek damage, increased flood risk, and a poor precedent for future development proposals.

- **Comment**

Council engineers are satisfied that the stormwater discharge arrangement proposed is consistent with the established drainage regime of the area. The potential for damage to the creek bed and bank is adequately addressed through the design solution proposed, and as assessed above in greater detail against C7.6.1 P1.1 and P3. The matter of flood risk is considered to be immaterial. This is due to the quantity of water flowing to the creek remaining unchanged whether it be by overland flow or reticulated discharge.

The alternative on-site detention proposed by representors is considered equally unlikely to meaningfully mitigate flood risks, with the effectiveness of absorption beds being reduced by the high-water table, and in high inundation events.

Council engineers have further advised that both on-site detention or discharge into a road reserve remain acceptable in the broader context of unserviced areas, and that all future proposals in the surrounding area will be assessed on their merits.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who raised no concerns, and no submission was considered to be 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 and furthers the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

The proposal is recommended for conditional approval.

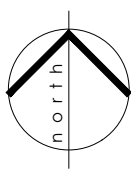
Attachments: 1. Location Plan (1)
2. Proposal Plan (20)
3. Site Photo (1)

Daniel Marr
HEAD OF CITY PLANNING



 City of Clarence	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.	30/06/2026	
		1:2500	

PLUMBING LEGEND	
MARK	DESCRIPTION
	SEWER PIPES TO BE DWV PVC-U CLASS SN6 @ Min. 1.65% (to AS/NZS 1260:2009).
	STORMWATER PIPES TO BE PVC-U Class SN4 @ Min. 1% (to AS/NZS 1254:2010).



Attachment 2

DOYLE
SOIL
CONSULTING

SHEET No. 16 OF 16

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Robyn Doyle
Building Services Designer
Hydraulic
CC7418

6/02/2026
Updated 5/5/2026
Updated 26/5/2026

ABSORPTION BED AS PER ON-SITE WASTEWATER
REPORT BY ROCK SOLID GEOTECHNICS.

AERATED WASTEWATER TREATMENT SYSTEM
AS PER ON-SITE WASTEWATER REPORT BY ROCK
SOLID GEOTECHNICS.

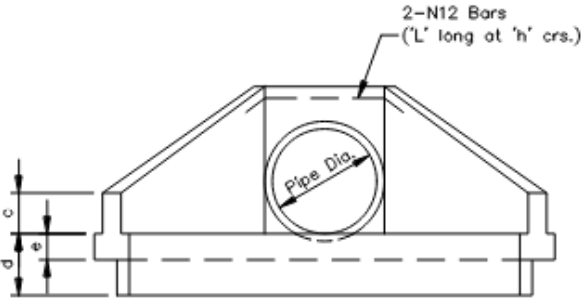
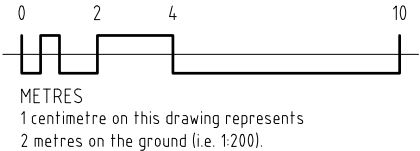
Stormwater system:

Stormwater from the roof is to be diverted via a DN 150 pipe into a pit
-sized for depth of pipe at the boundary.
Stormwater is to be directed to a concrete headwall as per
TSD-SW17-v3 and TSD-SW19-v3

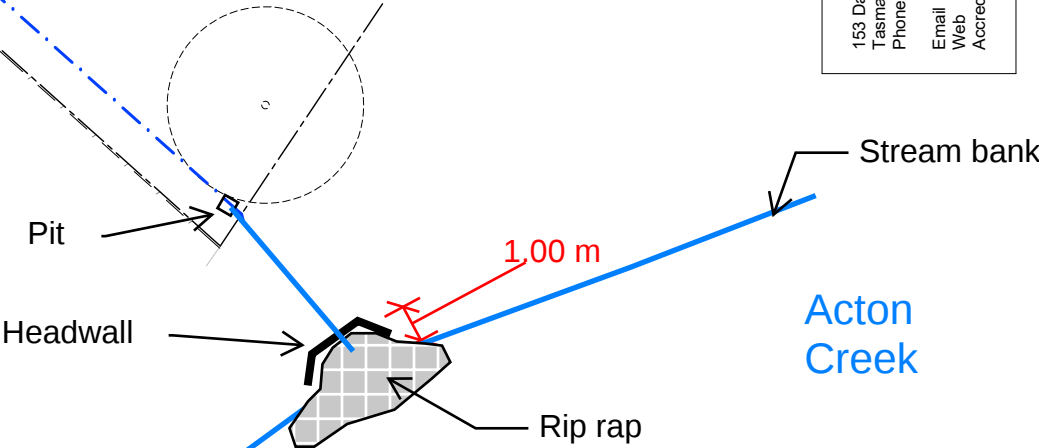
Lomandra or other water-loving grass species to be planted on the
bank

Refer to letter with additional details

PROPOSED DRAINAGE PL



ELEVATION



Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED DRAINAGE PLAN

design:EAST registered trading name for design:EAST Pty. Ltd.

DRG NO:	5739	H01	DATE:	14.04.26
SCALE:	1:100 @ A3		DRAWN:	EJ

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

PROPOSED ALTERATIONS & ADDITIONS at 24 ESPLANADE, SEVEN MILE BEACH, 7170 for GEORGINA FREEMAN AND SCOTT MCMURRAY		DE JOB # 5739
ISSUE: PLANNING SET - 14 APRIL 2026		
DWG. No.	DRAWING	ISSUE
5739 - A01	DRAWING INDEX	A
5739 - A02	EXISTING & DEMOLITION SITE PLAN	A
5739 - A03	PROPOSED SITE PLAN	A
5739 - A04	EXISTING AND DEMOLITION FLOOR PLAN - RESIDENCE	A
5739 - A05	PROPOSED GROUND FLOOR PLAN - RESIDENCE	A
5739 - A06	PROPOSED FIRST FLOOR PLAN - RESIDENCE	A
5739 - A07	ELEVATIONS 01 OF 04 - RESIDENCE	A
5739 - A08	ELEVATIONS 02 OF 04 - RESIDENCE	A
5739 - A09	ELEVATIONS 03 OF 04 - RESIDENCE	A
5739 - A10	ELEVATIONS 04 OF 04 - RESIDENCE	A
5739 - A11	EXISTING AND DEMOLITION ELEVATIONS - STUDIO	A
5739 - A12	PROPOSED FLOOR PLAN - GYM	A
5739 - A13	PROPOSED ELEVATIONS - GYM	A
5739 - A14	PROPOSED FLOOR PLANS - GARAGE	A
5739 - A15	PROPOSED ELEVATIONS - GARAGE	A
5739 - H01	PROPOSED DRAINAGE PLAN	A

GENERAL INFORMATION		
Accredited Building Designer:	Monty East	
Accreditation Number:	CC 1910	
Land title reference number:	C.T. 46869/2	
Site area:	938 m²	
Total floor area:	216 m²	
Total decked / balcony area:	104 m²	
Building Classification:	Class 1a & 10a	
Site assessment by:	-	
Wind classification:	-	Site Classification to AS 4055-2012
Soil classification:	-	Site Classification to AS 2870-2011
Climate zone:	7	
Bushfire-prone area BAL rating:	N/A	No areas of bushfire prone vegetation >1ha within 100m of the building.
Corrosion environment:	Very High	
Other known site overlays:	Medium Coast Erosion Hazard Band, Airport Obstacle Limitation Area, Waterway and Coastal Protection Area, Medium Coastal Inundation Hazard Band, Flood-prone areas,	

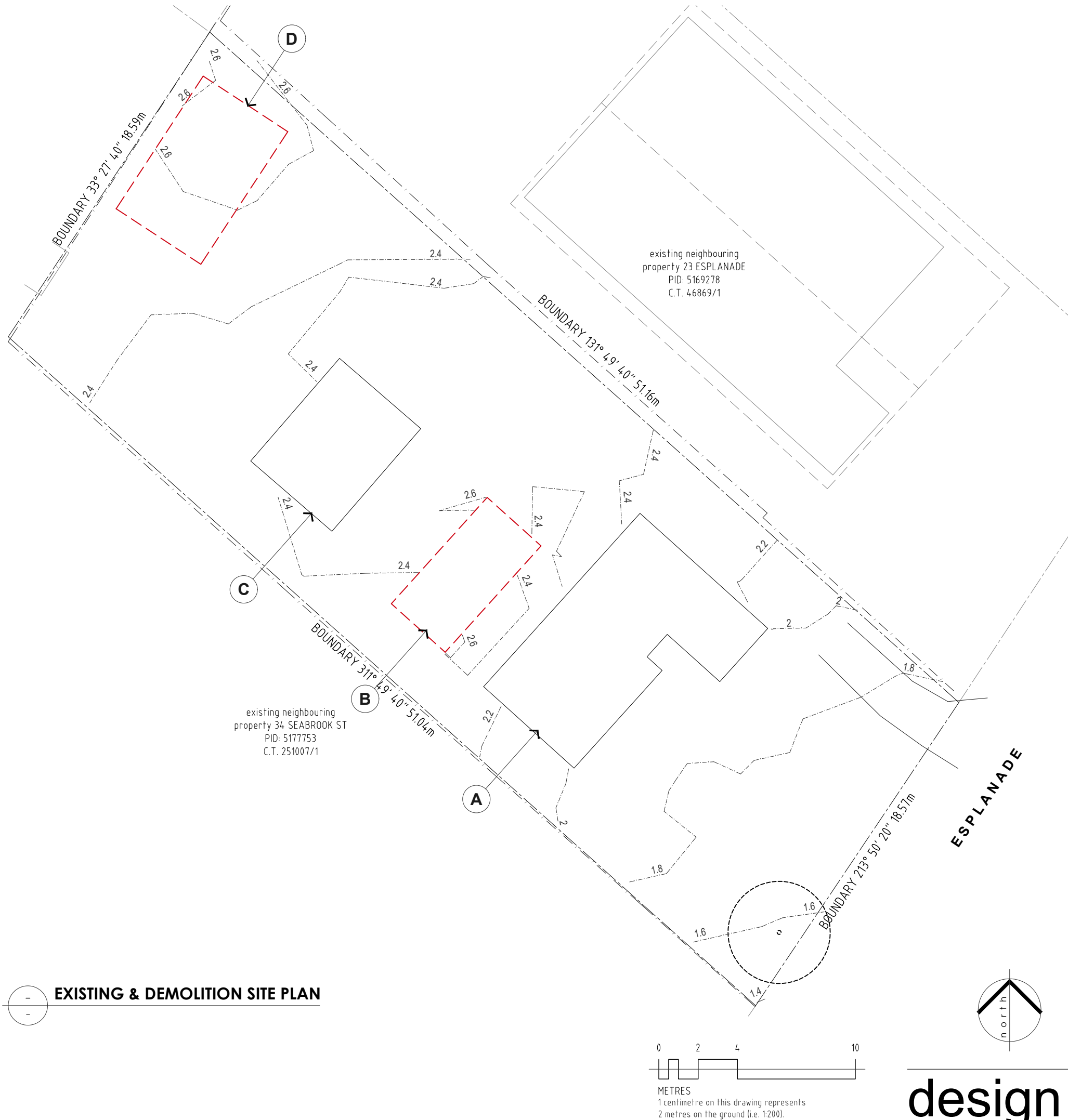
SITE NOTES	
Property Address:	24 ESPLANADE, SEVEN MILE BEACH
Property ID:	5169251
Title Reference:	46869/2
Site Area:	938 ± sqm.
Municipality:	CLARENCE
Owner:	GEORGINA FREEMAN AND SCOTT MCMURRAY

SITE KEY	
A	OUTLINE OF EXISTING RESIDENCE.
B	OUTLINE OF EXISTING OUTBUILDING TO BE DEMOLISHED.
C	OUTLINE OF EXISTING SLAB TO BE RETAINED.
D	OUTLINE OF EXISTING CARPORT TO BE DEMOLISHED.

EXISTING FLOOR AREAS	
EX. BUILDING FOOTPRINT AREA	= ±81 sqm.
EX. OUTBUILDINGS AREA	= ±101 sqm.
EX. LOT SIZE	= ±938 sqm.

CAR PARKING	
ex. CAR PARKING SPACES	= 2

THIS DRAWING HAS BEEN CONSTRUCTED USING SURVEY INFORMATION FROM JOHN BAMFORD & ASSOCIATES, LAND & ENGINEERING SURVEYORS
FILE No.7732 detail. CONTOUR INTERVAL = 0.200m.



 **EXISTING & DEMOLITION SITE PLAN**

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	EXISTING & DEMOLITION SITE PLAN

DRG NO:	5739	A02
SCALE:	1:200 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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SITE NOTES	
Property Address:	24 ESPLANADE, SEVEN MILE BEACH
Property ID:	5169251
Title Reference:	46869/2
Site Area:	938 ± sqm.
Municipality:	CLARENCE
Owner:	GEORGINA FREEMAN AND SCOTT MCMURRAY

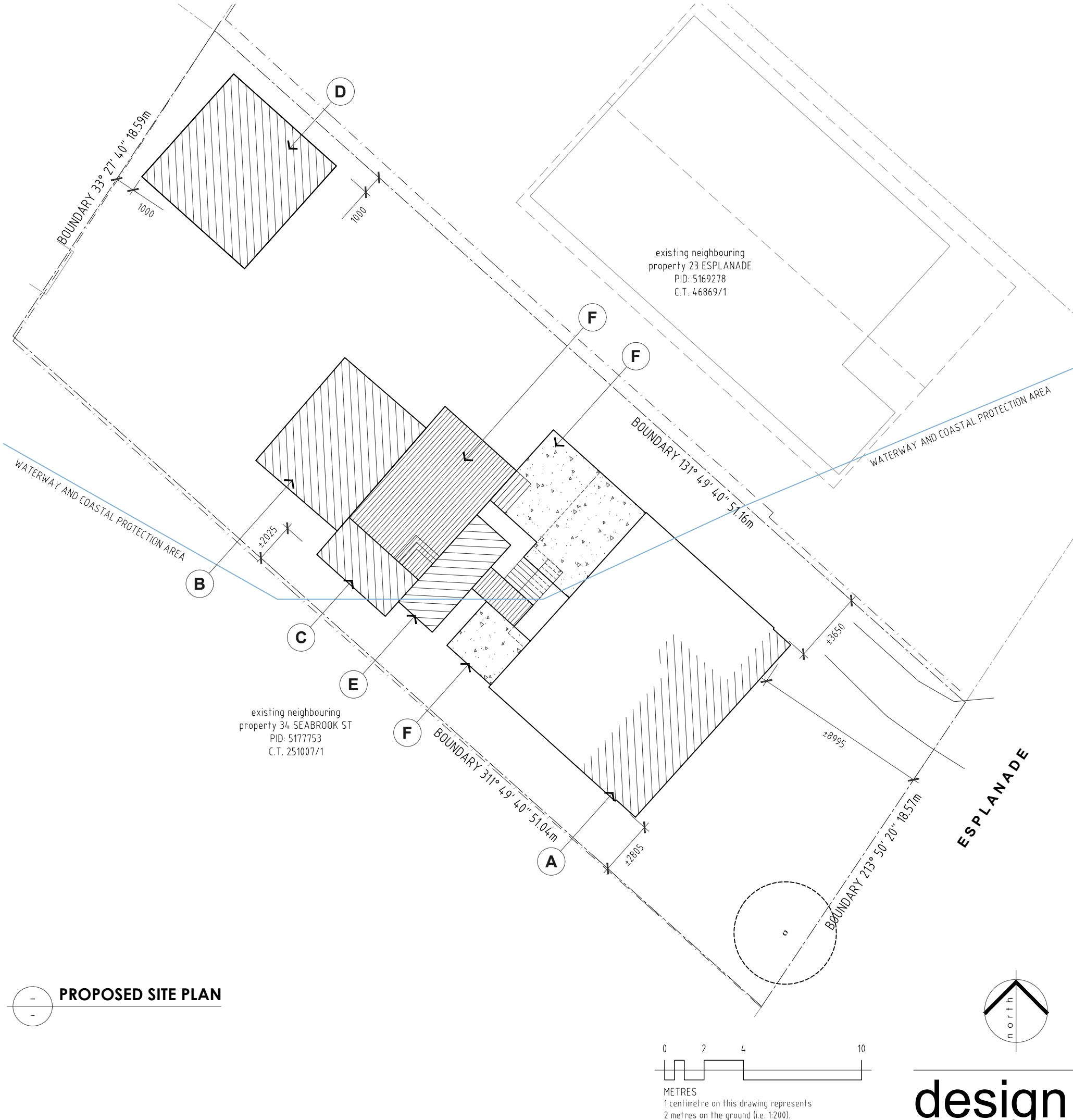
SITE KEY	
A	OUTLINE OF EXISTING RESIDENCE. EXTENT OF EXTENSION SHOWN HATCHED.
B	PROPOSED GYM / STUDIO. EXTENT SHOWN HATCHED.
C	PROPOSED SAUNA. EXTENT SHOWN HATCHED.
D	PROPOSED GARAGE. EXTENT SHOWN HATCHED.
E	PROPOSED POOL AREA. EXTENT SHOWN HATCHED.
F	PROPOSED DECK. EXTENT SHOWN HATCHED.

PROPOSED FLOOR AREAS		
PROPOSED FLOOR AREA - RESIDENCE	= ±117 sqm	
PROPOSED FLOOR AREA - GYM	= ±38 sqm	
PROPOSED FLOOR AREA - SAUNA / BATH.	= ±12 sqm	
PROPOSED FLOOR AREA - GARAGE	= ±49 sqm	
PROPOSED FLOOR AREA - POOL	= ±14 sqm	
PROPOSED FLOOR AREA - DECK	= ±90 sqm	

SITE COVERAGE		
DWELLING SITE COVERAGE	= 13%	
TOTAL SITE COVERAGE (ALL ROOFED BUILDINGS)	= 24%	

CAR PARKING		
CAR PARKING SPACES	= 2 (unchanged)	

THIS DRAWING HAS BEEN CONSTRUCTED USING SURVEY INFORMATION FROM JOHN BAMFORD & ASSOCIATES, LAND & ENGINEERING SURVEYORS FILE No.7732 detail. CONTOUR INTERVAL = 0.200m.



ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED SITE PLAN

design:EAST registered trading name for design:EAST Pty. Ltd.

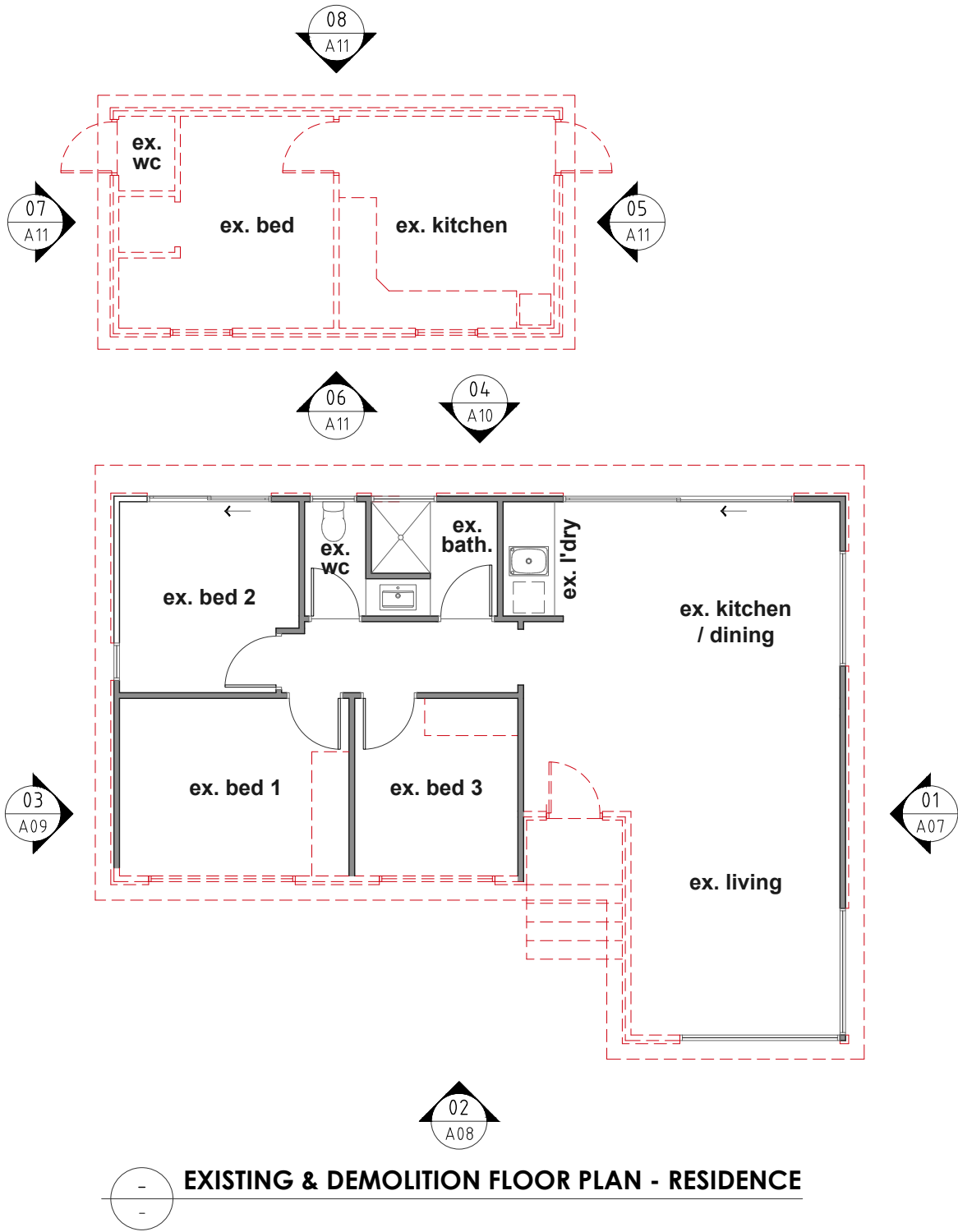
DRG NO:	5739	A03	DATE:	14.04.26
SCALE:	1:200 @ A3		DRAWN:	EJ

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LEGEND	
MARK	DESCRIPTION
	EXISTING WALLS TO BE RETAINED.
	EXISTING WALLS TO BE DEMOLISHED.

EXISTING DWELLING AREA	
EXISTING RESIDENCE AREA	= ±81 sqm
EXISTING OUTBUILDING (STUDIO) AREA	= ±27 sqm

DEMOLITION NOTES
GENERALLY DEMOLITION WORKS MUST BE CARRIED OUT IN ACCORDANCE WITH AS 2601-2001: DEMOLITION OF STRUCTURES & REGULATIONS 29, 30 & 31 OF THE BUILDING REGULATIONS (Tas.) 2016.
BUILDINGS PRIOR TO 1990 <u>MAY</u> CONTAIN ASBESTOS.BUILDINGS PRIOR TO 1986 ARE LIKELY TO CONTAIN ASBESTOS EITHER IN CLADDING MATERIAL OR IN FIRE RETARDANT INSULATION MATERIAL. THE BUILDER SHOULD CHECK &, IF NECESSARY, TAKE APPROPRIATE ACTION BEFORE DEMOLISHING, CUTTING, SANDING, DRILLING OR OTHERWISE DISTURBING THE EXISTING STRUCTURE.
PROCEDURES & METHODS OF DEMOLITION MUST BE ADEQUATE TO PREVENT INJURY TO PERSONS & AVOID DAMAGE TO NEIGHBORING PROPERTY.
BEFORE REMOVING EXISTING WALLS SHOWN TO BE DEMOLISHED, BUILDER SHALL CONFIRM ON-SITE WHETHER THEY ARE LOAD-BEARING OR NOT. IF IT IS FOUND THAT THEY ARE LOAD-BEARING, A STRUCTURAL ENGINEER MUST BE ENGAGED TO DETERMINE ANY BEAMS REQUIRED TO SUPPORT THESE EXISTING LOADS.
ALL REDUNDANT STORMWATER, SEWER & WATER CONNECTIONS ASSOCIATED WITH THE DEMOLITION SHALL BE CUT & SEALED TO THE SATISFACTION OF COUNCIL'S SENIOR PLUMBING INSPECTOR.
THE REMOVAL OF EXISTING PLUMBING FIXTURES SHALL INCLUDE ALL ASSOCIATED WASTE & VENT PIPES, FLOOR DRAINS, WATER SERVICE PIPEWORK BRACKETS, SUPPORTS etc & SEAL OFF EXISTING SERVICES. SEAL OFF & MAKE GOOD ALL FLOOR, WALL & ROOF PENETRATIONS.
GENERALLY, MAKE GOOD TO EXISTING FLOORS, WALLS & CEILINGS WHERE ALL DEMOLITION WORK OCCURS TO MATCH EXISTING AS & WHERE REQUIRED.



EXISTING & DEMOLITION FLOOR PLAN - RESIDENCE

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	EXISTING & DEMO. FLOOR PLAN - RESIDENCE

DRG NO:	5739	A04
SCALE:	1:100 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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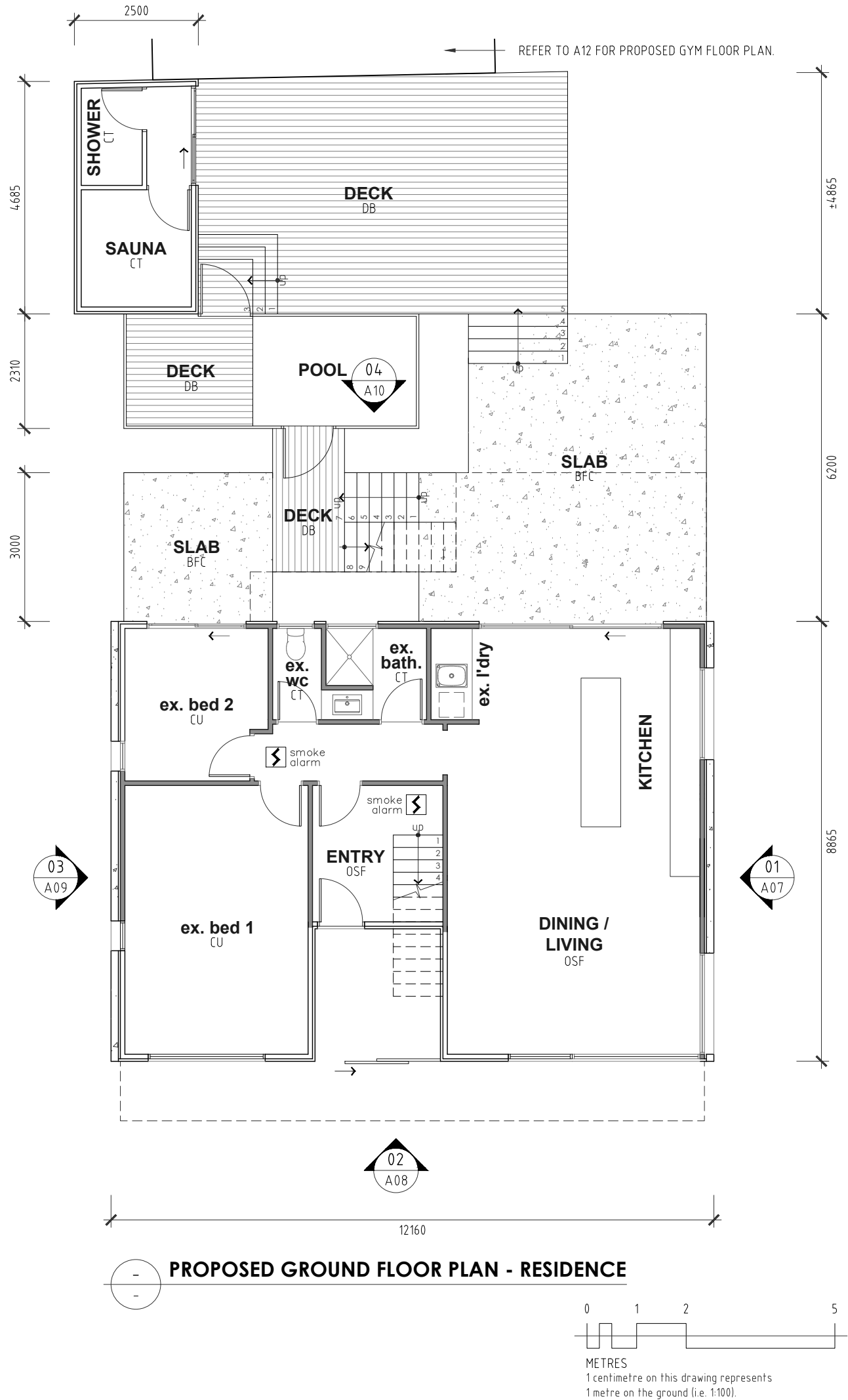
LEGEND	
MARK	DESCRIPTION
	EXISTING WALLS TO BE RETAINED.
	150mm CONCRETE PANEL WITH STUDWORK WALL.
	140mm VERTICAL CLAD WALL ON TIMBER STUD WORK.
	90mm STUDWORK WALL (internal wall).

PROPOSED FLOOR AREA	
PROPOSED GROUND FLOOR AREA - RESIDENCE	= ±97 sqm.
PROPOSED FIRST FLOOR AREA - RESIDENCE	= ±117 sqm.
PROPOSED FLOOR AREA - SAUNA	= ±12 sqm.
PROPOSED FLOOR AREA - GYM	= ±38 sqm.
PROPOSED GROUND FLOOR AREA - GARAGE	= ±49 sqm.
PROPOSED MEZZANINE FLOOR AREA - GARAGE	= ±18 sqm.

KEY	
MARK	DESCRIPTION
	PHOTOELECTRIC SMOKE ALARM (HARD WIRED) TO COMPLY WITH BCA 3.7.5.2 & AS 3786 (must be interconnected where there is more than one alarm).

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

FLOOR FINISHES	
BFC	BROOM FINISHED CONCRETE SURFACE.
CT	CERAMIC TILES AS SELECTED.
CU	CARPET & UNDERLAY AS SELECTED.
DB	DECKING BOARDS AS SELECTED (gaps to suit species).
OSF	OVERLAY TIMBER STRIP FLOORING.



ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED GROUND FLOOR PLAN - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

DRG NO:	5739	A05
SCALE:	1:100 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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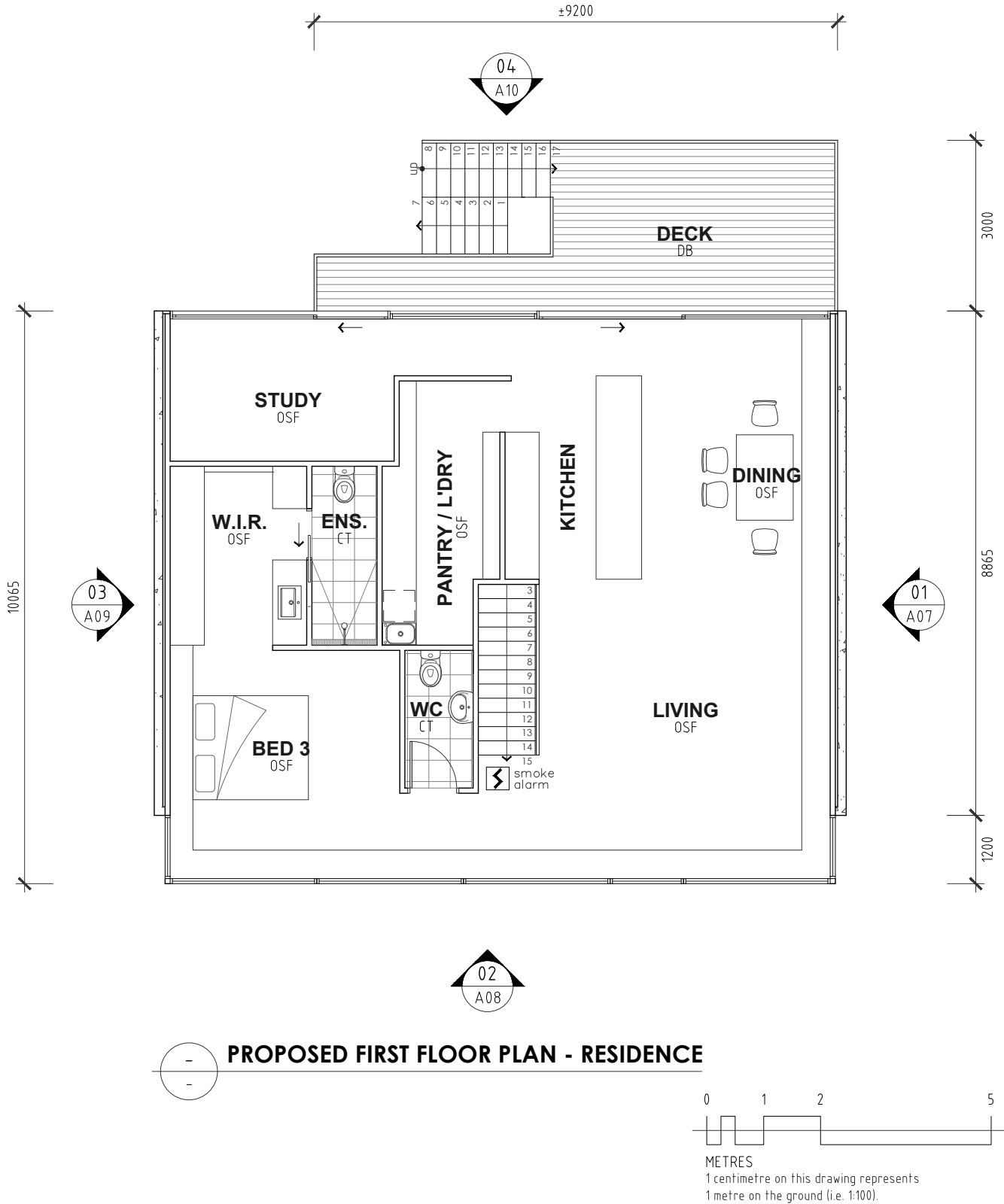
LEGEND	
MARK	DESCRIPTION
	EXISTING WALLS TO BE RETAINED.
	150mm CONCRETE PANEL WITH STUDWORK WALL.
	140mm VERTICAL CLAD WALL ON TIMBER STUD WORK.
	90mm STUDWORK WALL (internal wall).

PROPOSED FLOOR AREA	
PROPOSED GROUND FLOOR AREA - RESIDENCE	= ±97 sqm.
PROPOSED FIRST FLOOR AREA - RESIDENCE	= ±117 sqm.
PROPOSED FLOOR AREA - SAUNA	= ±12 sqm.
PROPOSED FLOOR AREA - GYM	= ±38 sqm.
PROPOSED GROUND FLOOR AREA - GARAGE	= ±49 sqm.
PROPOSED MEZZANINE FLOOR AREA - GARAGE	= ±18 sqm.

KEY	
MARK	DESCRIPTION
	PHOTOELECTRIC SMOKE ALARM (HARD WIRED) TO COMPLY WITH BCA 3.7.5.2 & AS 3786 (must be interconnected where there is more than one alarm).

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

FLOOR FINISHES	
BFC	BROOM FINISHED CONCRETE SURFACE.
CT	CERAMIC TILES AS SELECTED.
CU	CARPET & UNDERLAY AS SELECTED.
DB	DECKING BOARDS AS SELECTED (gaps to suit species).
OSF	OVERLAY TIMBER STRIP FLOORING.



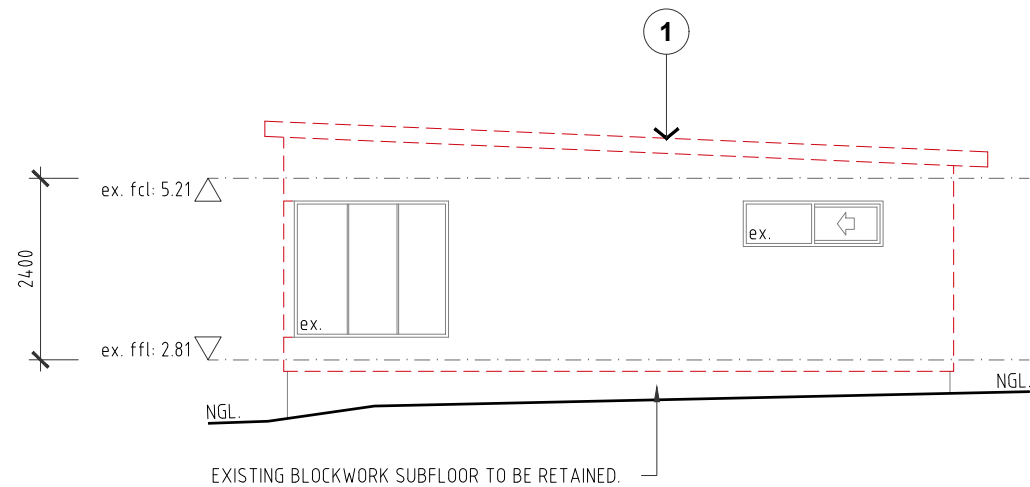
ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED FIRST FLOOR PLAN - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

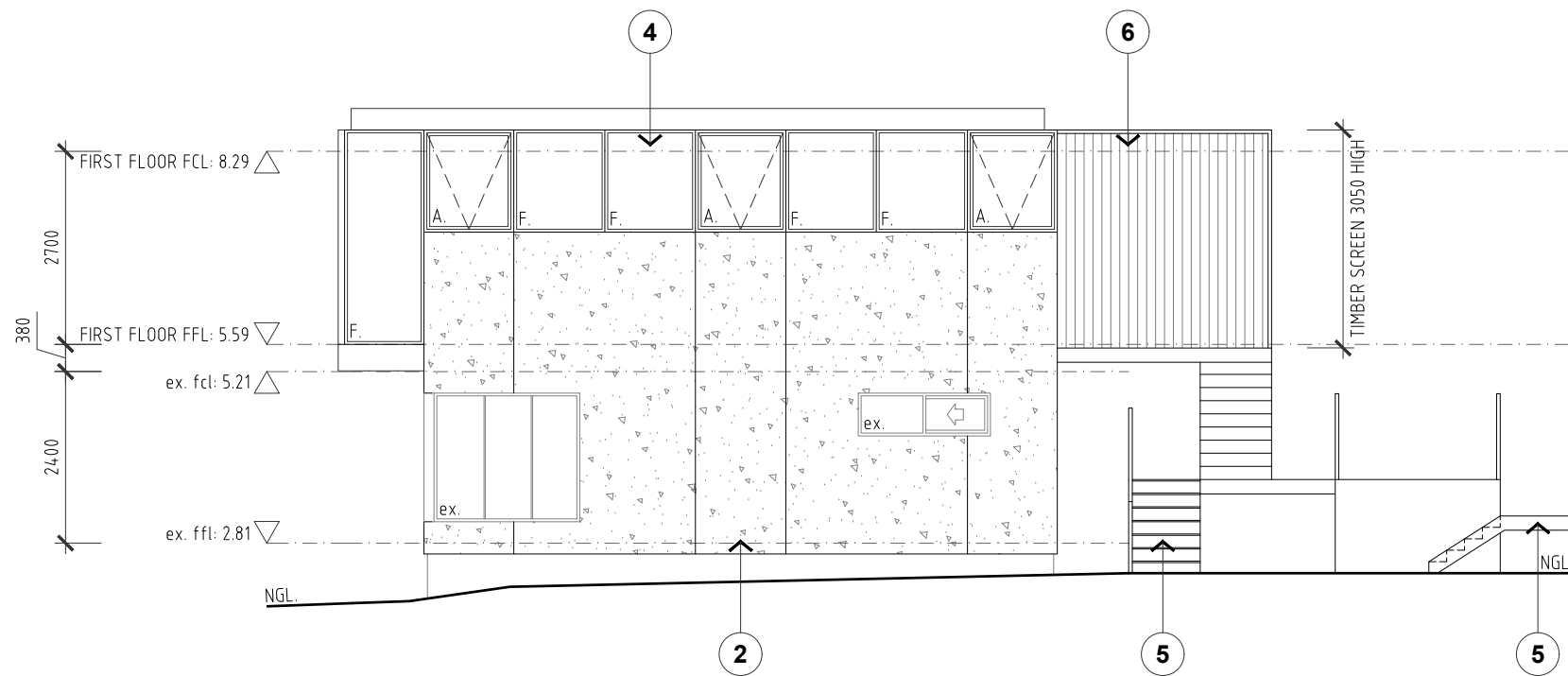
DRG. NO:	5739	A06
SCALE:	1:100 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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EXTERNAL FINISHES	
1	EXISTING RESIDENCE.
2	PROPOSED CONCRETE PANEL WALLS. FINISH: TBC.
3	PROPOSED VERTICAL CLAD WALLS. FINISH: PAINT (TBC).
4	PROPOSED ALUMINIUM FRAMED DOORS / WINDOWS. FINISH: TBC.
5	PROPOSED TIMBER DECK / STAIRS.
6	PROPOSED TIMBER BALUSTRADE / SCREEN.
7	PROPOSED CORRUGATED WALL CLADDING. FINISH: TBC.
8	PROPOSED CORRUGATED SLIDING GARAGE DOOR. FINISH: TBC.
LEGEND	
ex.	- EXISTING WINDOW / DOOR.
A.	- AWNING WINDOW.
F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
HG.	- GLAZED HINGED DOOR.
H.	- DOUBLE HUNG WINDOW.



01
A04
EXISTING NORTH EAST ELEVATION



01
A05-A06
PROPOSED NORTH EAST ELEVATION

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

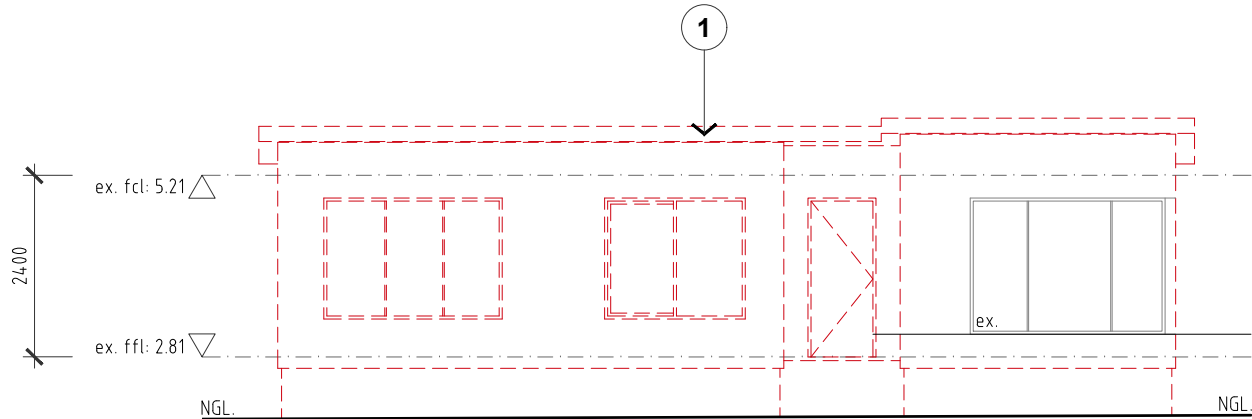
Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	ELEVATIONS 01 OF 04 - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

DRG NO:	5739	A07
SCALE:	1:100 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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EXTERNAL FINISHES	
1	EXISTING RESIDENCE.
2	PROPOSED CONCRETE PANEL WALLS. FINISH: TBC.
3	PROPOSED VERTICAL CLAD WALLS. FINISH: PAINT (TBC).
4	PROPOSED ALUMINIUM FRAMED DOORS / WINDOWS. FINISH: TBC.
5	PROPOSED TIMBER DECK / STAIRS.
6	PROPOSED TIMBER BALUSTRADE / SCREEN.
7	PROPOSED CORRUGATED WALL CLADDING. FINISH: TBC.
8	PROPOSED CORRUGATED SLIDING GARAGE DOOR. FINISH: TBC.

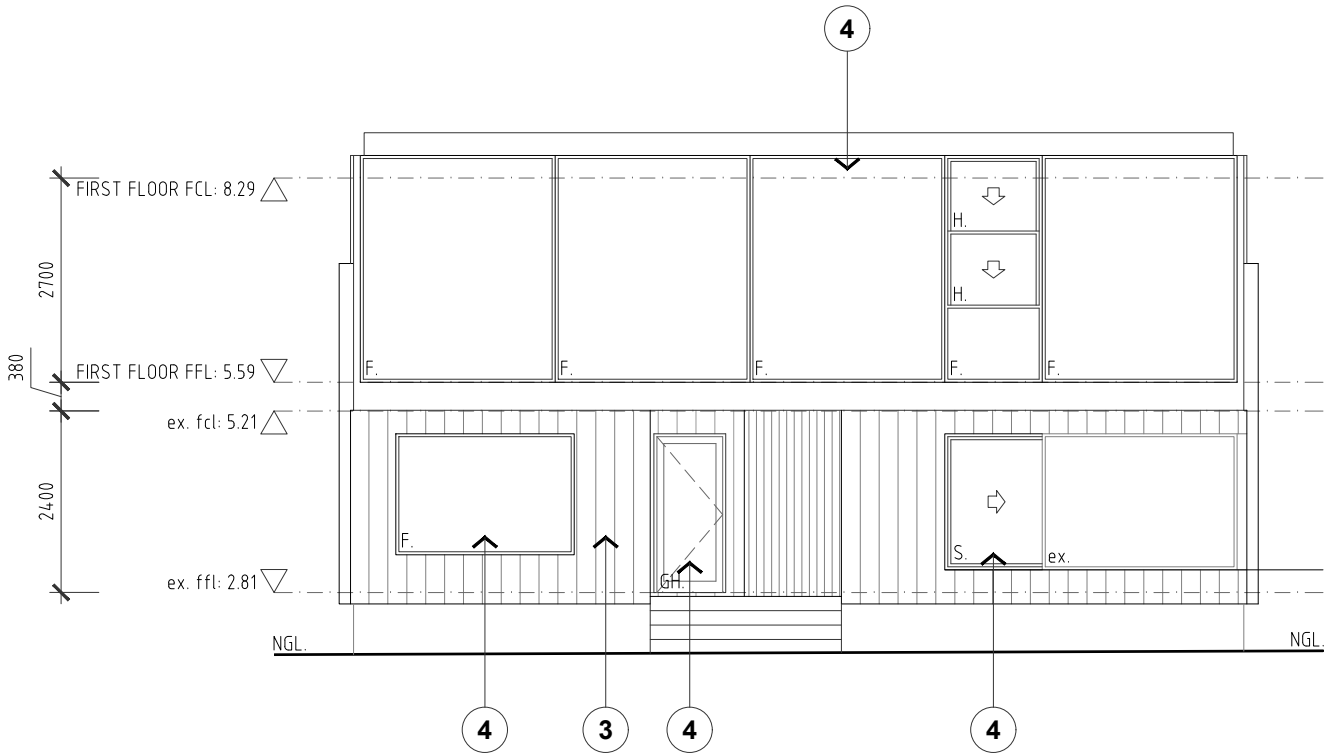
LEGEND	
ex.	- EXISTING WINDOW / DOOR.
A.	- AWNING WINDOW.
F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
HG.	- GLAZED HINGED DOOR.
H.	- DOUBLE HUNG WINDOW.



02

A04

EXISTING SOUTH EAST ELEVATION



02

A05-A06

PROPOSED SOUTH EAST ELEVATION

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

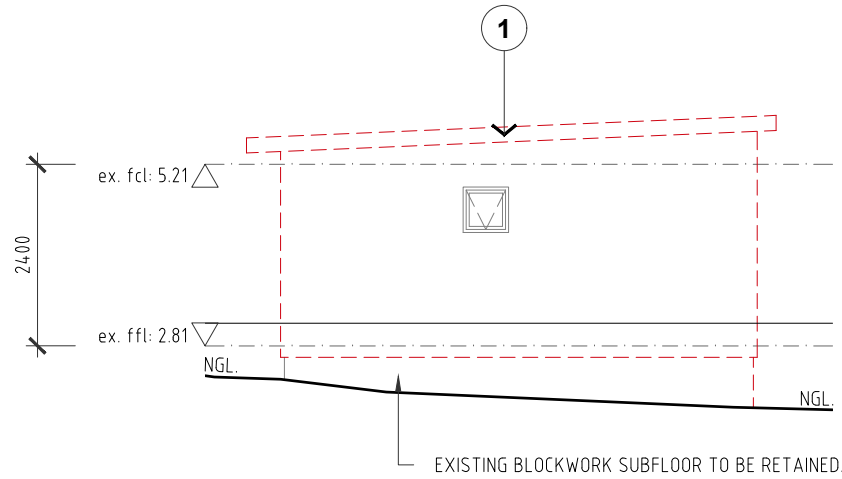
Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	ELEVATIONS 02 OF 04 - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

DRG NO:	5739	A08	DATE:	14.04.26
SCALE:	1:100 @ A3		DRAWN:	EJ

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EXTERNAL FINISHES	
1	EXISTING RESIDENCE.
2	PROPOSED CONCRETE PANEL WALLS. FINISH: TBC.
3	PROPOSED VERTICAL CLAD WALLS. FINISH: PAINT (TBC).
4	PROPOSED ALUMINIUM FRAMED DOORS / WINDOWS. FINISH: TBC.
5	PROPOSED TIMBER DECK / STAIRS.
6	PROPOSED TIMBER BALUSTRADE / SCREEN.
7	PROPOSED CORRUGATED WALL CLADDING. FINISH: TBC.
8	PROPOSED CORRUGATED SLIDING GARAGE DOOR. FINISH: TBC.

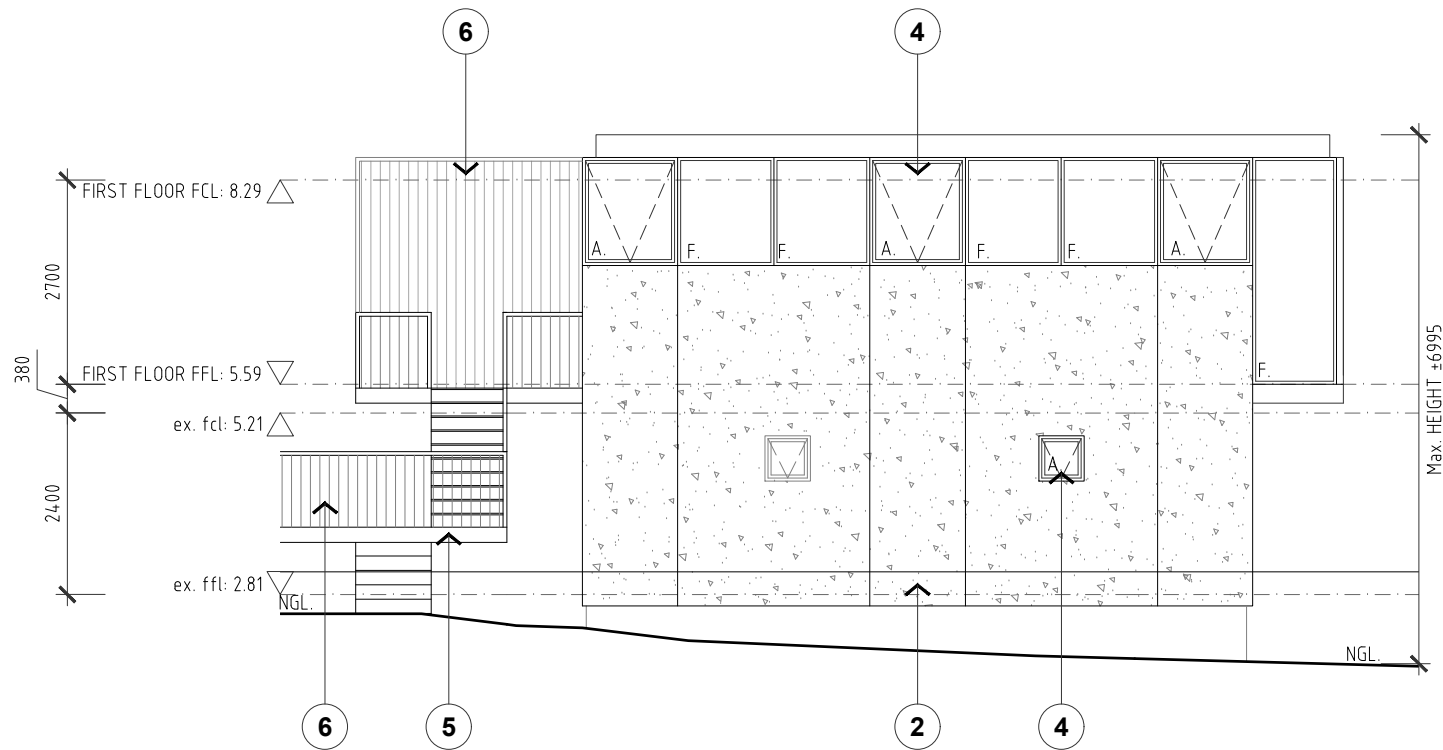
LEGEND	
ex.	- EXISTING WINDOW / DOOR.
A.	- AWNING WINDOW.
F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
HG.	- GLAZED HINGED DOOR.
H.	- DOUBLE HUNG WINDOW.



03

A04

EXISTING SOUTH WEST ELEVATION



03

A05-A06

PROPOSED SOUTH WEST ELEVATION

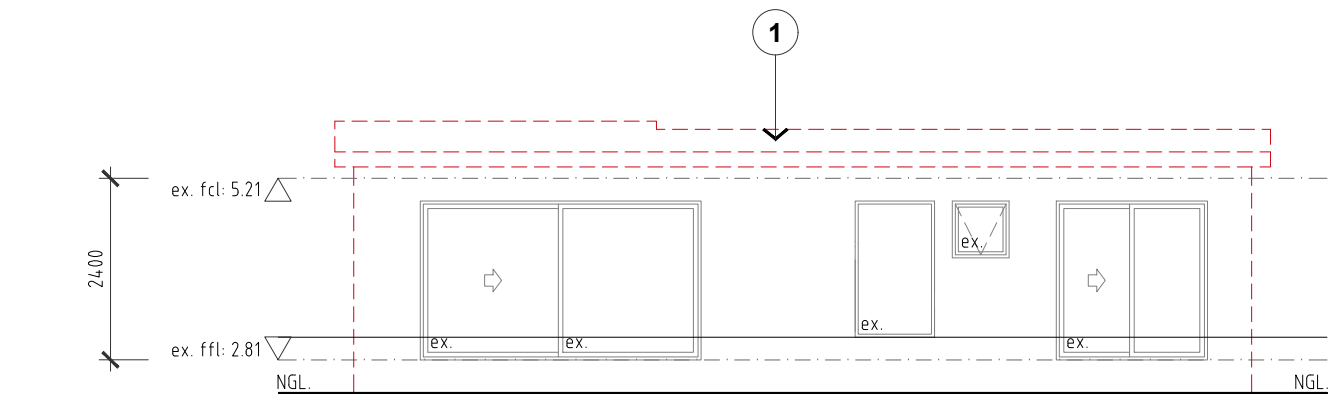
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A	PLANNING SET	14.04.26	EJ

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Drawing:	ELEVATIONS 03 OF 04 - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

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DATE:	14.04.26	
DRAWN:	EJ	

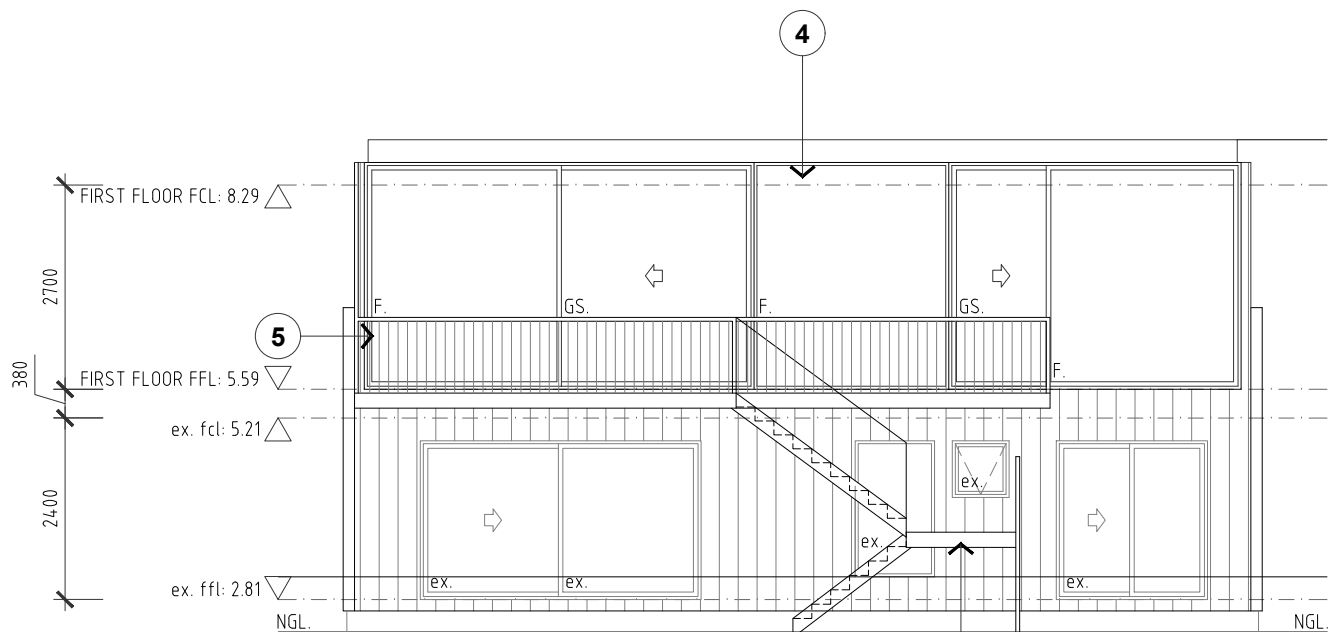
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EXTERNAL FINISHES	
1	EXISTING RESIDENCE.
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F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
HG.	- GLAZED HINGED DOOR.
H.	- DOUBLE HUNG WINDOW.



04
A04

EXISTING NORTH WEST ELEVATION



04
A05-A06

PROPOSED NORTH WEST ELEVATION

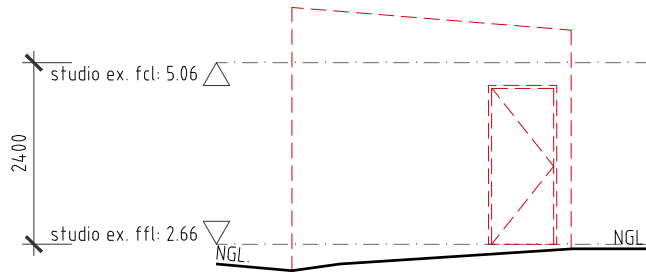
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Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	ELEVATIONS 04 OF 04 - RESIDENCE design:EAST registered trading name for design:EAST Pty. Ltd.

SCALE:	DRG NO:	DATE:
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DRAWN:		
EJ		

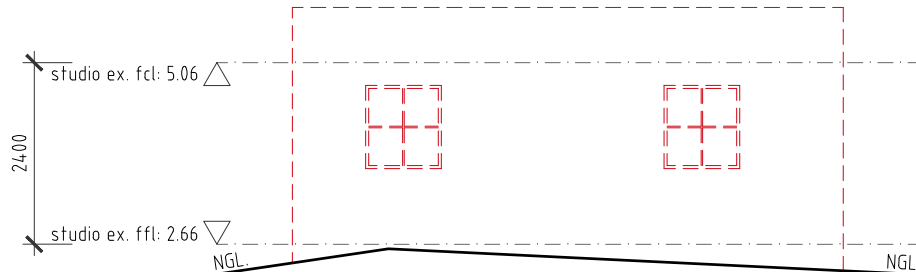
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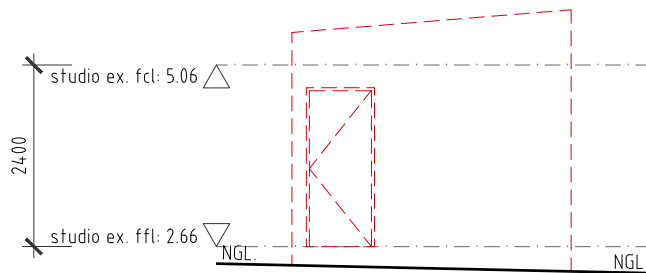
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EXISTING NORTH EAST ELEVATION



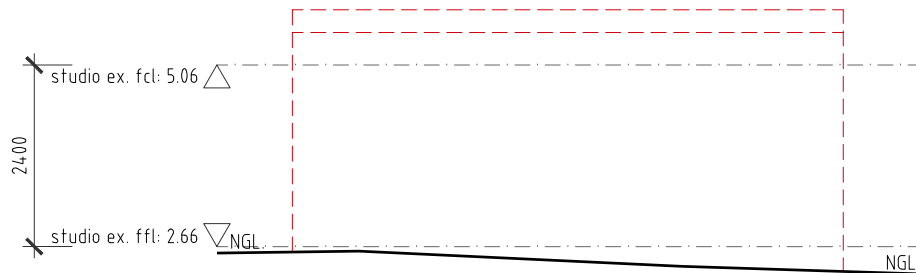
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A04

EXISTING SOUTH EAST ELEVATION



07
A04

EXISTING SOUTH WEST ELEVATION



08
A04

EXISTING NORTH WEST ELEVATION

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	EX. & DEMO. ELEVATIONS - STUDIO design:EAST registered trading name for design:EAST Pty. Ltd.

SCALE:	DRG NO:	DATE:
1:100 @ A3	5739 A11	14.04.26
DRAWN:		
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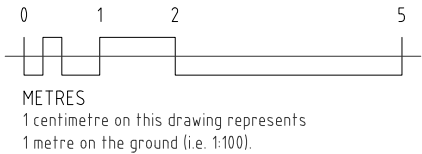
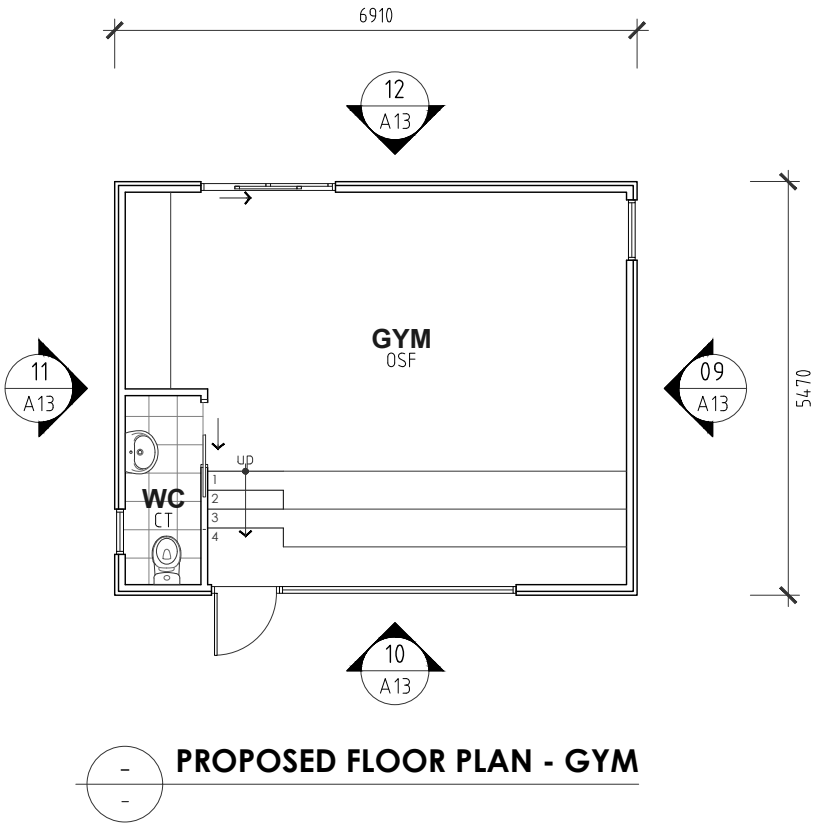
LEGEND	
MARK	DESCRIPTION
	EXISTING WALLS TO BE RETAINED.
	150mm CONCRETE PANEL WITH STUDWORK WALL.
	140mm VERTICAL CLAD WALL ON TIMBER STUD WORK.
	90mm STUDWORK WALL (internal wall).

PROPOSED FLOOR AREA	
PROPOSED GROUND FLOOR AREA - RESIDENCE	= ±97 sqm.
PROPOSED FIRST FLOOR AREA - RESIDENCE	= ±117 sqm.
PROPOSED FLOOR AREA - SAUNA	= ±12 sqm.
PROPOSED FLOOR AREA - GYM	= ±38 sqm.
PROPOSED GROUND FLOOR AREA - GARAGE	= ±49 sqm.
PROPOSED MEZZANINE FLOOR AREA - GARAGE	= ±18 sqm.

KEY	
MARK	DESCRIPTION
 smoke alarm	PHOTOELECTRIC SMOKE ALARM (HARD WIRED) TO COMPLY WITH BCA 3.7.5.2 & AS 3786 (must be interconnected where there is more than one alarm).

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

FLOOR FINISHES	
BFC	BROOM FINISHED CONCRETE SURFACE.
CT	CERAMIC TILES AS SELECTED.
CU	CARPET & UNDERLAY AS SELECTED.
DB	DECKING BOARDS AS SELECTED (gaps to suit species).
OSF	OVERLAY TIMBER STRIP FLOORING.



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DRG NO: 5739 A 12
SCALE: 1:100 @ A 3
DATE: 14.04.26
DRAWN: EJ

Project: PROPOSED ALTERATIONS AND ADDITIONS
24 ESPLANADE, SEVEN MILE BEACH
GEORGINA FREEMAN
Drawing: PROPOSED FLOOR PLAN - GYM
design:EAST registered trading name for design:EAST Pty. Ltd.

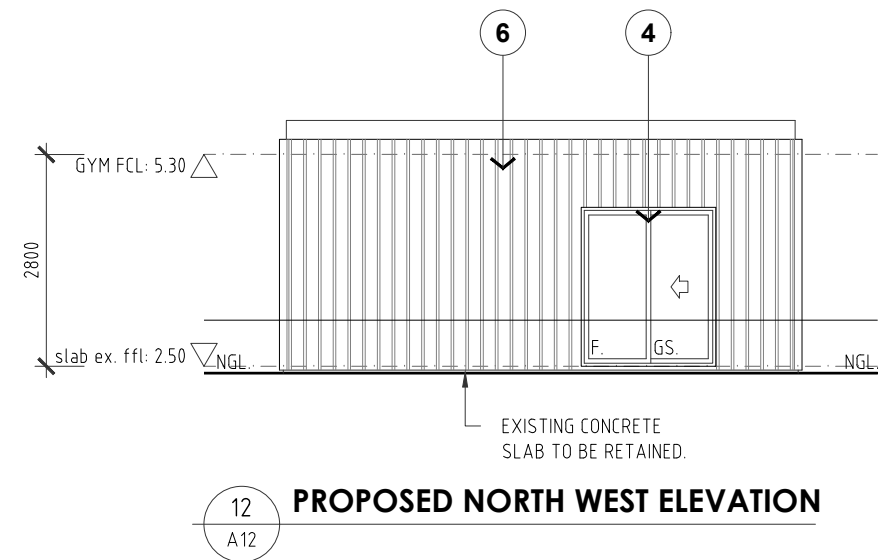
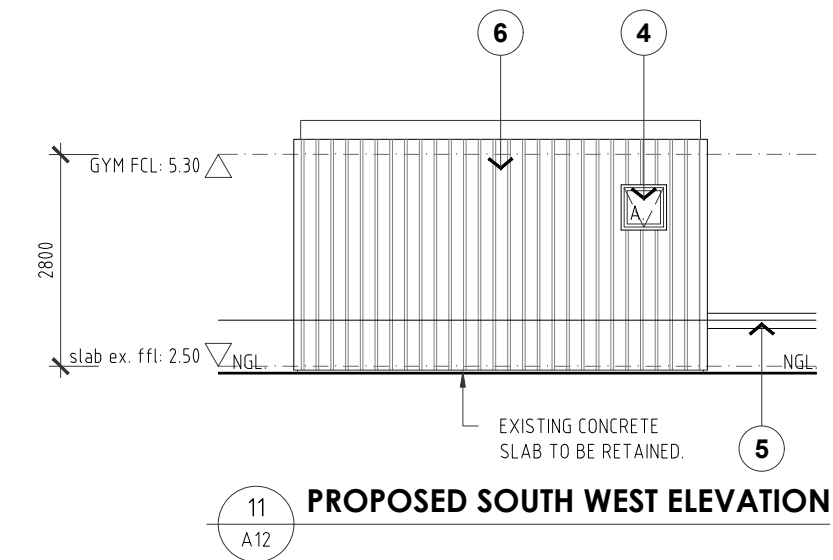
ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

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7	PROPOSED CORRUGATED WALL CLADDING. FINISH: TBC.
8	PROPOSED CORRUGATED SLIDING GARAGE DOOR. FINISH: TBC.

LEGEND

ex.	- EXISTING WINDOW / DOOR.
A.	- AWNING WINDOW.
F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
HG.	- GLAZED HINGED DOOR.
H.	- DOUBLE HUNG WINDOW.



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SCALE:	DRG NO:
1:100 @ A3	5739
DRAWN:	DATE:
EJ	14.04.26

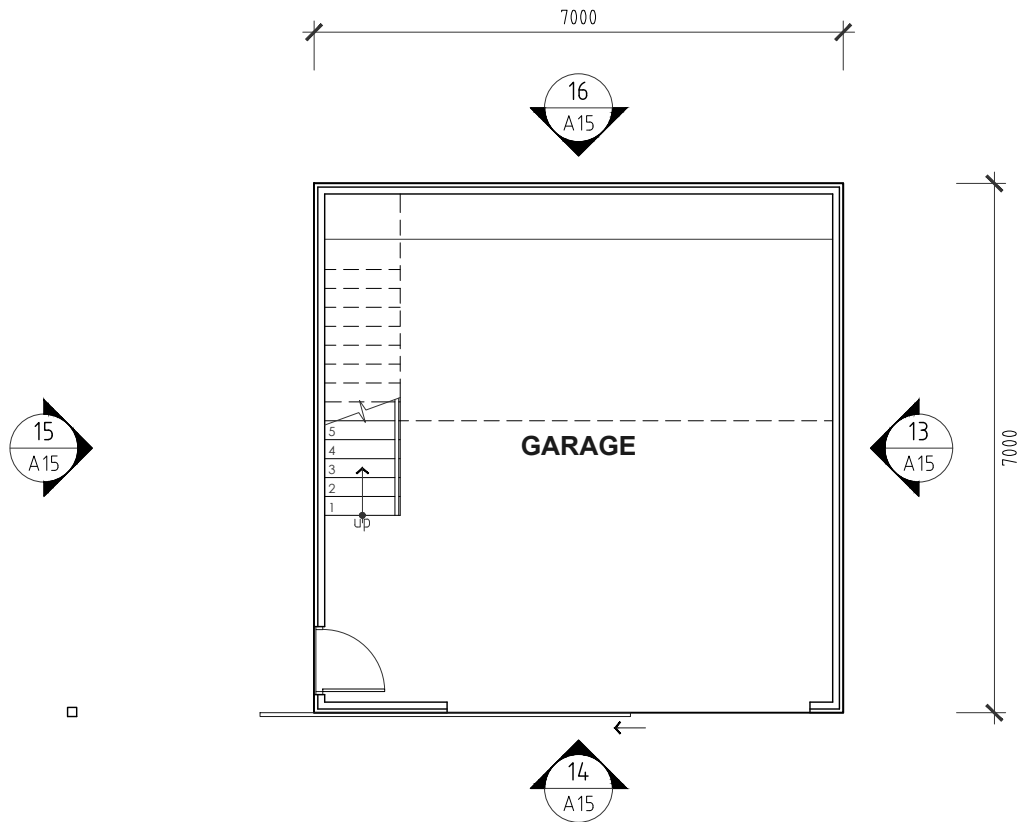
LEGEND	
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	140mm VERTICAL CLAD WALL ON TIMBER STUD WORK.
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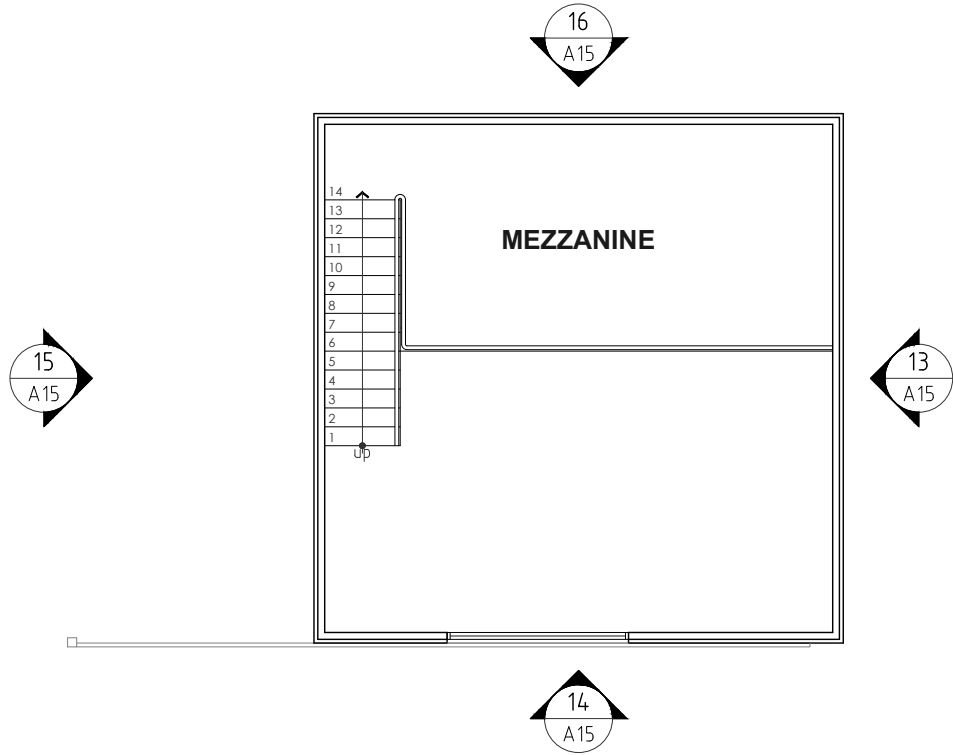
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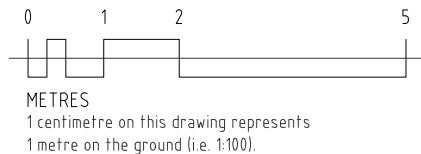
FLOOR FINISHES	
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CT	CERAMIC TILES AS SELECTED.
CU	CARPET & UNDERLAY AS SELECTED.
DB	DECKING BOARDS AS SELECTED (gaps to suit species).
OSF	OVERLAY TIMBER STRIP FLOORING.



PROPOSED GROUND FLOOR PLAN - GARAGE



PROPOSED MEZZANINE FLOOR PLAN - GARAGE



ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

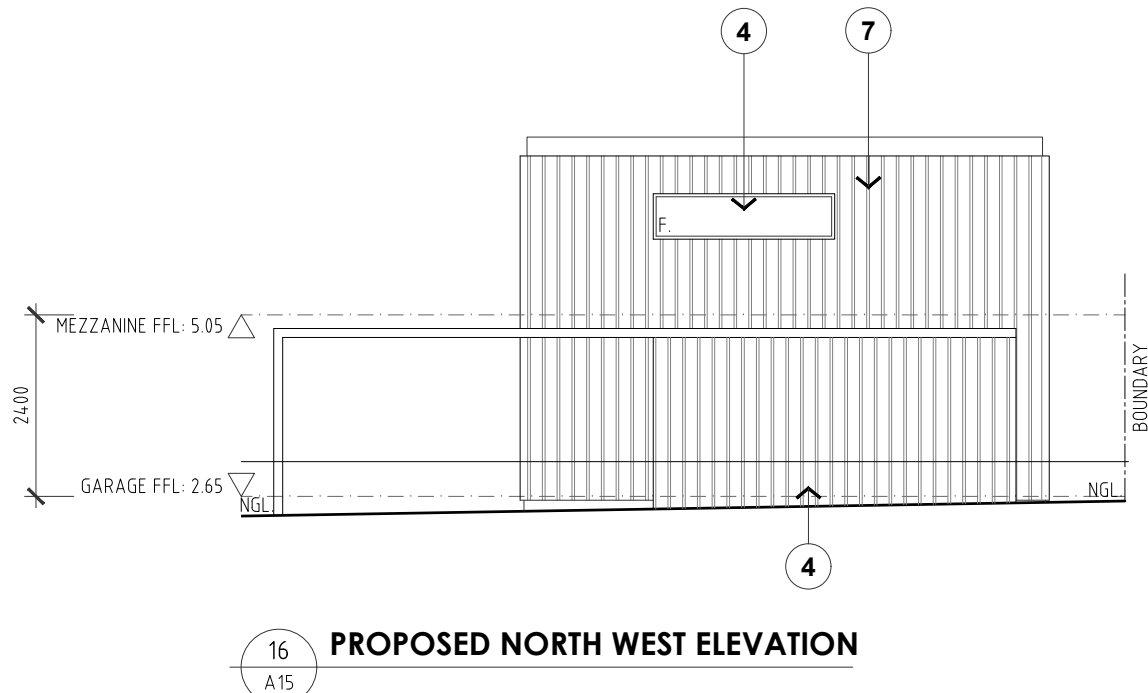
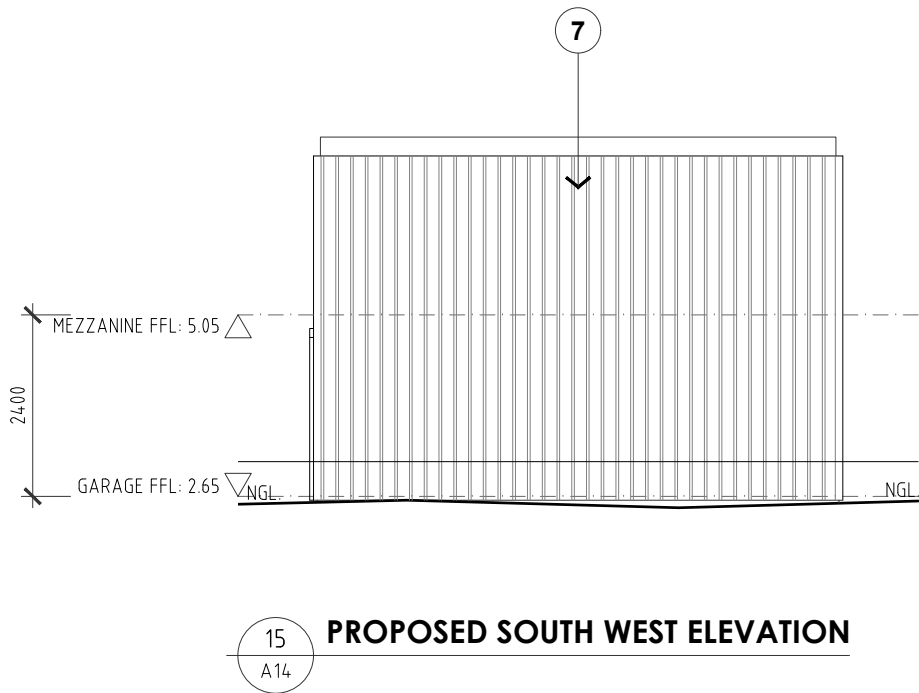
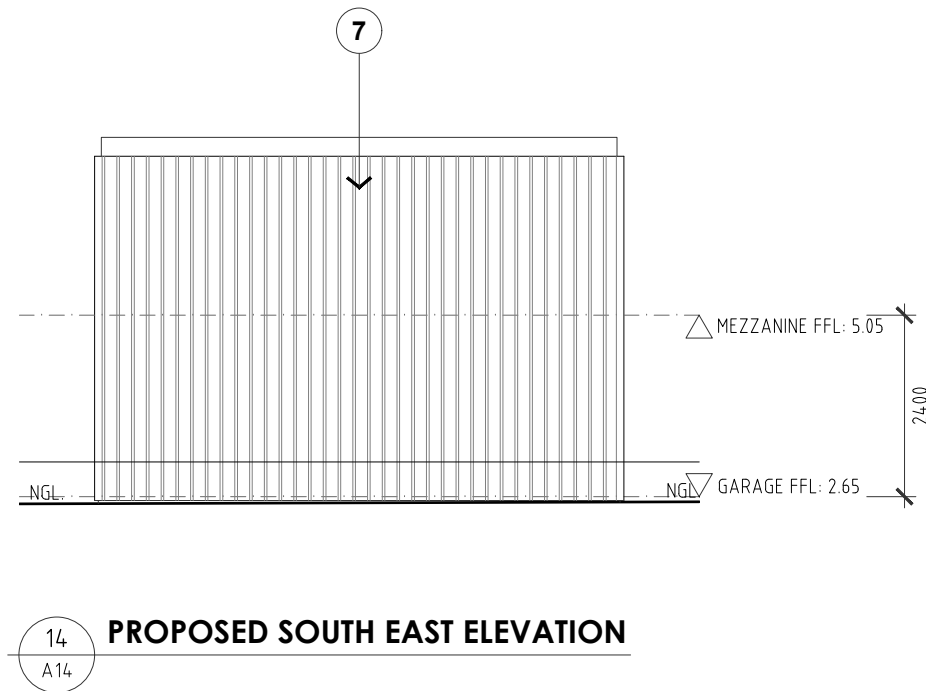
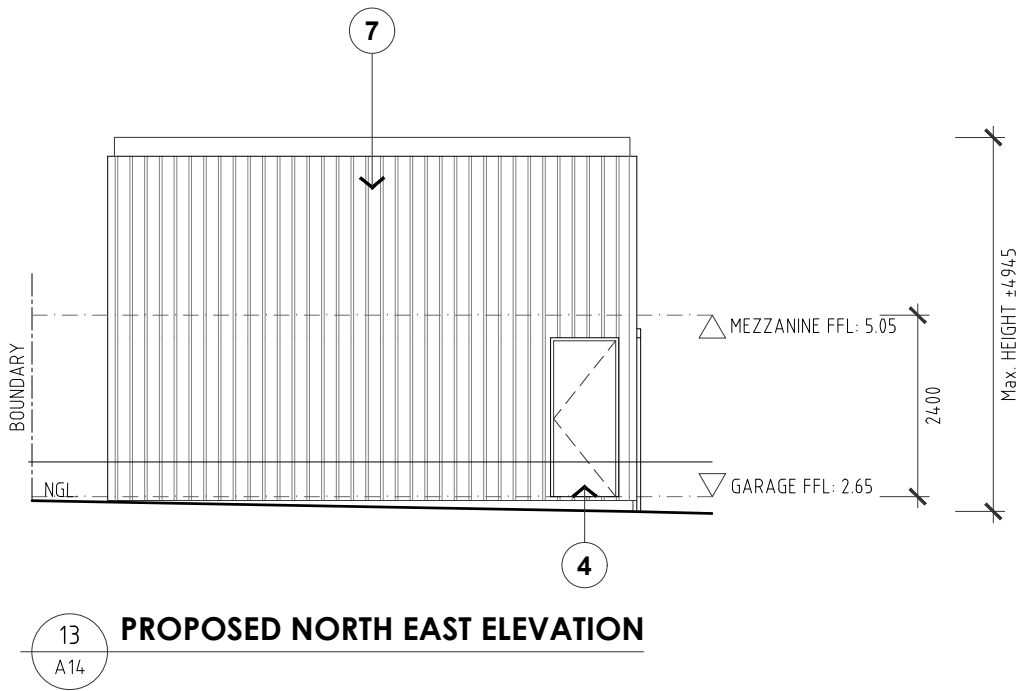
Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED FLOOR PLANS - GARAGE

DRG NO:	5739	A 14
SCALE:	1:100 @ A3	DATE: 14.04.26
DRAWN:	EJ	

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LEGEND	
ex.	- EXISTING WINDOW / DOOR.
A.	- AWNING WINDOW.
F.	- FIXED WINDOW.
GS.	- GLAZED SLING DOOR.
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ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED ELEVATIONS - GARAGE design:EAST registered trading name for design:EAST Pty. Ltd.

SCALE:	DRG NO:	DATE:
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DRAWN:		
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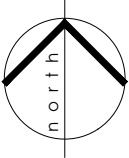
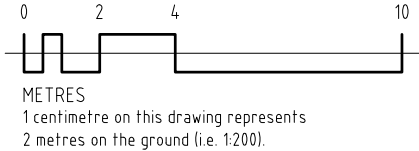
PLUMBING LEGEND	
MARK	DESCRIPTION
	SEWER PIPES TO BE DWV PVC-U CLASS SN6 @ Min. 1.65% (to AS/NZS 1260:2009).
	STORMWATER PIPES TO BE PVC-U Class SN4 @ Min. 1% (to AS/NZS 1254:2010).

ABSORPTION BED AS PER ON-SITE WASTEWATER REPORT BY ROCK SOLID GEOTECHNICS.

AERATED WASTEWATER TREATMENT SYSTEM AS PER ON-SITE WASTEWATER REPORT BY ROCK SOLID GEOTECHNICS.



PROPOSED DRAINAGE PLAN



PROPOSED STORMWATER TO ACTON CREEK. REFER TO DOYLE SOIL CONSULTING REPORT.

ISSUE	DESCRIPTION	DATE	DRAWN
A	PLANNING SET	14.04.26	EJ

Project:	PROPOSED ALTERATIONS AND ADDITIONS 24 ESPLANADE, SEVEN MILE BEACH GEORGINA FREEMAN
Drawing:	PROPOSED DRAINAGE PLAN

design:EAST registered trading name for design:EAST Pty. Ltd.

SCALE:	DRG NO:	DATE:
1:200 @ A3	5739 H01	14.04.26
DRAWN:		
EJ		

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EAST

design

building design and interior architecture

26/5/2026

Response to Request for Information: Stormwater Discharge Option

Following the Council's RFI dated 20 April 2026, we confirm **off-site discharge to Acton Creek** as the primary stormwater management strategy for the proposed extension at 24 Esplanade. This option is preferred to on-site absorption due to the high-water table (~1.3–1.4 m) and the limited area available for dispersal, which is also needed for parking. The site is also affected by significant inundation from Council's stormwater system, so on-site detention may be ineffective because the property already experiences surface water flows from an external source.

Proposed Stormwater Arrangement

The design will consolidate proposed roof runoff (catchment area of 320 m² into a single DN 150 drainage line (refer to site plan). This line will bypass the alternative proposed onsite absorption bed and discharge from a 400 mm pit located inside the property boundary to a headwall and out into Acton Creek, located to the east, west, and south of the property.

Erosion and Scour Protection

To address concerns regarding potential erosion at the discharge point, the outlet will be constructed with specific scour protection measures:

- **Riprap Protection:** A permanent, erosion-resistant ground cover of hard, angular, weather-resistant stone (riprap) will be installed at the pipe outlet.
- **Gradation:** The riprap will consist of well-graded stone to form a flexible, self-healing mass that adapts to the creek bank surface. Voids will be filled with smaller rocks to create a dense uniform cover.
- **Filter Layer:** A heavy-duty geotextile filter fabric will be placed beneath the riprap to prevent "piping" or soil loss from under the stone.
- **Installation:** The stone surface will be blended smoothly with the surrounding creek bank to ensure no protrusions interfere with the natural flow.

Design Specifications

- Pipe Specifications: DN 150 pipe as per AS3500 and Tasmanian Plumbing Code requirements.
- Hydraulic Capacity: The system is designed to accommodate ARI 1:20 rainfall events based on the IFD data for Seven Mile Beach.
- Headwall Construction: The outlet will utilize a standard concrete endwall with appropriate grout or rock pitching to secure the interface between the pipe and the creek bank.

Pipe Outlet and Headwall:

The DN150 (150 mm diameter) PVC pipe runs underground from the roof gutter areas to a 400 mm pit inside the site boundary. From there it flows to a headwall.

Position the headwall approximately 1 m back from the creek bank, dig no more than 200 mm below the pipe to install a precast concrete headwall structure embedded securely into the bank. Place geofabric around the base of the excavation.

The headwall will be approximately 800-900 mm wide and 500-700 mm tall, flush with the bank's slope. Refer to Tasmanian Municipal Standard Drawings (v3, Dec 2020) specifically TSD-SW17.

The pipe protrudes slightly (about 10–20 cm) beyond the headwall to direct flow away from the bank.

The headwall anchors the pipe and protects soil around the outlet from scour and erosion.

Riprap Protection:

Around the pipe outlet and extending downstream for around 1 metre, place riprap, which consists of well-graded, angular stones roughly 100–300 mm in diameter.

Riprap covers the soil surface to dissipate energy from the flowing water, preventing erosion. The riprap bed should extend upstream slightly onto the bank (around 1 m) and downstream into the creek bed.

Before placing riprap, lay a geotextile fabric on the soil surface to prevent soil from washing through the stones.

Bank and Site Preparation:

Excavate approximately 1 m back from the bank and grade the bank gently to accommodate the headwall and riprap.

Avoid steep slopes exceeding 1:3 (vertical: horizontal) near the outlet to prevent instability.

Ensure the pipe outlet angle guides water into the creek without forcing excessive turbulence against the bank.

Plant *Lomandra*, commonly known as mat-rush or sagg or similar plants, to further protect and stabilise the bank.

Additional Measures:

Inspect and maintain the riprap and outlet periodically, especially after heavy rain events.

Prepared by:**Robyn Doyle**

B.Agr.Sc.

CPSS (Certified Prof Soil Scientist)

Soil Scientist and Wastewater Designer**Licence no. CC7418**

Attachment 3



Photo 1: site viewed from Esplanade looking south-west



Photo 2: site viewed from Esplanade looking south

7.3 PLANNING APPLICATION PDPLANPMTD-2026/063032 – 2/38 FREDERICK HENRY PARADE, CREMORNE - CHANGE OF USE TO VISITOR ACCOMMODATION**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use to Visitor Accommodation at 2/38 Frederick Henry Parade, Cremorne.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Parking and Sustainable Transport Code, Natural Assets Code, Coastal Erosion Hazard Code, and the Safeguarding of Airports Code under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary use and/or 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 2025.

Council is required to exercise a discretion within the statutory period which expires on 23 September 2026.

CONSULTATION

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

- Property security and privacy impacts;
- Waste management;
- Impact on the residential function of the strata scheme;
- Noise impacts;
- Safety and fire risk; and
- Impacts upon shared driveway.

RECOMMENDATION:

A. That the Planning Application for Change of Use to Visitor Accommodation at 2/38 Frederick Henry Parade, Cremorne (Cl Ref PDPLANPMTD-2026/063032) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. No more than six guests are approved for Visitor Accommodation use of the site at any time.

- B. That in addition to standard advice, the following advice be provided to the proponent:
- a. Short Term/Visitor Accommodation:
A Building Self-Assessment Form is required to be submitted for the Short or Medium-Term Visitor Accommodation. To obtain a copy of the form, please contact the Building Team on 6217 9580.
 - b. The use is not to cause an environmental nuisance to the owners or occupiers of land in the surrounding area by reason of noise, smell, fumes, dust or other pollutants emanating from the site.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

Four multiple dwellings were constructed on the site in 2019.

Council issued a planning permit for a Change of Use to Visitor Accommodation for one of the multiple dwellings on the site (1/38 Frederick Henry Parade) in May 2023 (Cnl ref PDPLANPMTD-2023/034665).

The current proposal relates to the second (from the north) of the multiple dwelling property.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Low Density Residential under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 5.6 – Compliance with Applicable Standards;
- Section 6.10 – Determining Applications;
- Section 6.11 – Conditions and Restrictions on a Permit;

- Section 10.0 – Low Density Residential Zone; and
- Section C2.0 – Parking and Sustainable Transport Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a residential property within the Cremorne settlement. The majority of the site is occupied by four conjoined multiple dwellings. The site has frontage to Frederick Henry Parade on its western boundary. Only a reserve separates the site from Cremorne Beach to the east. The site is at the eastern edge of an established residential area. There are mostly single dwellings within this area, although there are multiple dwellings to the north-west of the site, on the opposite side of Frederick Henry Parade.

3.2. The Proposal

The proposal is to change the use of one of the multiple dwellings on the site to Visitor Accommodation. The dwelling that is the subject of the application is the second northernmost dwelling on the site. The dwelling has a total floor area of approximately 286m² across two levels.

The proposed use would rely upon existing car parking provided by an internal garage. No development is proposed.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

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

4.2. Determining Applications [Section 6.10]

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

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

References to these principles are contained in the discussion below.

4.3. General Provisions

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions. There are no General Provisions relevant to the assessment of this proposal.

4.4. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Low Density Residential Zone and the applicable Codes, with the exception of the following.

Low Density Residential Zone

- **Clause 10.3.2 Visitor Accommodation** – The proposal does not comply with the acceptable solution A1 for clause 10.3.2 because the proposed visitor accommodation would have a gross floor area of more than 200m².

The application must therefore be assessed against the Performance Criterion P1 for clause 10.3.2.

Performance Criteria	Assessment
<i>“Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</i> <i>a) the privacy of adjoining properties;</i> <i>b) any likely increase in noise to adjoining properties;</i> <i>c) the scale of the use and its compatibility with the surrounding character and uses within the area;</i> <i>d) retaining the primary residential function of an area;</i> <i>e) the impact on the safety and efficiency of the local road network; and</i> <i>f) any impact on the owners and user’s rights-of-way.”</i>	The proposal is assessed as satisfying the Performance Criterion based on the following. The proposal is considered unlikely to have an unreasonable impact upon the privacy of adjoining properties as the proposal does not include any new built element that would potentially decrease privacy. While the existing dwelling includes attached decks, screens are provided at the edges of these decks that face the similar decks of the adjoining dwellings. It is also noted that each dwelling on the site has separate access from the parking provided by the respective garage on the lower ground floor, which would reduce the opportunity for interaction between visitor accommodation guests and residents. While the subject dwelling has a larger floor area than that generally found within the surrounding area, a maximum number of six guests is proposed. This is considered reasonably likely to be comparable to residential scale of use, particularly for dwellings with three bedrooms. A condition is recommended to restrict the maximum number of guests to six. The proposal would not significantly affect the primary function of the surrounding area, which would continue to be predominately residential use. Given the limited scale of the proposed use, it is considered unlikely to have a significant impact upon the local road network. The proposal would not generate significantly more vehicle movements on the site when compared with the approved use of the subject dwelling, as evident in the lower parking number required for the proposed use. The proposal would have no impact upon the owners and users of a right-of-way.

Low Density Residential Zone

- **Clause 10.3.2 Visitor Accommodation** – The proposal does not comply with the acceptable solution A2 for clause 10.3.2 because the proposed visitor accommodation is for a strata lot that is part of a strata scheme and another lot within this scheme is used for a residential use.

The application must therefore be assessed against the Performance Criterion P2 for clause 10.3.2.

Performance Criteria	Assessment
<i>“Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots within the strata scheme, having regard to:</i> a) <i>the privacy of residents;</i> b) <i>any likely increase in noise;</i> c) <i>the residential function of the strata scheme;</i>	The proposal is assessed as satisfying the Performance Criterion based on the following. As discussed above, the proposed change of use is considered unlikely to cause a loss of privacy, as existing features such as privacy screens would be maintained. Similarly, the recommended condition limiting the use to six guests is expected to lessen the impact on amenity to typical residential levels. The proposal is therefore considered unlikely to cause an unreasonable loss of residential amenity to long term residents on the site. TASCAT considered the term “residential function” in the context of a proposed change of use to visitor accommodation in <i>Rich Tapestry Pty Ltd v Hobart City Council</i>. In its decision regarding this appeal, the Tribunal took the view that the term “looks to the function of the body corporate”. There is no evidence available to show that the proposed use would affect the function of the body corporate operating on the site. The Tribunal also considered impacts upon long-term residents and the use of common areas, when considering the impact of visitor accommodation upon residential function.

	The Tribunal found that these impacts are limited where long-term residents enjoy a high degree of privacy, and lots within a strata scheme are designed to be largely self-contained or separate, as is the case in the current proposal. Therefore, the proposal is considered unlikely to significantly affect the residential function of the strata scheme on the site.
d) <i>the location and layout of the strata lots;</i>	While the strata lots on the site are located adjacent to each other, its layout is considered to reduce the potential for loss of residential amenity to long term residents. This layout allows for separate access to each dwelling with the only common area being a driveway and small garden area between the building and the site frontage. The respective areas of private open space provided for each of the dwellings are separated by screens and there are no windows that face toward other dwellings on the site.
e) <i>the extent and nature of any other non-residential uses; and</i>	There is already a non-residential use on the site, in the form of the visitor accommodation at 1/38 Frederick Henry Parade. However, as the strata lots on the site are designed to be largely self-contained, an additional non-residential use is considered unlikely to cause an unreasonable loss of residential amenity to long term residents on the site.
f) <i>any impact on shared access and common property.”</i>	In terms of the access and parking arrangements, the limited scale of the proposed use and the requirement for one parking space for the proposed visitor accommodation use, it is considered unlikely to have a significant impact upon the shared vehicular access to the site owing to the proposal not generating significantly more vehicle movements than the current residential use, and parking must be contained within the unit entitlement for the site. Similarly, the proposal is considered unlikely to have a significant impact upon other common areas on the site, given that these are generally limited to small garden beds between the driveway and the site frontage.

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. Property Security and Privacy Impacts

The representations raise concern about the impact of visitor accommodation upon the security and privacy of the subject property. The representations raise particular concern regarding the impact of the proposal upon the security and privacy of outdoor areas on the property. The representations suggest that guests should be provided with the code to the security gate that provides access to the property and that the design of the development allows for access between the outdoor areas at the rear of the development, which leads to trespassing upon long-term residences.

- **Comment**

While property security is not a matter directly considered in the planning scheme, there is potential for security and privacy issues to impact upon residential amenity, which is a relevant matter in the assessment of the proposal. While it is the responsibility of the owner/operator to inform guests of the areas accessible to them, on-site wayfinding signage and other identification of the different areas on the property would be beneficial, as would increased access control measures such as on-site fencing between areas used for visitor accommodation and those used by long-term residents. Although, such measures are expected to be exempt from requiring a planning permit and can be effectively dealt with through the body corporate.

5.2. Waste Management

The representations raise concern about the impact of visitor accommodation upon the waste management arrangements on the subject property. Specifically, the representations suggest that given that there is no on-site manager for the visitor accommodation, long-term residents are often responsible for placing the existing visitor accommodation's kerbside bins on the street for collection. The representations also suggest that waste will accumulate on the site and that this will attract vermin if the long-term residents on the site do not place the bins for collection.

- **Comment**

The waste-storage areas approved under D-2018/579 allow for individual bins to each unit, on the frontage boundary and as described in the representation. This allows for responsibility to align clearly with the corresponding landowner/operator of the visitor accommodation and should be managed accordingly.

5.3. Impact on the Residential Function of the Strata Scheme

The representations suggest that approving a second visitor accommodation use on the site would significantly alter the residential function of the strata scheme on the property. The representations suggest that if 50% of the four original dwellings on the site is used for visitor accommodation, then this would change the function of the development from a residential function to a mixed-use function.

- **Comment**

While impacts upon the function of the strata scheme upon the site are a relevant matter when considering the proposed change of use, the Tribunal has previously taken a relatively narrow view regarding what impacts are relevant when considering visitor accommodation that is proposed alongside residential use. As discussed earlier, the Tribunal has previously found that assessment of this impact should be limited to a consideration of whether the proposal would alter the function of the body corporate operating on the site. The Tribunal also found that where there is a high degree of privacy and separation between the lots on a strata scheme, then there is less likely to be significant impact upon the residential function of the scheme.

5.4. Noise Impacts

The representations raise concern regarding noise impacts as a result of visitor accommodation use on the site. Specifically, the representations state that use of outdoor areas, including use of the hot tubs included in these areas, results in noise impacts upon long-term residents on the site.

- **Comment**

Given proximity of the external areas at the rear of the development to each other, there is potential for use of these areas to impact upon each other and adjacent residences. The screening provided between the areas provides visual privacy and separation, and the recommended condition would limit the potential for noise impacts through limiting the number of guests, as further assessed above against Clause 10.3.2.

Any additional measures that have not and cannot be addressed under the Scheme, can alternatively be addressed through the body corporate. It is therefore recommended that representors raise their concerns in this forum, given the powers afforded under the *Strata Title Act 1998*, including that of imposing by-laws. It is additionally noted that noise impacts are not exclusive to visitor accommodation use and can equally arise from residential use. In either case, these are a matter that fall squarely within the nuisance provisions of the *Environmental Management and Pollution Control Act 1994*, rather than LUPAA. Advice about environmental nuisances is included on the permit.

5.5. Safety and Fire Risk

One of the representations suggests that the proposal will increase fire risk, citing an incident involving the current visitor accommodation use on the property. The representation states that the current application does not include a safety or management plan that details how any increase in fire risk as a result of the proposed change of use would be mitigated.

- **Comment**

Fire risk in this context is not within the scope of the Scheme. However, provisions for fire safety may apply under the *Building Act 2016*. Advice is recommended to consult a Building Surveyor given a floor area greater than 200m².

5.6. Impacts upon Shared Driveway

One of the representations suggests that further visitor accommodation use on the site would exacerbate existing issues with use of the shared driveway on the site. The representation suggests that guests staying at the existing visitor accommodation on the property have parked within the driveway, interfering with access to long-term residences on the property.

- **Comment**

The layout of the dwellings on-site provides 'guest/visitor parking in a jockey configuration in front of each dwelling, as shown on the proposal plans. Parking for the proposed visitor accommodation use is to be within the two-car garages associated with the dwelling. In addressing this ongoing concern, it is the responsibility of the owner/operator to inform guests of the parking spaces available to them, and to manage this issue via the body corporate, if required.

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 and furthers the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

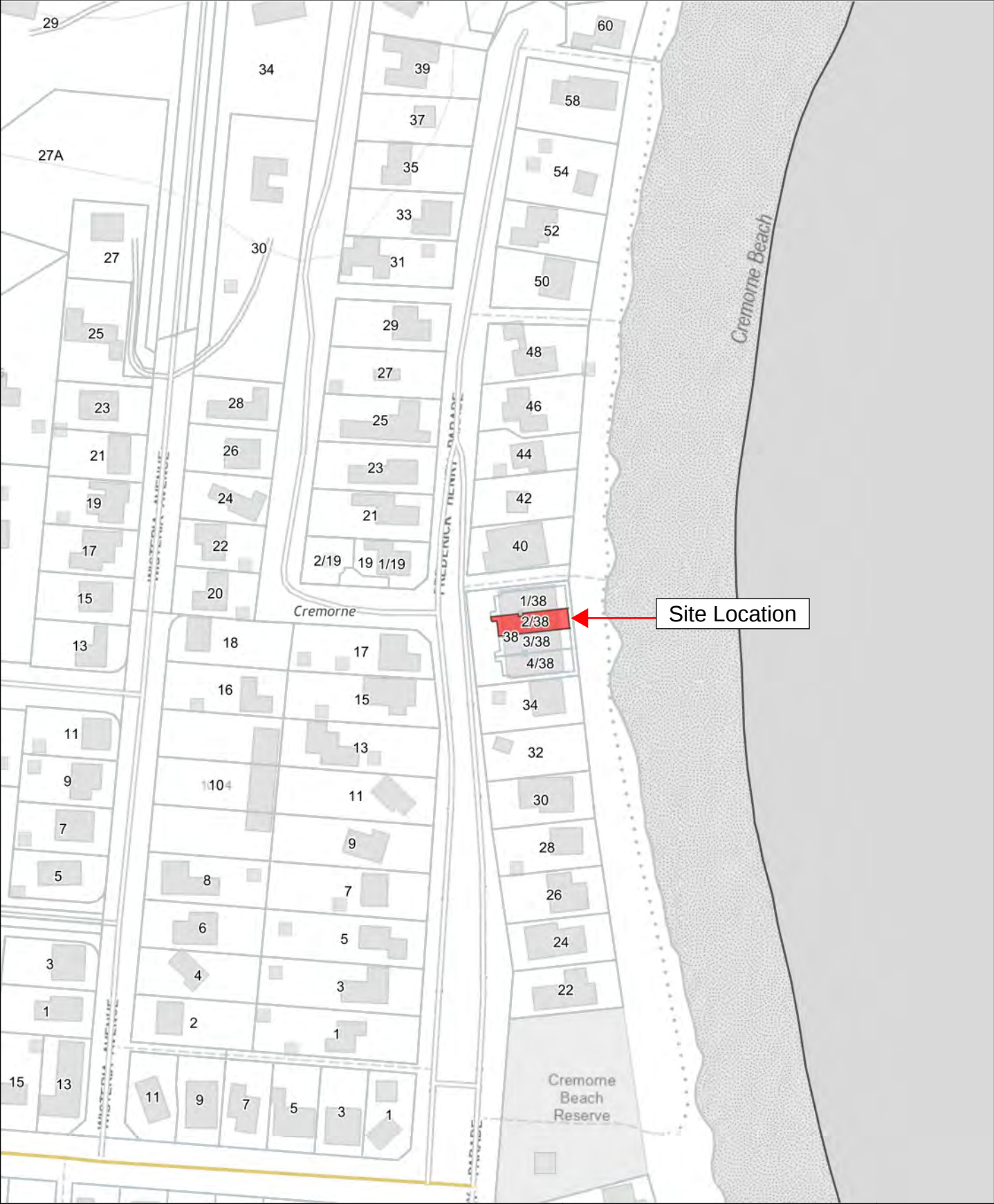
9. CONCLUSION

The proposal is recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (5)
3. Site Photo (2)

Daniel Marr
HEAD OF CITY PLANNING

Attachment 1



	This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.	03/09/2026	
		1:2000	

AREAS:

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

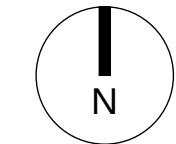
DWELLING 2 & 3 AREAS:
PROPOSED LOWER LEVEL GARAGE = 57.40M2
PROPOSED GROUND FLOOR LIVING = 147.33M2
PROPOSED GROUND FLOOR DECKS/TERRACES = 51.94M2
PROPOSED FIRST FLOOR LIVING = 138.59M2 (INCLUDING VOID AREA)
PROPOSED FIRST FLOOR DECK = 5.02M2

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

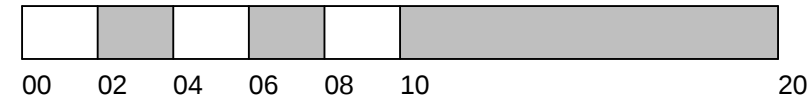
SITE AREA (LOT 161/54550) = 724.6M2M2
SITE AREA (LOT 162/54550) = 724.6M2M2
TOTAL SITE AREA = 1,449.2M2

LEGEND:

- [Hatched Box] = PROPOSED DWELLING
- [White Box] = PROPOSED DECK
- [Dashed Box] = EXISTING DWELLING (TO BE DEMOLISHED)
- [Dotted Line] = ROOF, EAVE OR STRUCTURE OVER
- [Contour Line] = EXISTING GROUND CONTOUR LINE AND RL

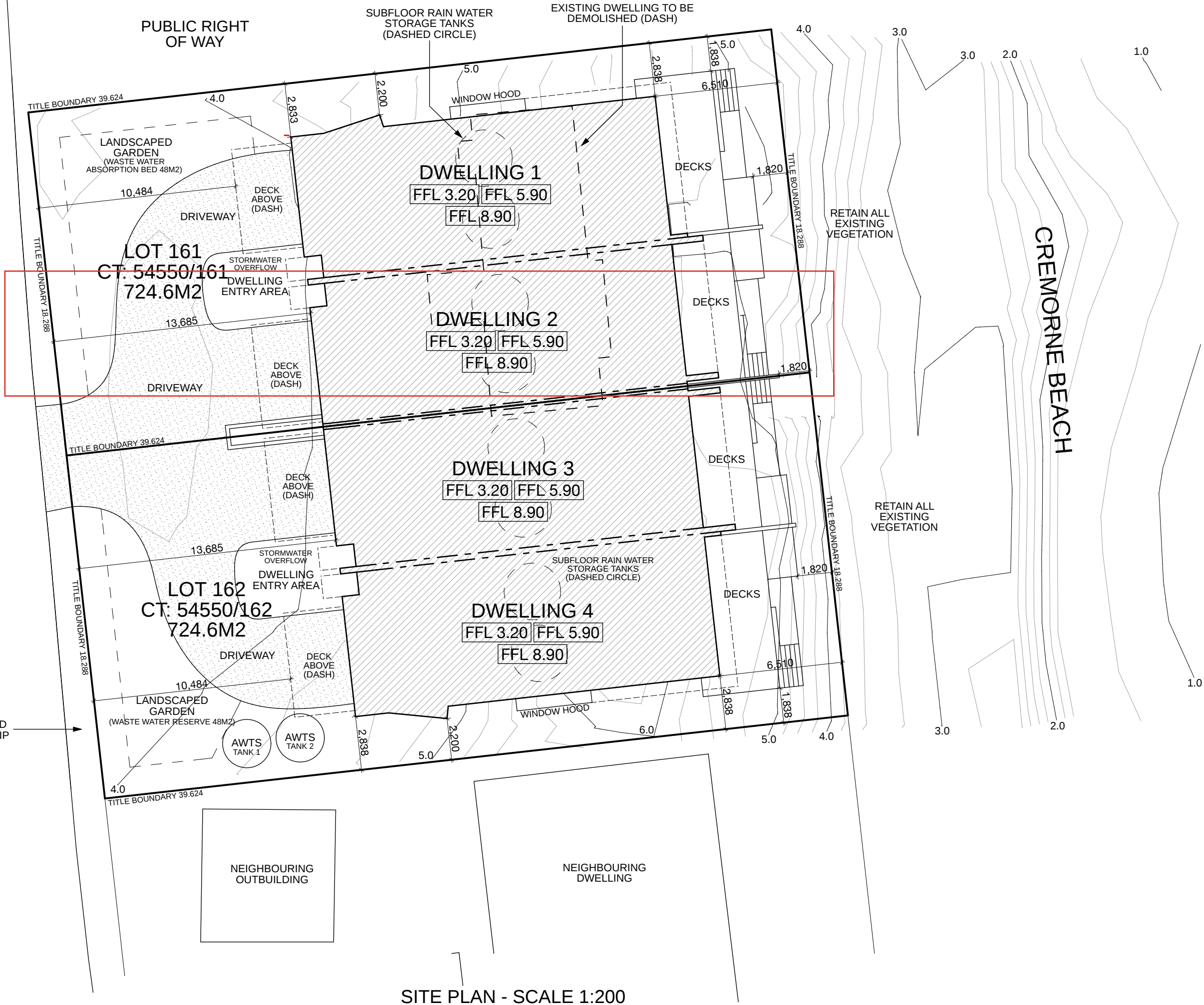


SCALE:



FREDERICK HENRY PARADE

LANDSCAPED NATURE STRIP



SITE PLAN - SCALE 1:200

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

SHEET 02

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

SITE PLAN

Drawn XW CC:1660

Scale - 1:200 (A2)

Date: OCT 2018

Checked

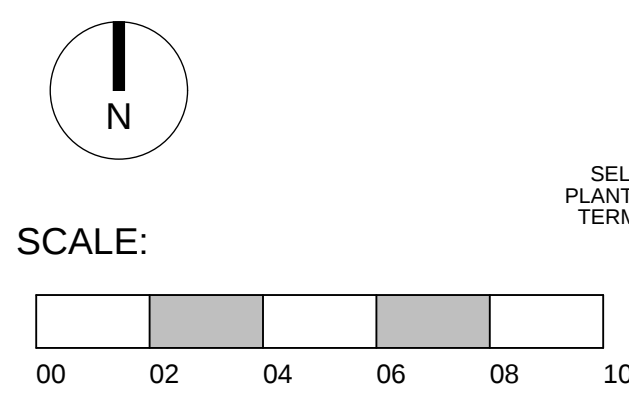


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info@dwadesign.com.au

FREDERICK HENRY PARADE

CREMORNE BEACH

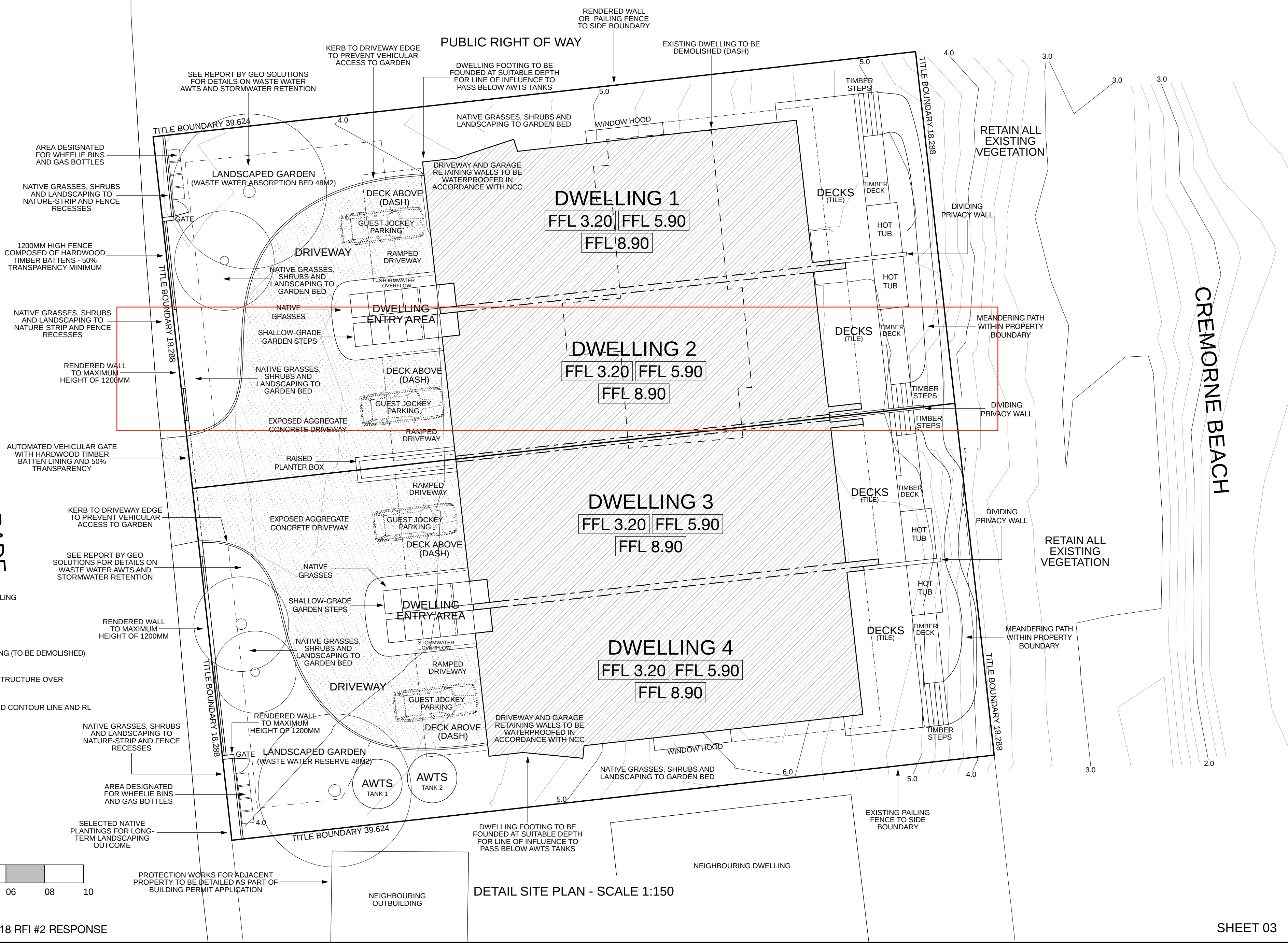
- LEGEND:
- [Hatched Box] = PROPOSED DWELLING
 - [White Box] = PROPOSED DECK
 - [Dashed Box] = EXISTING DWELLING (TO BE DEMOLISHED)
 - [Dotted Line] = ROOF, EAVE OR STRUCTURE OVER
 - [Line with *] = EXISTING GROUND CONTOUR LINE AND RL



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

PROPOSED DEMOLITION AND NEW DWELLINGS 36-38 FREDERICK HENRY PARADE, CREMORNE	DETAIL SITE PLAN	Drawn XW CC:1660	Scale - 1:150 (A2)	DW+  PO Box 4564, Bathurst Street Hobart, TAS 7000 P: 0362 348777 F: 0362 348988 info@dwadesign.com.au
		Date: OCT 2018	Checked	

DETAIL SITE PLAN - SCALE 1:150



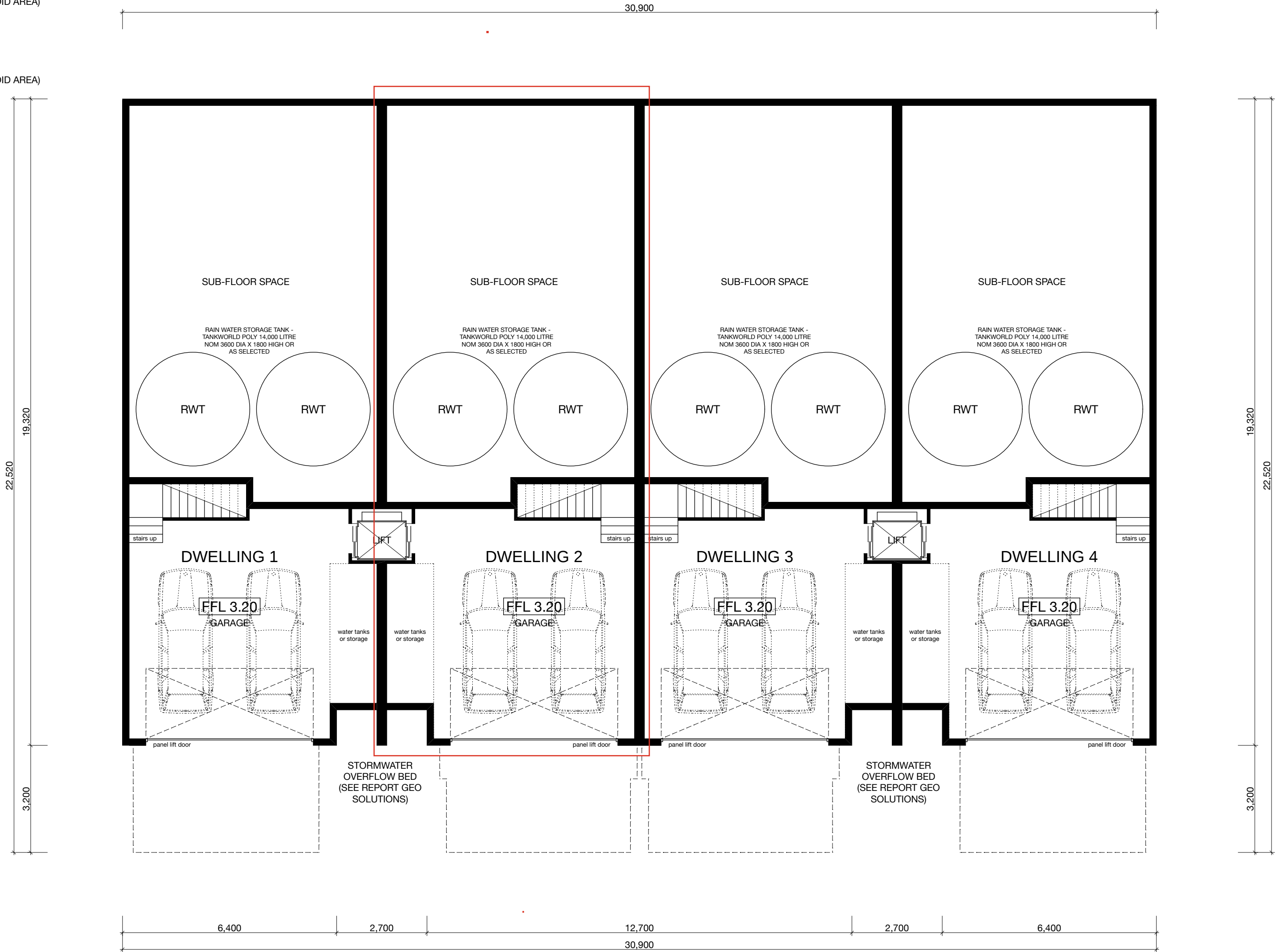
AREAS:

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

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PROPOSED GROUND FLOOR LIVING = 147.33M2
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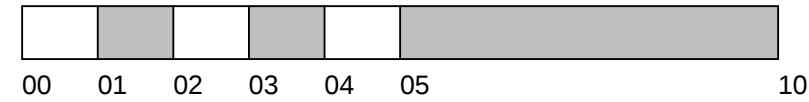
EXISTING DWELLING TO BE DEMOLISHED = 103.24M2
EXISTING OUTBUILDINGS TO BE DEMOLISHED = 17.77M2

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



LOWER GROUND FLOOR PLANS

SCALE:



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

SHEET 04

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

FLOOR PLANS

Drawn XW CC:1660

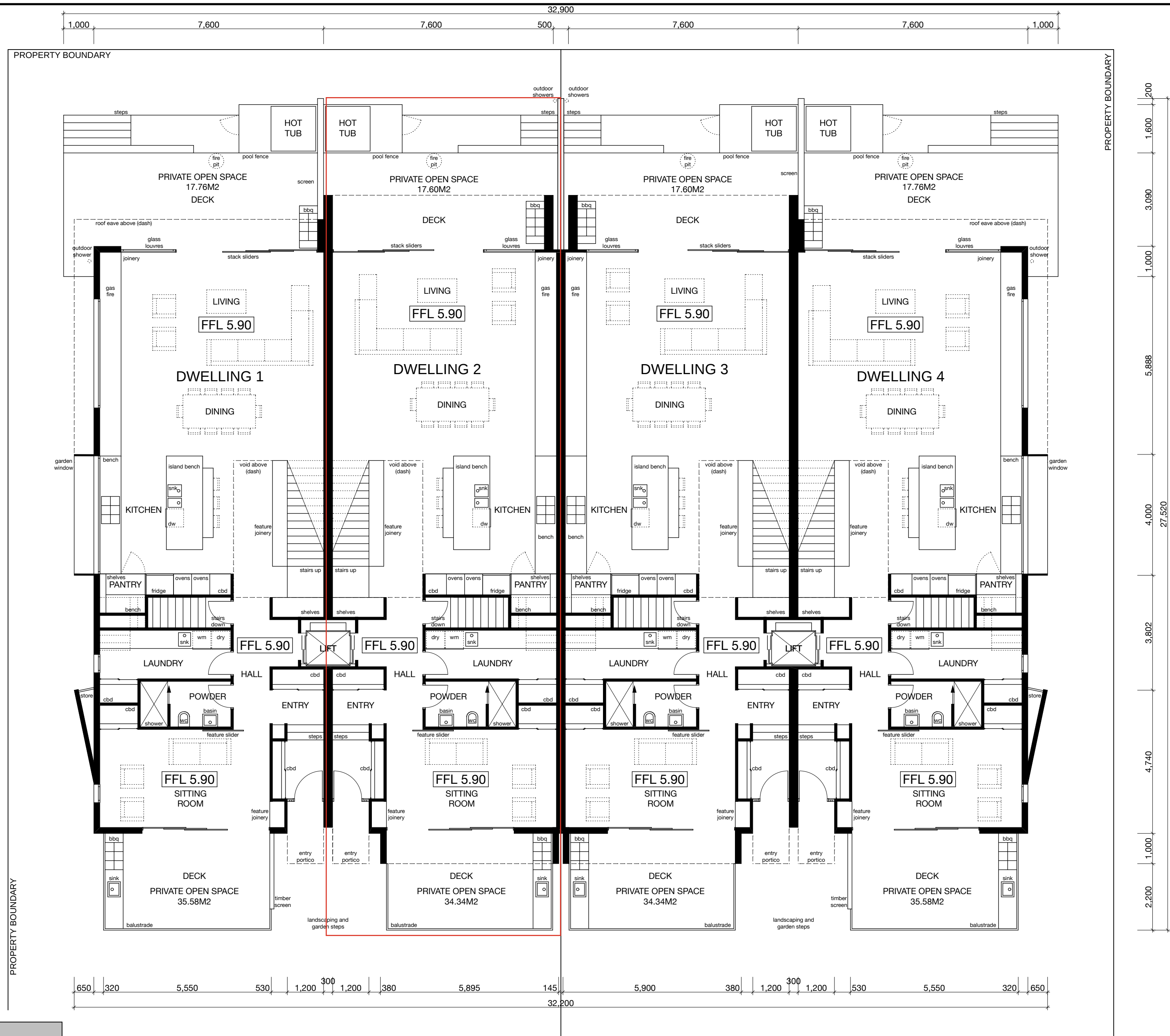
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Date: OCT 2018

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

FLOOR PLANS

Drawn XW CC:1660

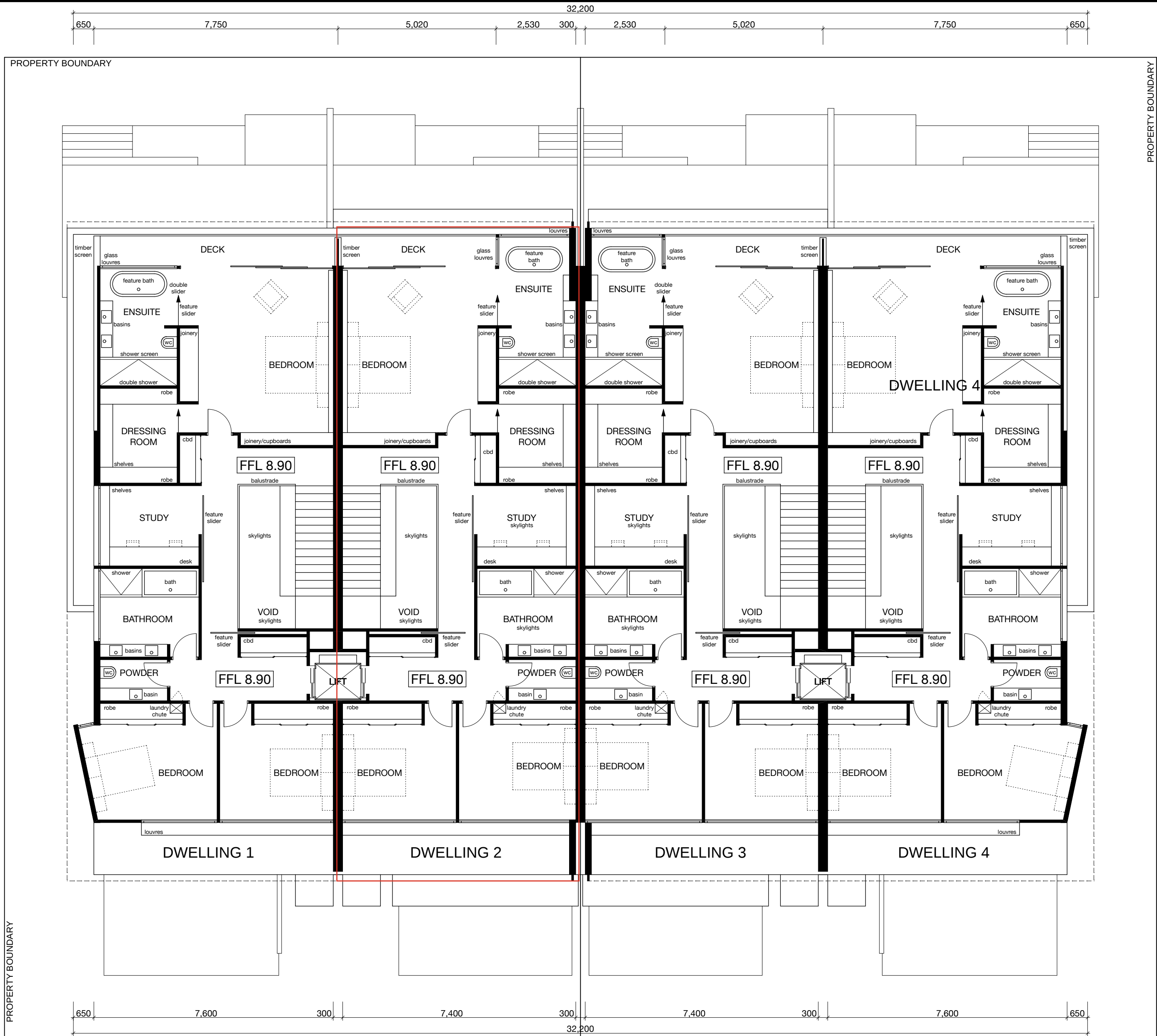
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Date: OCT 2018

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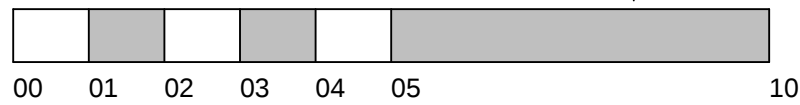
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FIRST FLOOR PLANS

SCALE:



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

SHEET 06

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

FLOOR PLANS

Drawn XW CC:1660

Scale - 1:100 (A2)

Date: OCT 2018

Checked

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Attachment 3



Figure 1: looking west



Figure 2: looking south-east



Figure 3: Unit 2 close-up, looking east



Figure 4: Unit 2 close-up, looking east



Figure 5: looking east

7.4 PLANNING APPLICATION PDPLANPMTD-2026/061513 – 23 AND 25 HILL STREET, BELLERIVE - THREE MULTIPLE DWELLINGS (ONE EXISTING AND TWO NEW) AND BOUNDARY ADJUSTMENT**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Three Multiple Dwellings (One Existing and Two New) and Boundary Adjustment at 23 and 25 Hill Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport Code and the Safeguarding of Airports Code under the *Tasmanian Planning Scheme - Clarence* (the Scheme). In accordance with the Scheme the proposal is a Discretionary use and/or 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 2025.

Council is required to exercise a discretion within the statutory period which expires on 23 September 2026.

CONSULTATION

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

- Overshadowing and Loss of Sunlight;
- Visual Bulk and Impact on Residential Amenity;
- Building Height and Impact on Character; and
- Loss of Privacy and Overlooking.

RECOMMENDATION:

A. That the Planning Application for Three Multiple Dwellings (One Existing and Two New) and Boundary Adjustment at 23 and 25 Hill Street, Bellerive (Cl Ref PDPLANPMTD-2026/061513) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The development must meet all required Conditions of Approval specified by TasWater notice dated 9 July 2026 (TWDA 2026/00572-CCC).

3. On completion of the dwellings, the proponent/landowner must provide to Council confirmation that the dwellings are constructed as approved under this permit. This confirmation must include a survey plan from a registered land surveyor that shows the dwellings as constructed are within the building envelope prescribed in clause 8.4.2 of the Tasmanian Planning Scheme and shows the dwelling heights relative to the site boundaries.
 4. Prior to the occupancy or completion (whichever occurs first) of the additional dwellings, the sealing of the final plan for the boundary adjustment must have occurred and be lodged with the Recorder of Titles.
 5. The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council's CEO or delegated officer.
- 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

Council assessed an application for a similar proposal for the site in 2020 (see PDPLANPMTD-2020/006697). While Council refused the application, the applicant appealed this decision to the Tasmanian Civil and Administrative Tribunal. The parties agreed to reverse this decision after the applicant provided amended plans that ensured that the proposed dwellings would be contained within the prescribed building envelope. A Planning Permit for the proposal was issued in July 2022. As this permit has since lapsed, the current application again seeks approval for the previously amended plans.

2. STATUTORY IMPLICATIONS

- 2.1. The land is zoned General Residential under the Scheme.
- 2.2. The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3. The relevant parts of the Planning Scheme are:
 - Section 5.6 – Compliance with Applicable Standards;
 - Section 6.10 – Determining Applications;

- Section 8.0 – General Residential Zone; and
- Section C2.0 – Parking and Sustainable Transport Code and C16.0 - Safeguarding of Airports Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is comprised of two residential lots within the suburb of Bellerive. The lots are rectangular in shape, and both have areas of 761m². The lots have frontage to Hill Street on its northern boundaries. There are dwellings on both of the lots that have been constructed relatively close to the respective frontage. There are areas of private open space to the south and rear of the dwellings. The land falls from the frontages to the rear of site – i.e. there is a drop of approximately 7m from the adjacent street level to the rear boundaries of the lots. The lots have a southerly aspect.

The site is surrounded by established residential use and development. There are single dwellings on the nearby, similar sized properties to the east and west of the site, that have a setback from frontage similar to that found on the site. There is a larger residential property to the north of the site, on the opposite side of Hill Street. There are multiple dwellings to the north-east of the site, also on this side of Hill Street. There are also multiple dwellings on the adjoining land to the south and to the south-east of the site.

3.2. The Proposal

The proposal is to construct two multiple dwellings to the rear of the existing dwellings on the site. The proposed dwellings would be two storey and would have generally similar floor areas of approximately 191m². The dwellings would each have a garage on the lower level that would provide two parking spaces. Two bedrooms and a bathroom are also proposed on the lower level of each dwelling.

The upper level of each dwelling would include the kitchen, living areas, and a larger bedroom. Attached decks are also proposed on this level on the western side of the respective dwelling.

Proposed external materials include brick veneer walls on the lower levels with light weight cladding on the upper levels. Flat, metal sheet roofs are proposed. A sewer main within the rear of the property would be relocated so that it is generally contiguous with the rear boundary. A driveway would be constructed from the existing access point to 25 Hill Street to provide access to the proposed dwellings. The proposed driveway would pass between the existing dwellings.

The proposal also includes a boundary adjustment between the lots that make up the site. This adjustment would effectively transfer an area of 310m² from the 23 Hill Street property to the 25 Hill Street property, resulting in a lot with an area of 1070m². This transfer would allow for the existing dwelling on the latter property and the proposed dwellings to be contained within the same title. The proposed boundary adjustment would also allow for the proposed driveway to be contained within this title. The existing dwelling at 23 Hill Street would be retained within a separate, smaller title with an area of 451m².

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

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

4.2. Determining Applications [Section 6.10]

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

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

References to these principles are contained in the discussion below.

4.3. General Provisions

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

There are no General Provisions relevant to the assessment of this proposal. This is because the proposed boundary adjustment did not meet the requirements of General Provision 7.3 and is assessed under the subdivision standards of the zone.

4.4. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone and the applicable Codes with the exception of the following.

- **Clause 8.4.6 Privacy for All Dwellings** – the proposal includes a deck that would have a finished surface level more than 1m above existing ground level that would be less than 6m from the habitable windows of another dwelling on the site. The attached deck proposed on the upper level of Unit 2 would be less than 6m from the habitable room windows within the eastern elevation of Unit 3. The deck would not be provided with a permanently fixed screening along the side facing these windows. The proposal must therefore be assessed against Performance Criteria P1 of Clause 8.4.6.
- The proposal includes a shared driveway that would be less than 1m from habitable room windows. The part of the proposed driveway that would pass between the existing dwellings on the site would be less than 1m from a habitable room window within the western elevation of Unit 1. The proposal must therefore be assessed against Performance Criteria P3 of Clause 8.4.6

Performance Criteria	Assessment
“8.4.6 Privacy for All Dwellings	The proposal is assessed as satisfying the performance criteria as outlined below.
P1 <i>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</i> (a) <i>a dwelling on an adjoining property or its private open space; or</i> (b) <i>another dwelling on the same site or its private open space.”</i>	The habitable room windows within the eastern elevation of Unit 3 that would face toward the deck on the upper level of Unit 2 would be highlight windows. While there would be other windows within this elevation, it would not be to habitable rooms. The highlight windows would be narrow, with a head to sill height of approximately 0.5m. The windows would have a sill height above floor level of approximately 1.7m. Therefore, the proposal is assessed as having limited opportunity for overlooking of habitable room windows within Unit 3 from the deck proposed on the upper level of Unit 2. The Unit 2 deck would have the separation from areas of private open space required by the acceptable solution (i.e. 6m), so is taken to be designed to minimise overlooking of these areas.
“P3 <i>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.”</i>	The habitable room window within Unit 1 that would be adjacent to the proposed shared driveway has a minimum sill height above natural ground level (NGL) of approximately 1.1m. The submitted plans suggest that opaque film would be applied to the lower parts of this window. The parts without opaque film would therefore have a minimum sill height above NGL of approximately 1.8m. The Unit 1 window would be parallel to the direction of travel of vehicles using the proposed shared driveway. This window is therefore less likely to be affected by vehicle light intrusion. While the window may be affected by vehicle noise intrusion this would be reduced by the limited number of vehicles using the shared driveway i.e., the driveway would provide access to only two dwellings so would not carry a large number of vehicles.

5. REPRESENTATION ISSUES

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

5.1. Overshadowing and Loss of Sunlight

All of the representors raise concern regarding the overshadowing impact of the proposal. Specifically, the representors highlight the likely impacts of a loss of sunlight to habitable rooms during winter periods, including impacts on heating and lighting.

- **Comment**

The relevant planning scheme standard that provides controls over the overshadowing impacts of proposed dwellings is clause 8.4.2 *Setbacks and building envelope for all dwellings*. The objective of this standard includes that:

“The siting and scale of dwellings:

...

(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space;”

The acceptable solution A3 for clause 8.4.2 requires dwellings to be contained within a building envelope. As noted in the background section of the report, the original plans for the site were revised to ensure that the proposed dwellings would be contained within this building envelope.

Clause 5.6.3 of the planning scheme states that complying with a relevant standard consists of either complying with the acceptable solution or satisfying the performance criterion for that standard.

Therefore, while the proposal will clearly have an overshadowing impact upon the adjoining properties to the south, it is considered to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space, as the relevant acceptable solution is satisfied.

It is noted that the eaves of the proposed dwellings would not be contained within the building envelope determined relative to the site's southern and eastern boundaries. While this limited encroachment is allowed for by the acceptable solution A3 for clause 8.4.2, it indicates that the dwellings would not be contained within the building envelope if there is any further encroachment. The proposal is considered unlikely to comply with the performance criteria P3 for the clause, given its overshadowing impact and noting Council's position regarding the original proposal for the site. Therefore, if the application is approved, care should be taken in the construction of the development to ensure that the dwellings are contained within the building envelope. A condition of approval should require the proponent to provide confirmation upon completion that the dwellings are contained within the building envelope. This confirmation should include a plan prepared by a registered land surveyor that shows the height of the dwellings relative to the site boundaries.

5.2. Visual Bulk and Impact on Residential Amenity

Several representors raise concern regarding the visual impact of the proposal and its effect upon residential amenity on adjoining properties. The representors highlight the two-storey height of the proposed dwellings, its proximity to adjoining properties, and associated likely visual impacts.

- **Comment**

Similarly to above, the relevant planning scheme standard that provides controls over the visual impact of proposed dwellings is clause 8.4.2 *Setbacks and building envelope for all dwellings*. The objective of this standard includes that:

“The siting and scale of dwellings:

...

(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;

As discussed above, the proposed dwellings would be contained within the building envelope prescribed by the acceptable solution A3 for clause 8.4.2.”

The proposal is therefore considered to provide consistency in the apparent scale, bulk, massing, and proportion of dwellings; at least so far as these terms are considered in the planning scheme.

5.3. Building Height and Impact on Character

All of the representors raise concern regarding the height of the proposed development, highlighting that the proposed dwellings would be two storey and have a maximum building height greater than 6m. Several of the representors suggest that the height of the proposed dwellings is inconsistent with the character of the surrounding area.

- **Comment**

Clause 8.4.2 also provides controls over the height of the dwellings by establishing a three-dimensional building envelope. As discussed above, the proposed dwellings would be contained within the prescribed building envelope, including the vertical extent of the envelope relative to existing ground level on the site. As also stated earlier, the proposal therefore satisfies the relevant acceptable solution for clause 8.4.2. Consideration of whether a proposal is consistent with the character of the surrounding area may be relevant when assessing a proposal against the performance criteria for this clause, it is not relevant where the acceptable solution is met.

5.4. Loss of Privacy and Overlooking

Most of the representors raise concern regarding a likely loss of privacy and the potential for overlooking of habitable room windows and private open space as a result of the proposal. The representors suggest that the proximity of the proposed dwellings to adjoining properties and the inclusion of attached decks and habitable room windows on the upper levels of the proposed dwellings increases the potential for overlooking and loss of privacy.

- **Comment**

The relevant planning scheme standard that provides controls over the privacy impacts is clause 8.4.6 *Privacy for all dwellings*. The objective of this standard is “to provide a reasonable opportunity for privacy for dwellings”.

The acceptable solutions A1 and A2 for this clause require decks and windows to habitable rooms that have a finished surface or floor level greater than 1m above existing ground level to be setback from the site’s side and rear boundaries. Alternatively, the acceptable solution A1 allows for a screen to be provided along the side facing a boundary where the required setback is not met. The attached decks and habitable room windows on the upper levels of the proposed dwellings either meet these setbacks or, in the case of the attached deck on the upper level of Unit 2, would be provided with a screen along the side facing the relevant boundary. While this deck does not meet the acceptable solution A2, this is because of its reduced separation from the habitable room windows of Unit 3, rather than from similar windows on adjoining properties.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

While a subdivision is proposed and no public open space is proposed within it, a cash contribution in-lieu is not considered warranted, given that the type of subdivision proposed is a boundary adjustment and would not increase the number of lots.

9. CONCLUSION

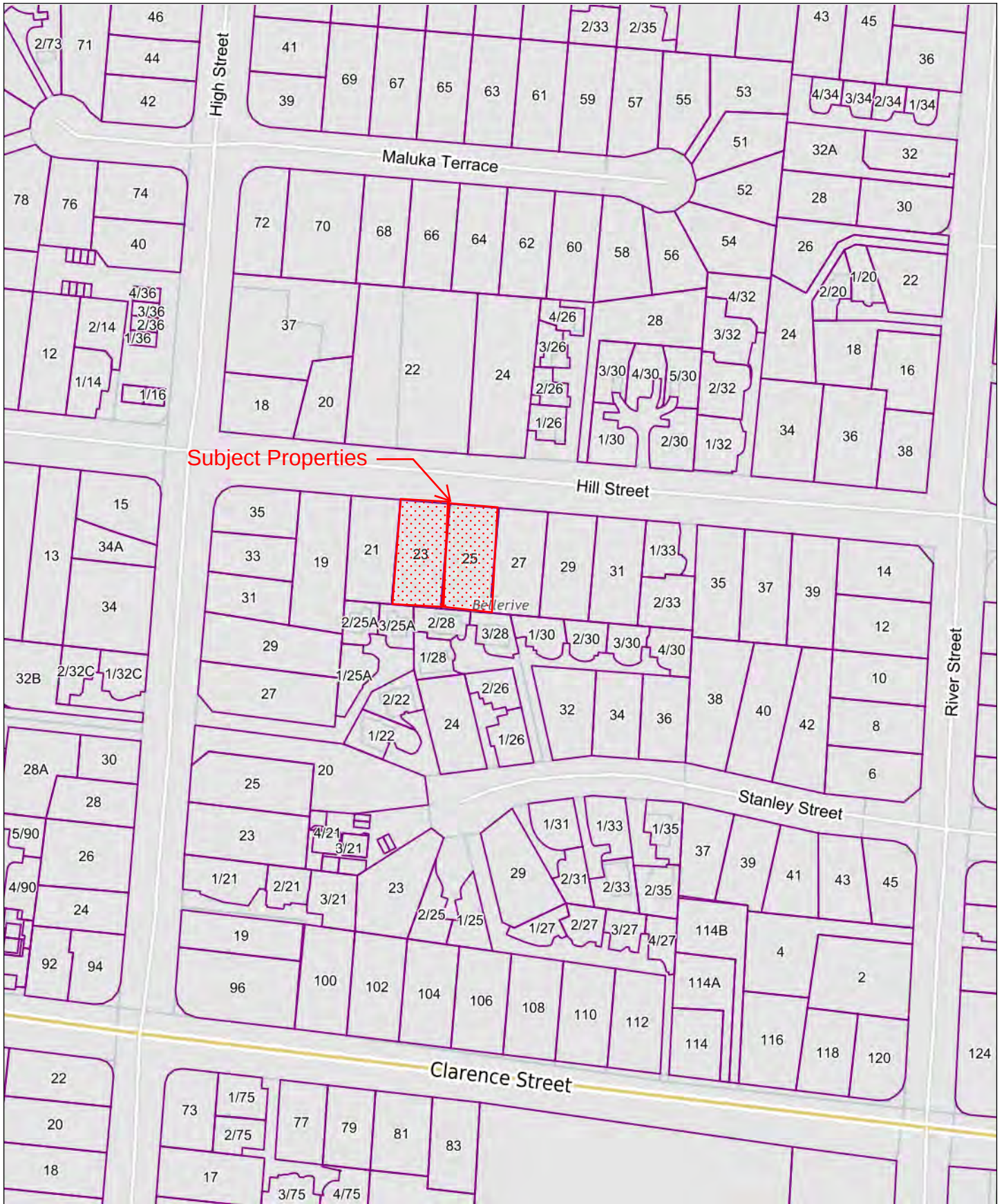
The proposal is recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (22)
3. Site Photos (1)

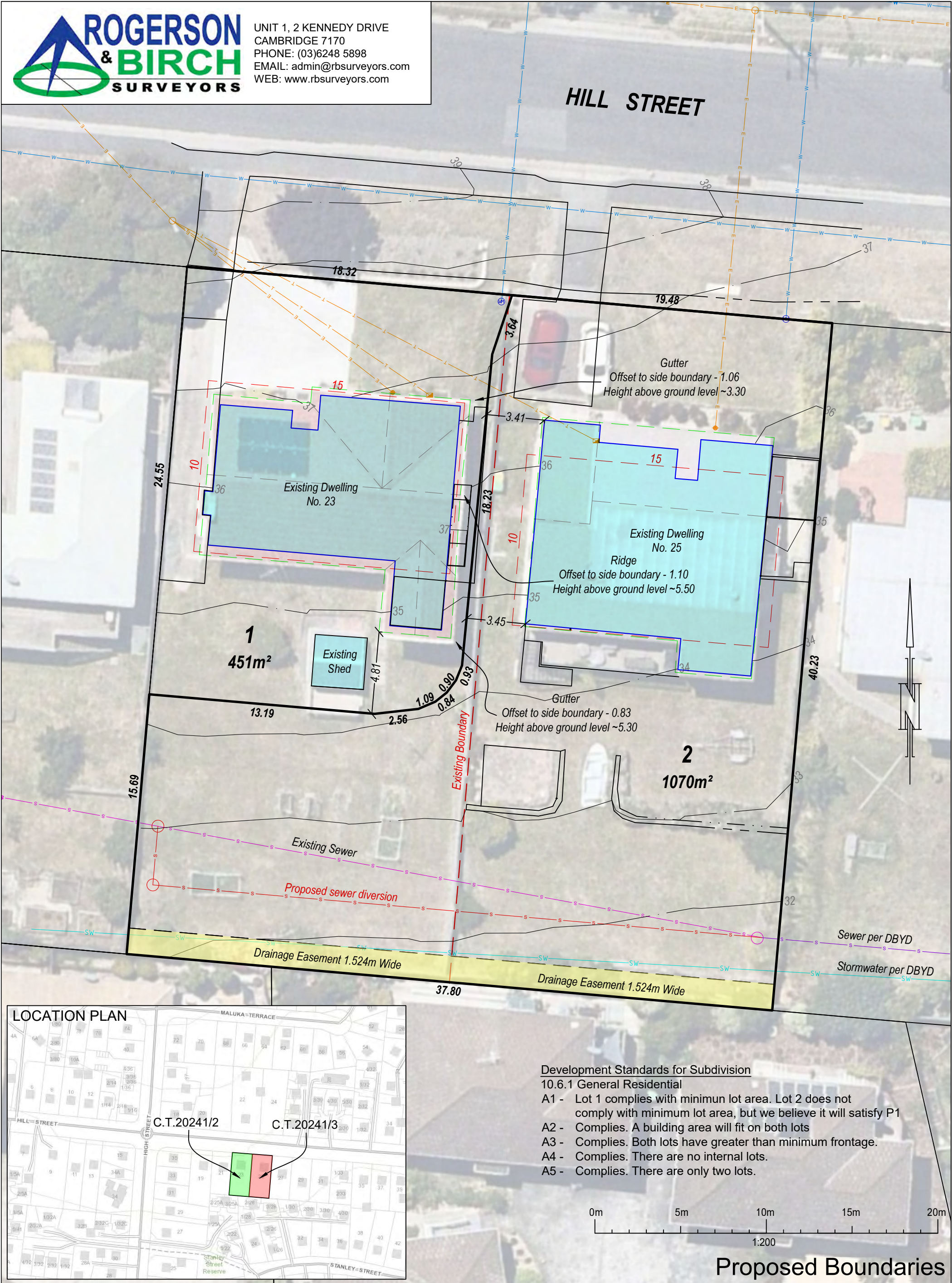
Daniel Marr
HEAD OF CITY PLANNING

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

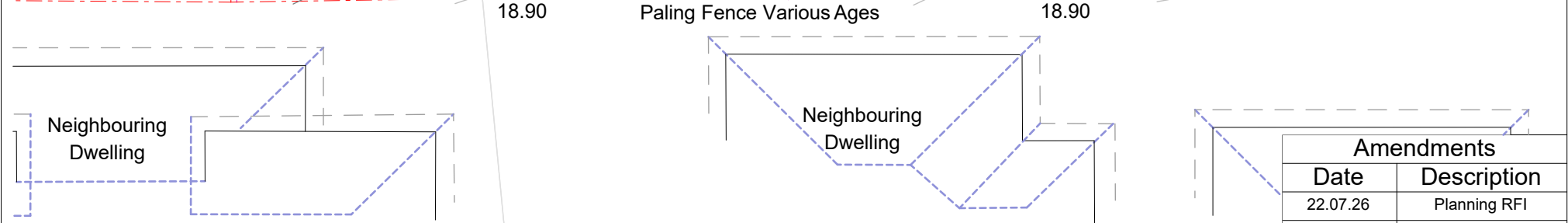
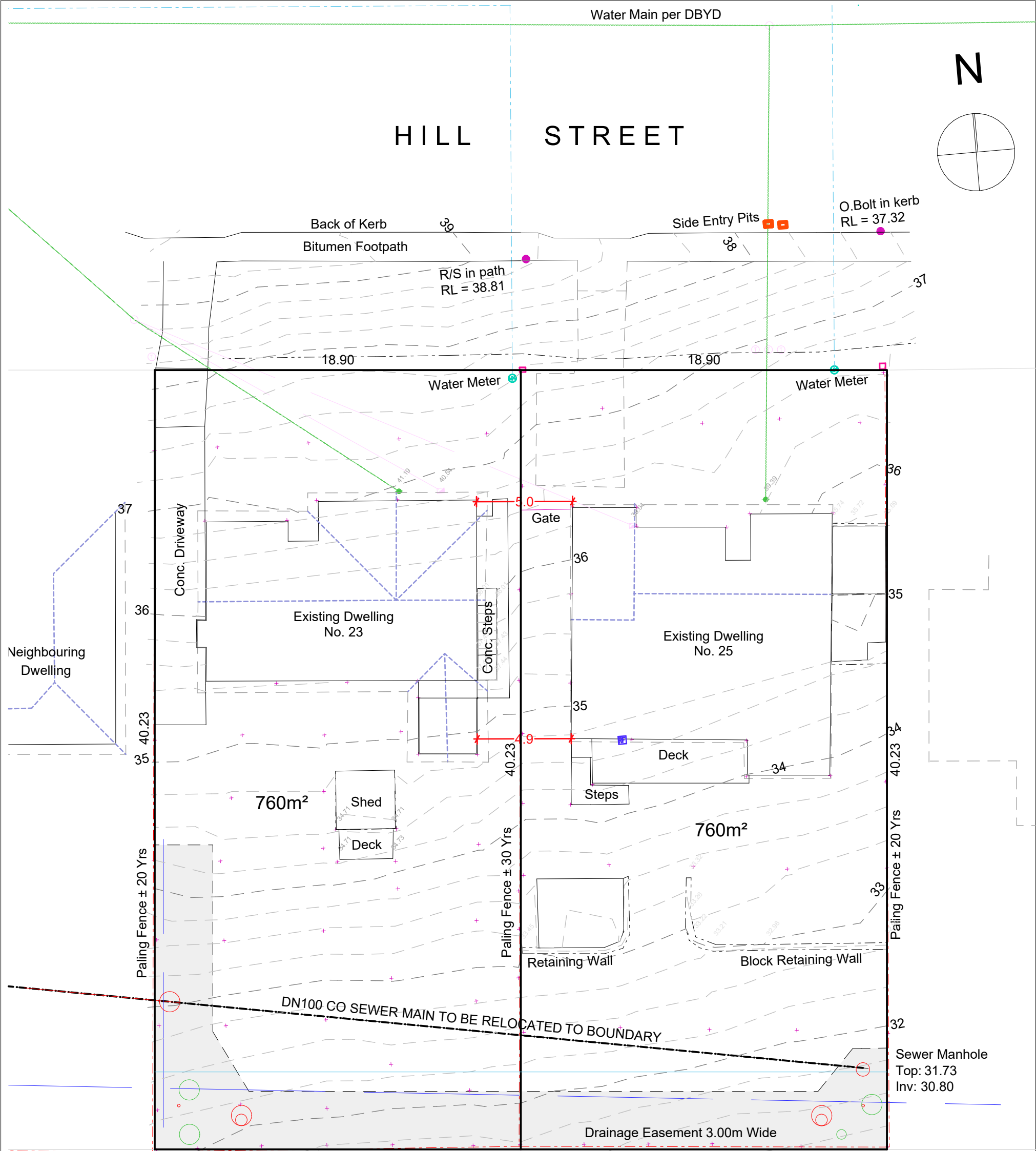
Attachment 1



	This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.	08/09/2026 1:2000	
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This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval. All measurements and areas are subject to the final survey. Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania	OWNER: BRENT MATHEW MCDERMOTT & BELINDA DIANE COLLIS	
	TITLE REFERENCE: C.T.20241/2 & 3	
	LOCATION: 23 & 25 HILL STREET	
	BELLERIVE	



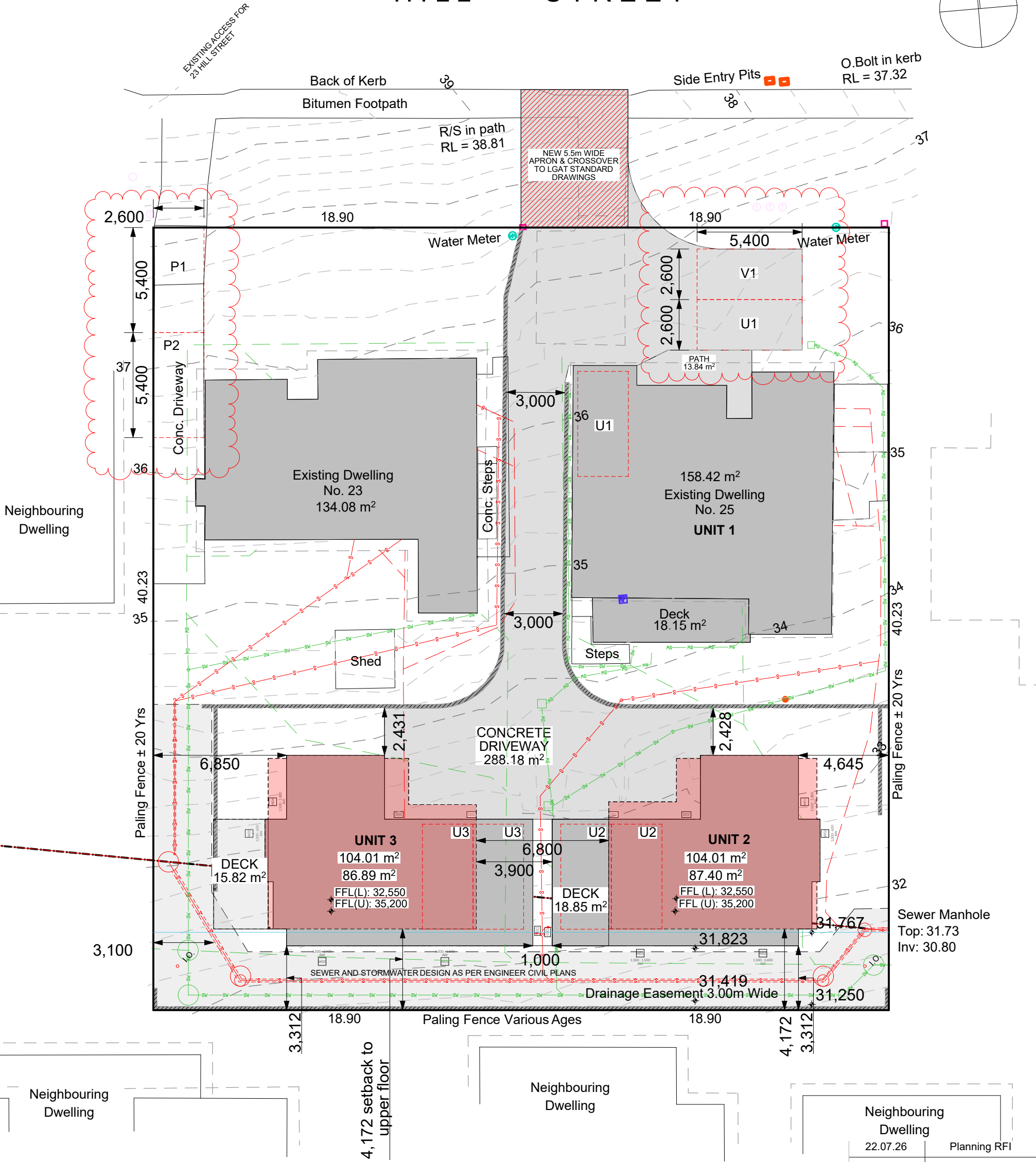
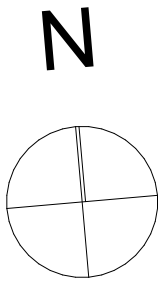
Amendments	
Date	Description
22.07.26	Planning RFI
bdca BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA	

Proposal:	Unit Development	Scale: 1:200	Job No: 164-2019	Pg No: DA.01
Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	
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Site Areas	
Site area	1069.51 sqm
Total Building Area	389.02 sqm
Total Site Coverage	36.37%

HILL STREET



Site Plan

REMOVE REDUNDANT STORMWATER AND SEWER PIPEWORK WHERE SHOWN. CAP AND PERMANENTLY SEAL ALL REDUNDANT CONNECTIONS AT THE POINT OF DISCONNECTION USING AN APPROVED WATERTIGHT METHOD. COMPLETE WORKS TO THE REQUIREMENTS OF COUNCIL AND TASWATER, AS APPLICABLE.

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Proposal:	Unit Development	Scale:	Job No: 164-2019	Pg No: DA.02
Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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Neighbouring Dwelling

22.07.26

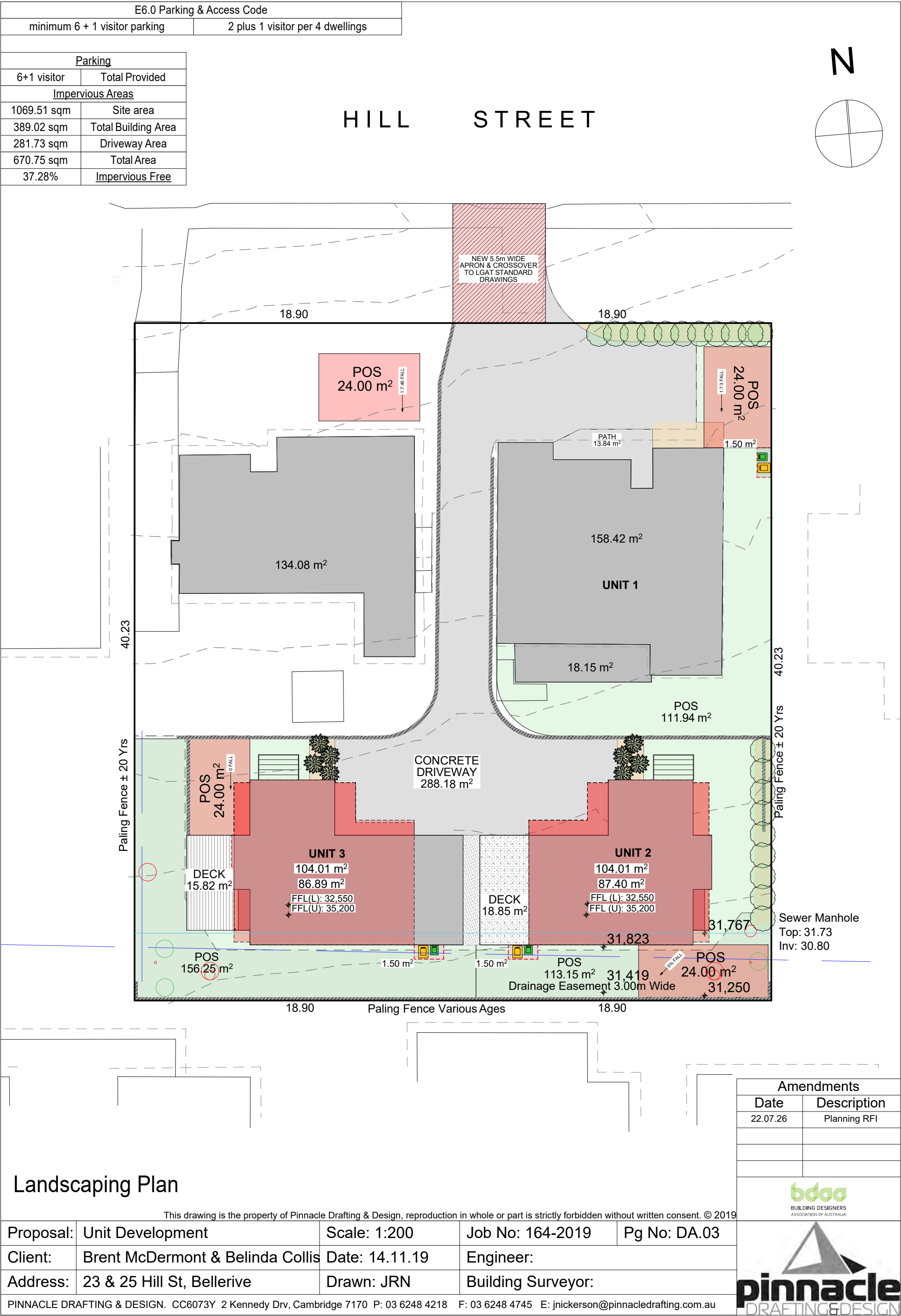
Planning RFI

bdaa

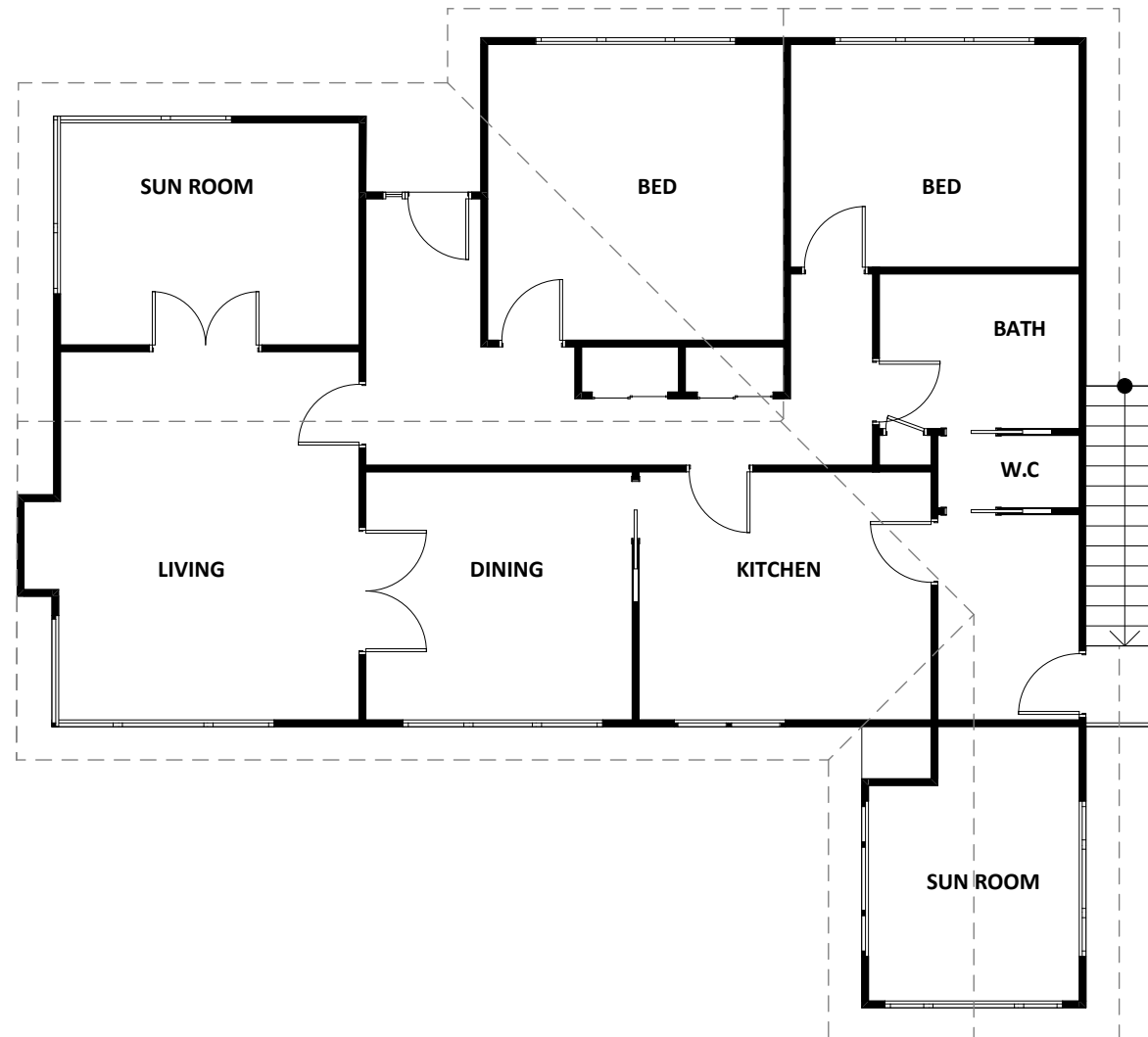
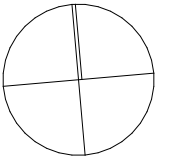
BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

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N



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Total	134 sqm
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23 Hill Street Existing House



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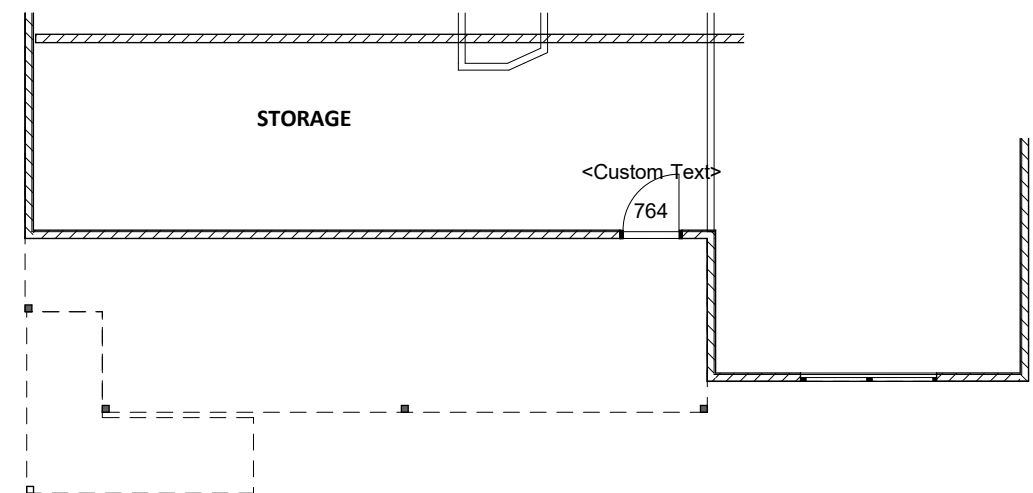
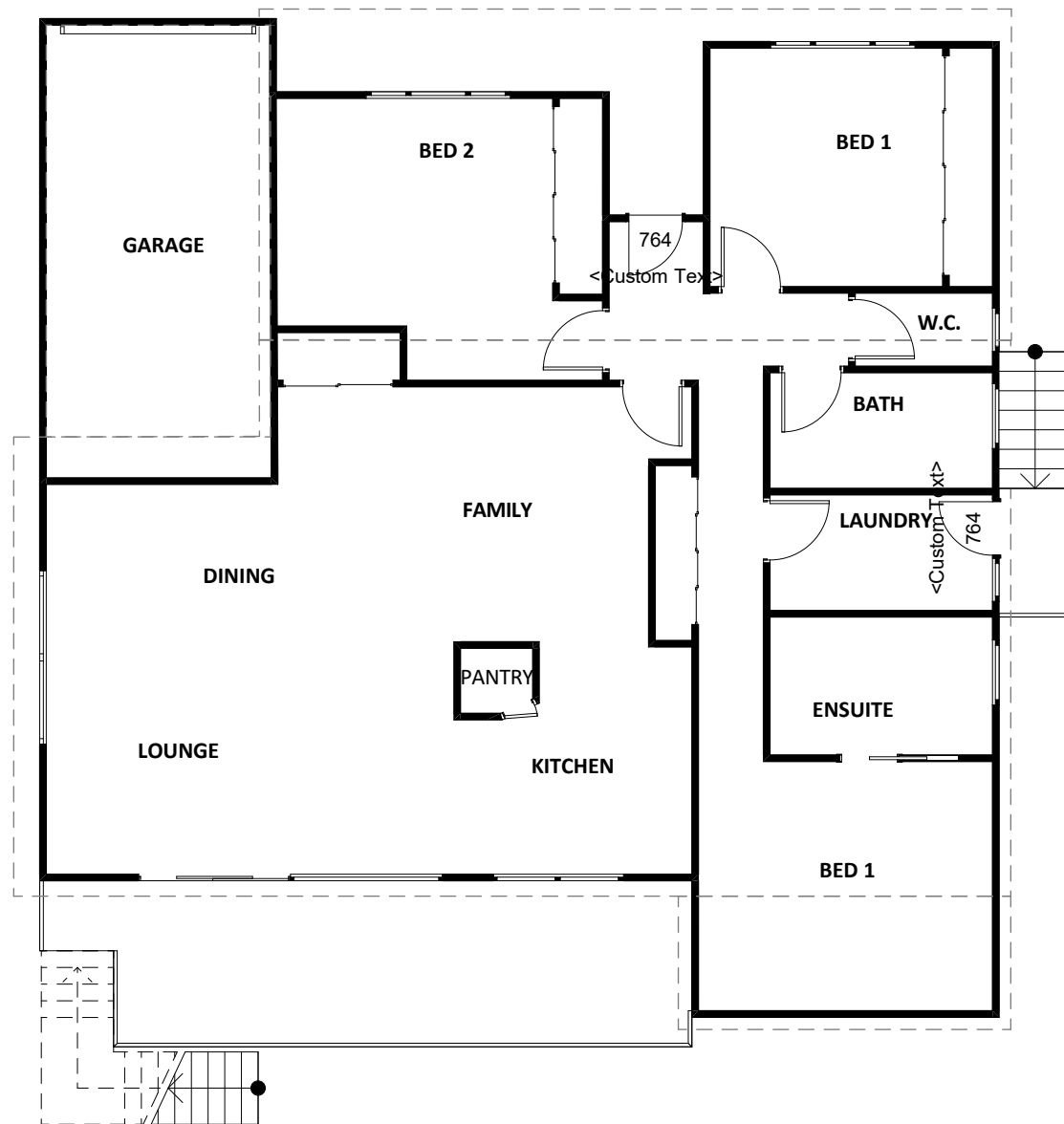
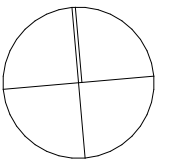
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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description



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Total	158.52 sqm
Deck	18.15 sqm

Unit 1 - 25 Hill Street



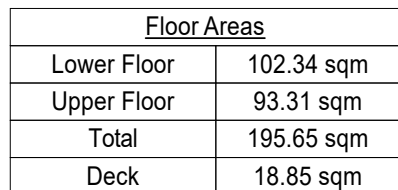
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Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

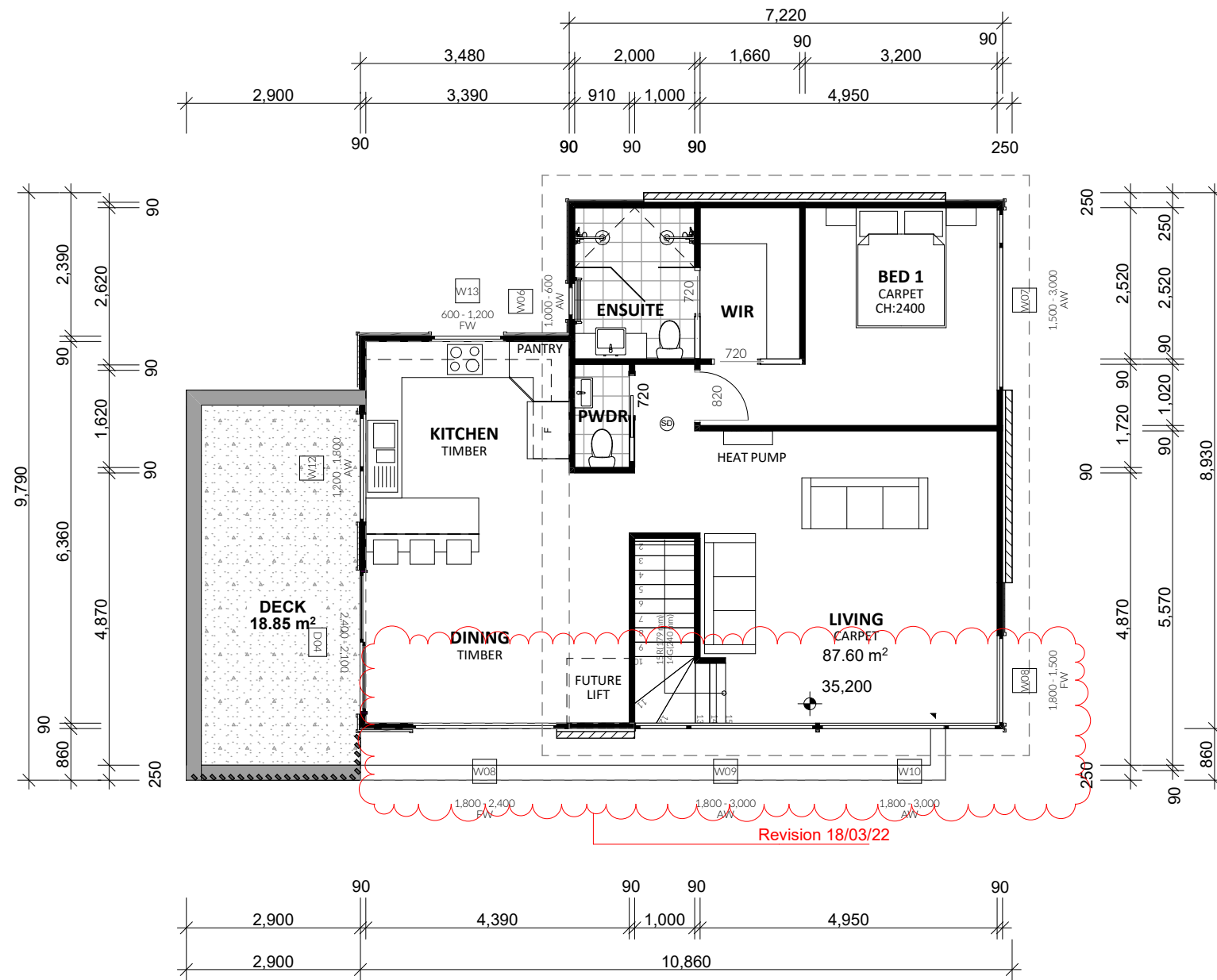
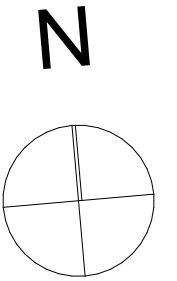
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Amendments	
Date	Description





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Floor Areas	
Lower Floor	104.01 sqm
Upper Floor	87.60 sqm
Total	191.61 sqm
Deck	18.85 sqm

Unit 2 Upper Floor Plan



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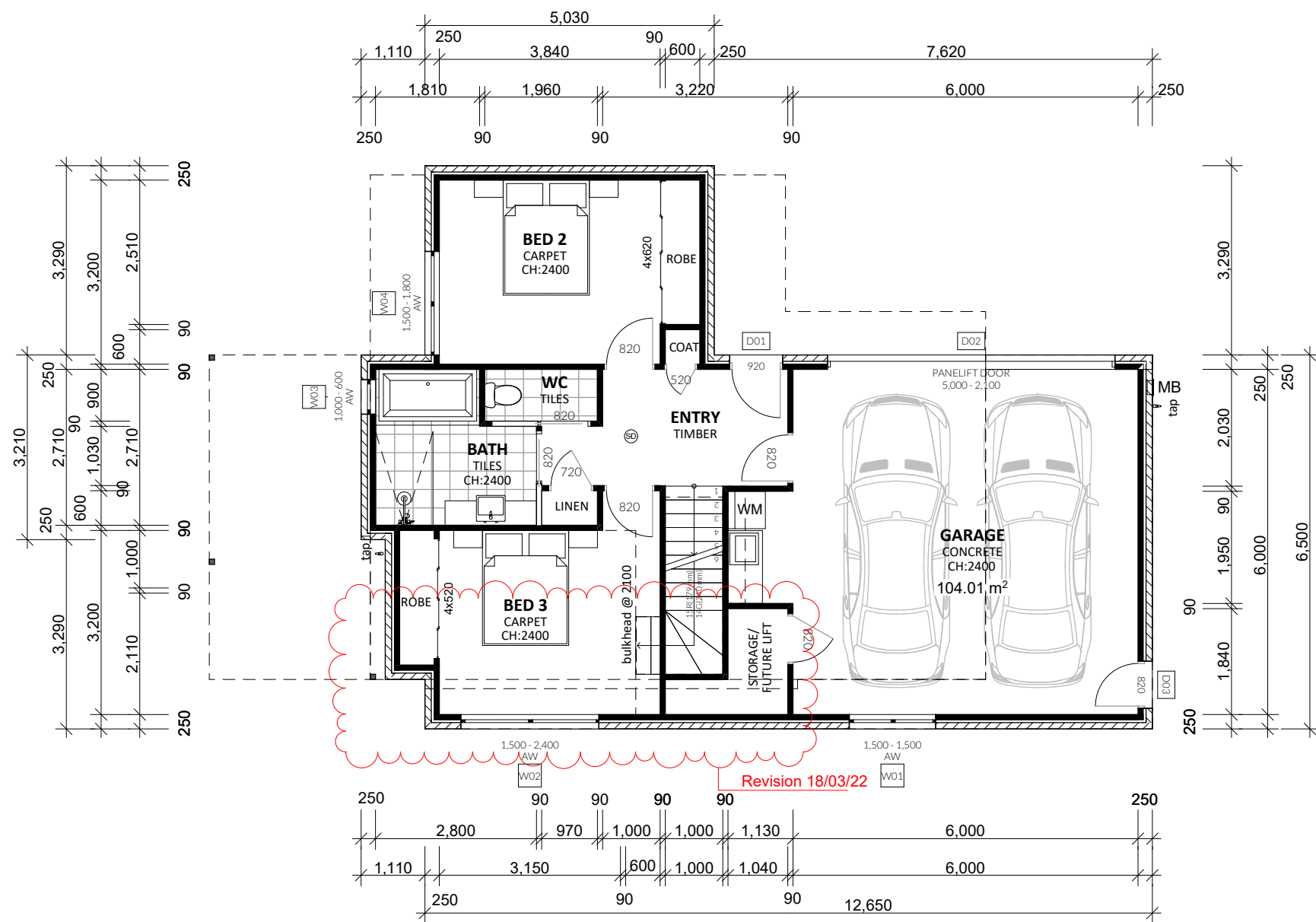
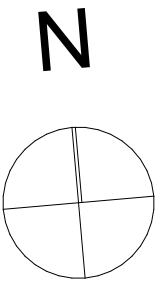
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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description



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Floor Areas	
Lower Floor	104.01 sqm
Upper Floor	87.09 sqm
Total	191.10 sqm
Deck	15.79 sqm

Unit 3 Lower Floor Plan

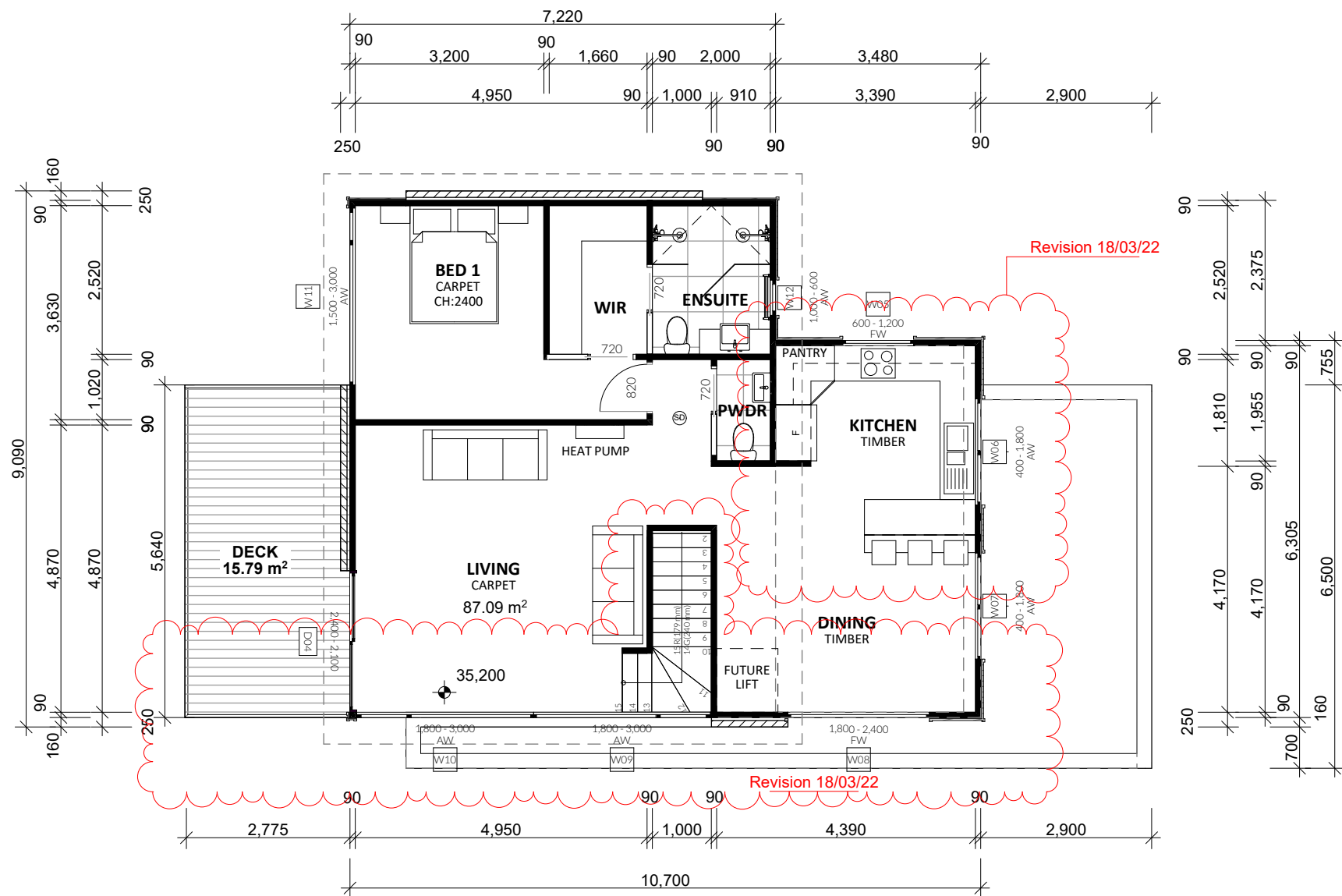
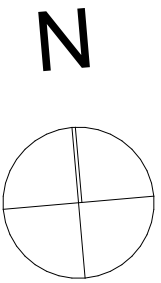


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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:
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Amendments	
Date	Description



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Floor Areas	
Lower Floor	104.01 sqm
Upper Floor	87.09 sqm
Total	191.10 sqm
Deck	15.79 sqm

Unit 3 Upper Floor Plan

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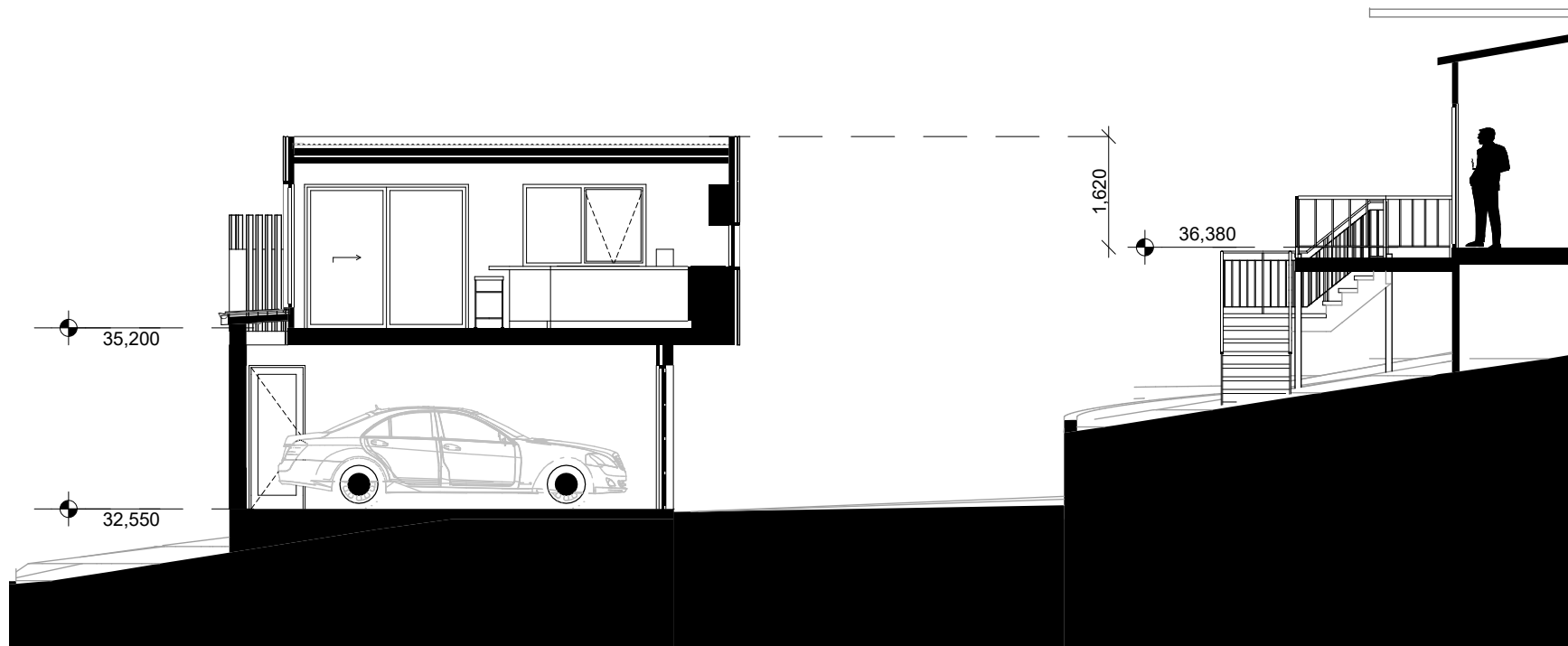
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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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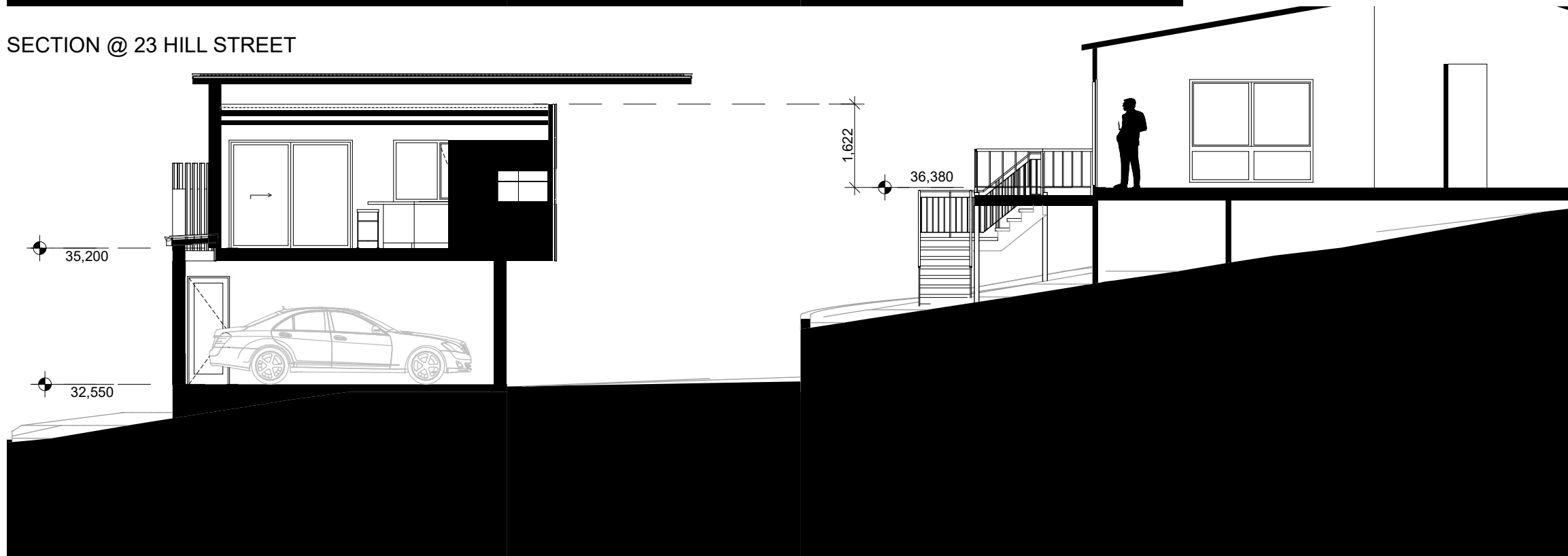
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SECTION @ 23 HILL STREET



SECTION @ 25 HILL STREET

Sections



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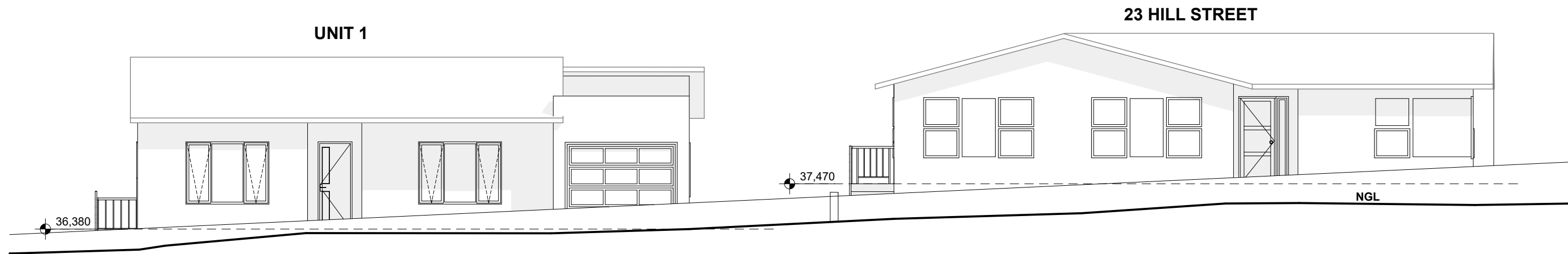
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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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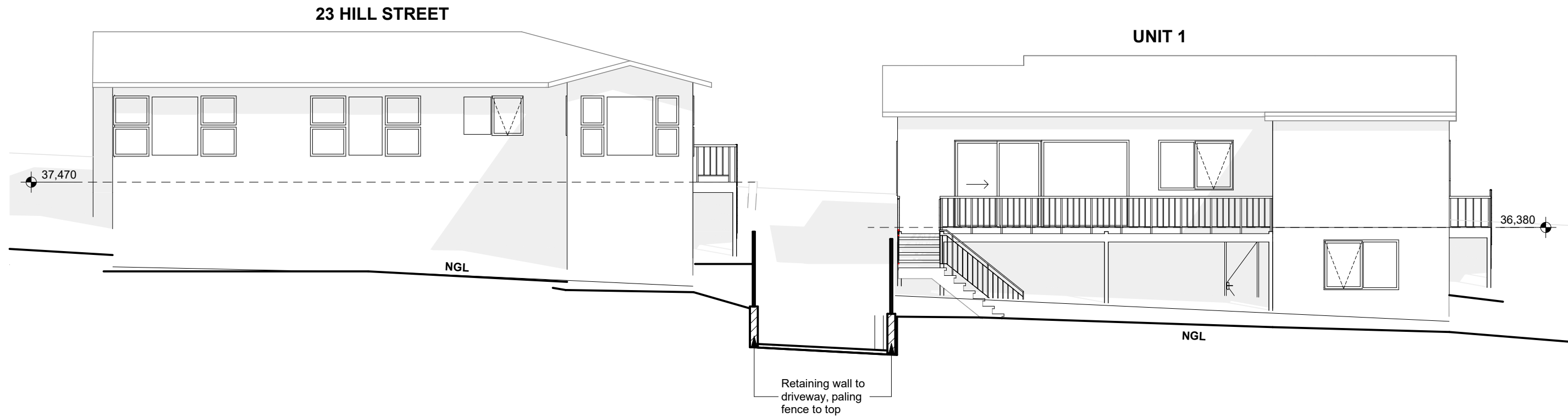
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Date	Description



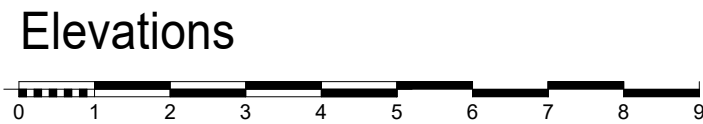
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U1 & 23 Hill Street North Elevation



U1 & 23 Hill Street South Elevation



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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	
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Amendments	
Date	Description

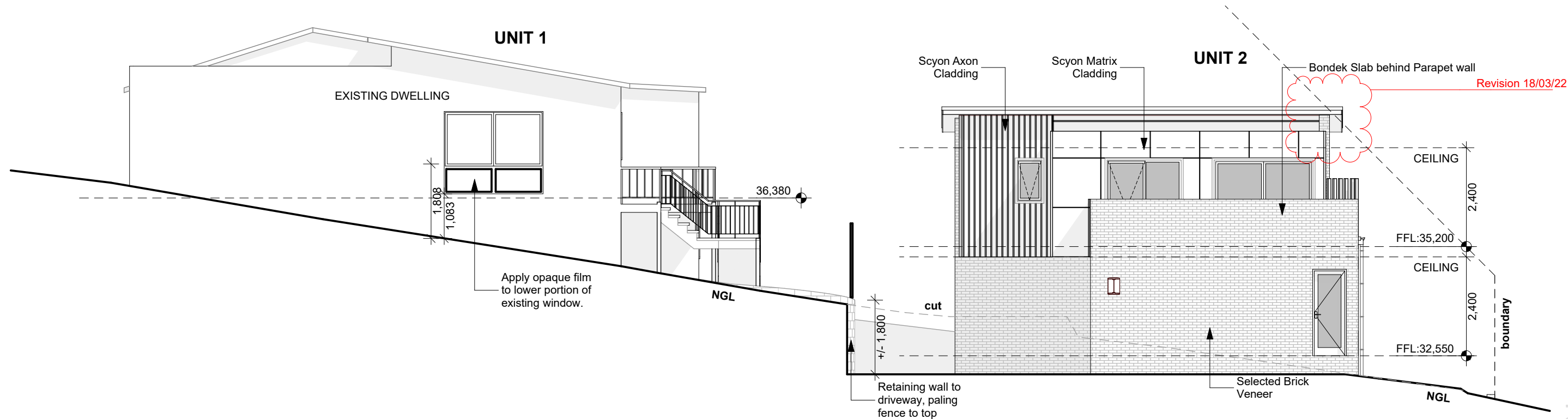


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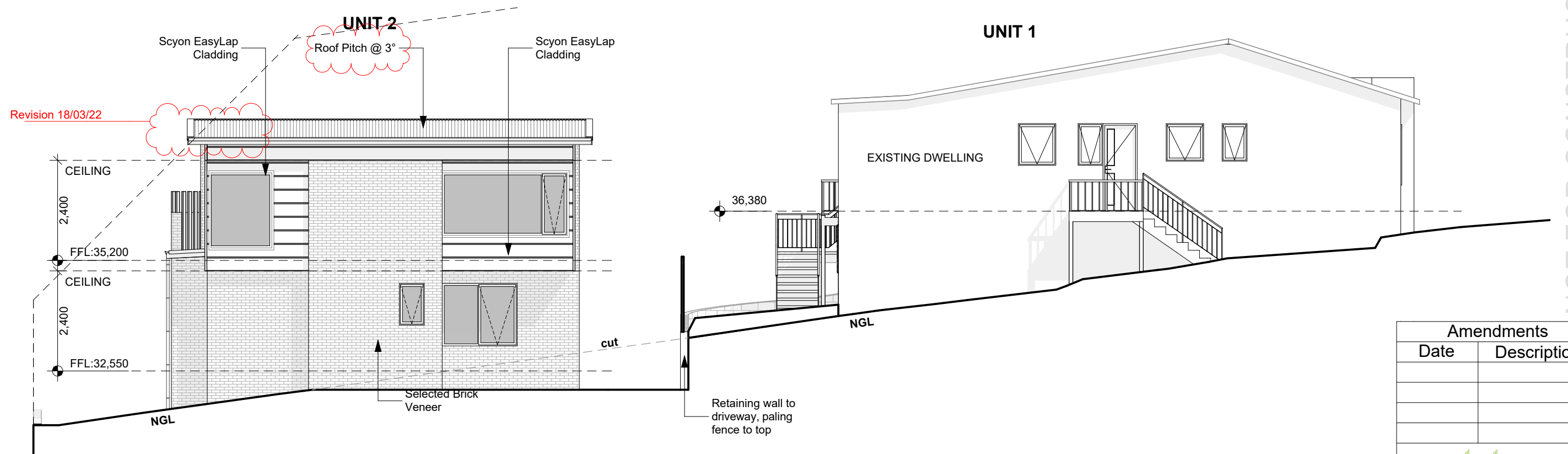


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U1 & U2 West Elevation



U1 & U3 East Elevation

Elevations



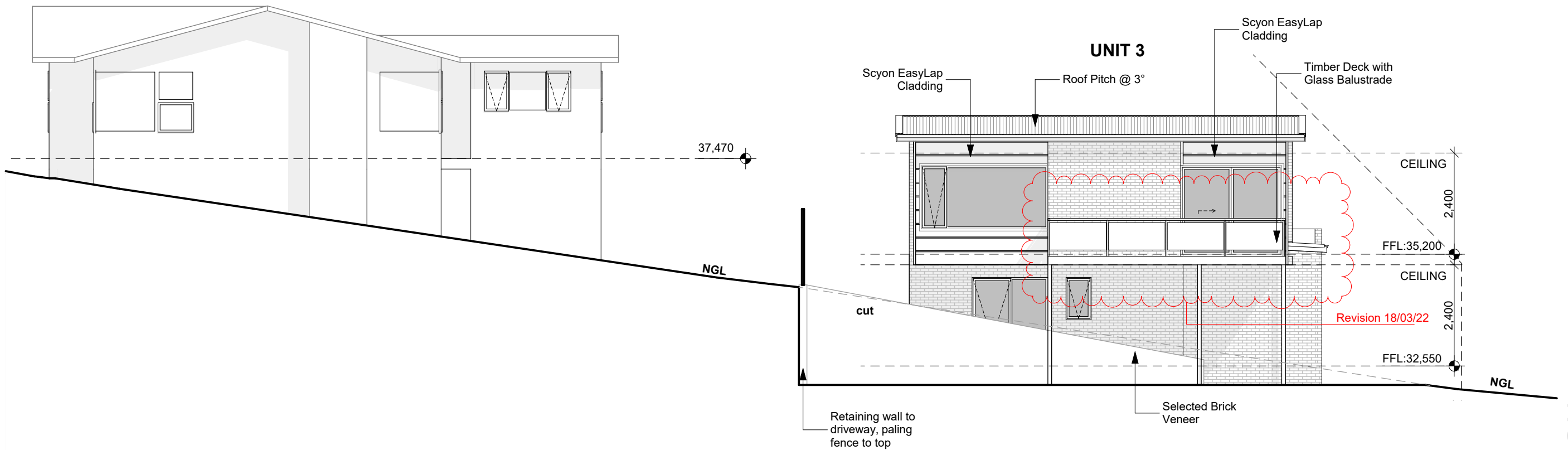
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Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 164-2019	Pg No: DA.12
Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	
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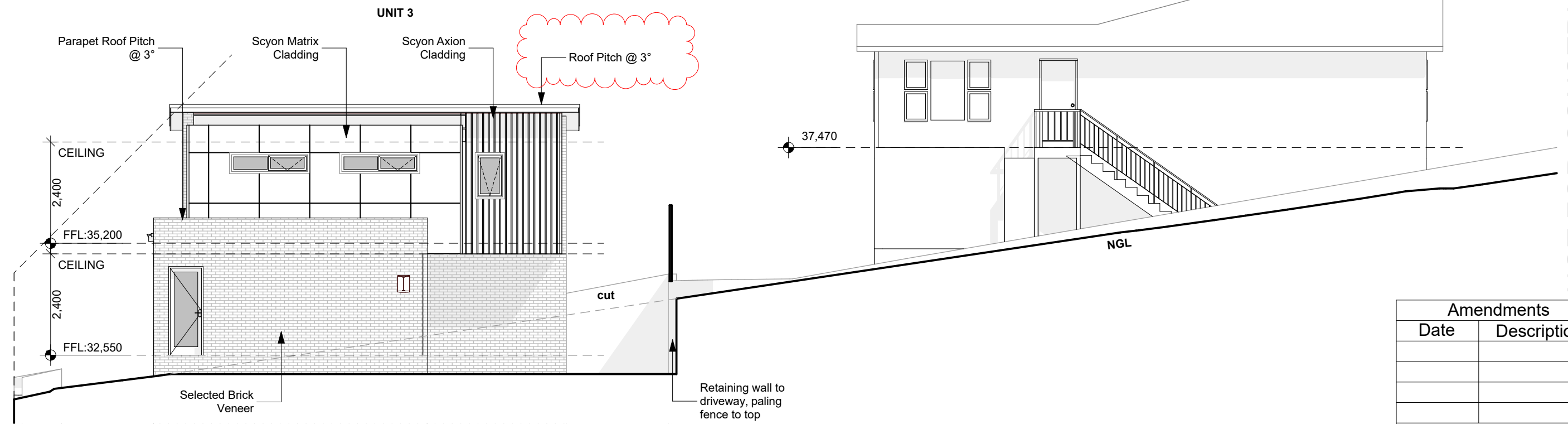
Amendments	
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23 Hill St & U3 West Elevation



23 Hill Street & U3 East Elevation

Elevations



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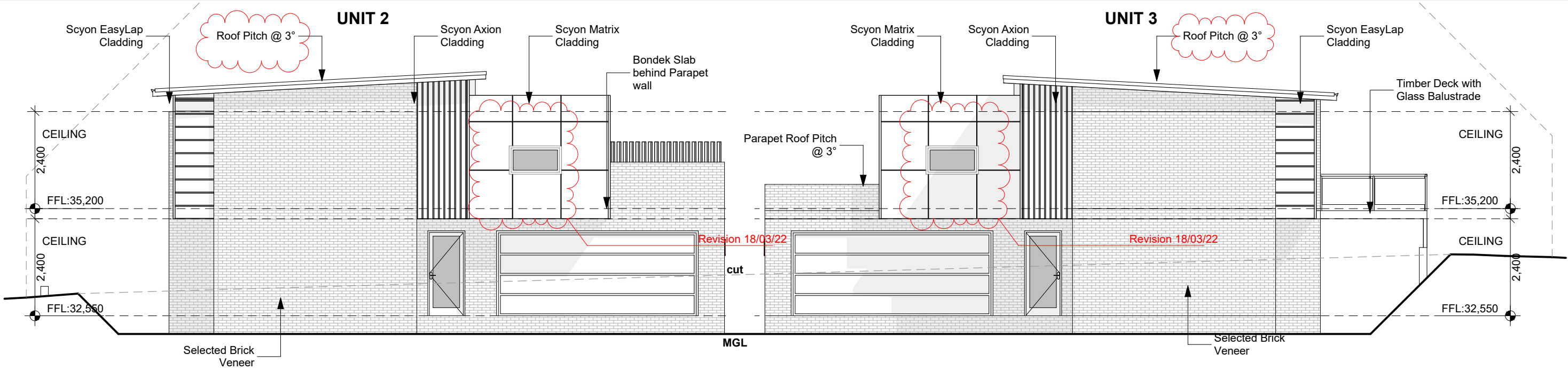
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Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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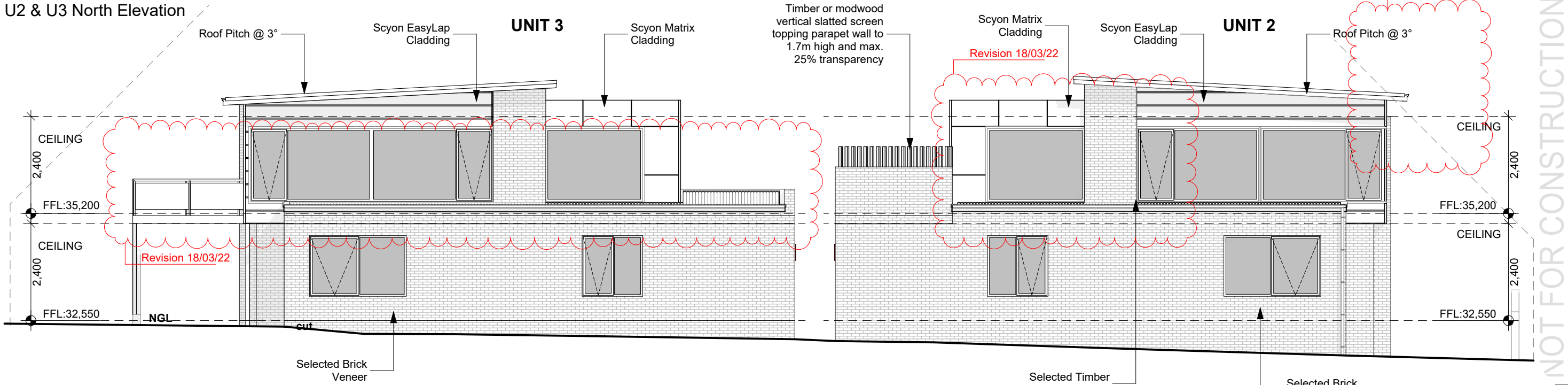
Amendments	
Date	Description



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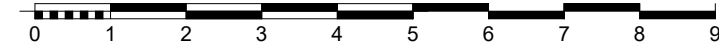


U2 & U3 North Elevation



U2 & U3 South Elevation

Elevations



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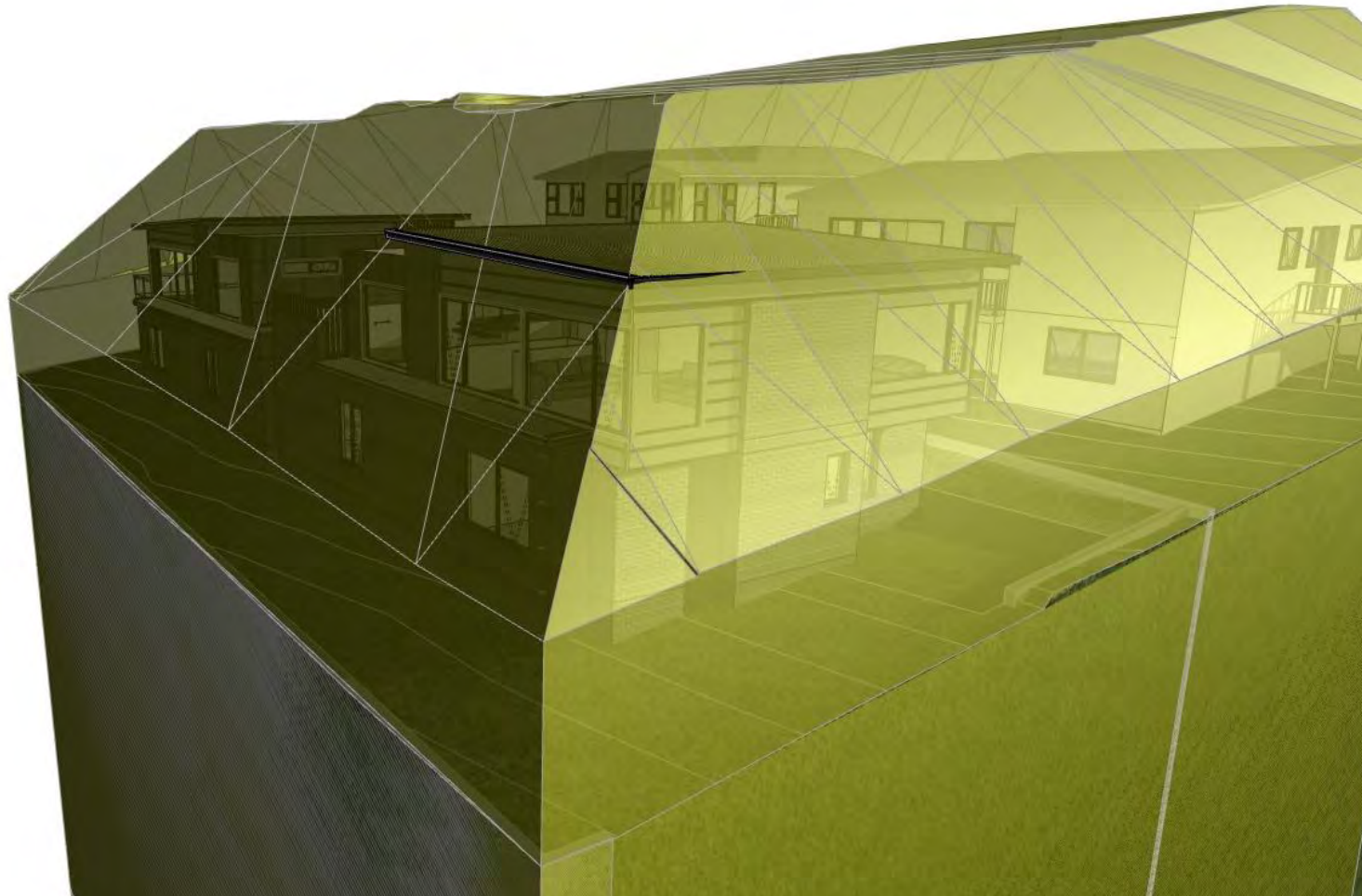
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Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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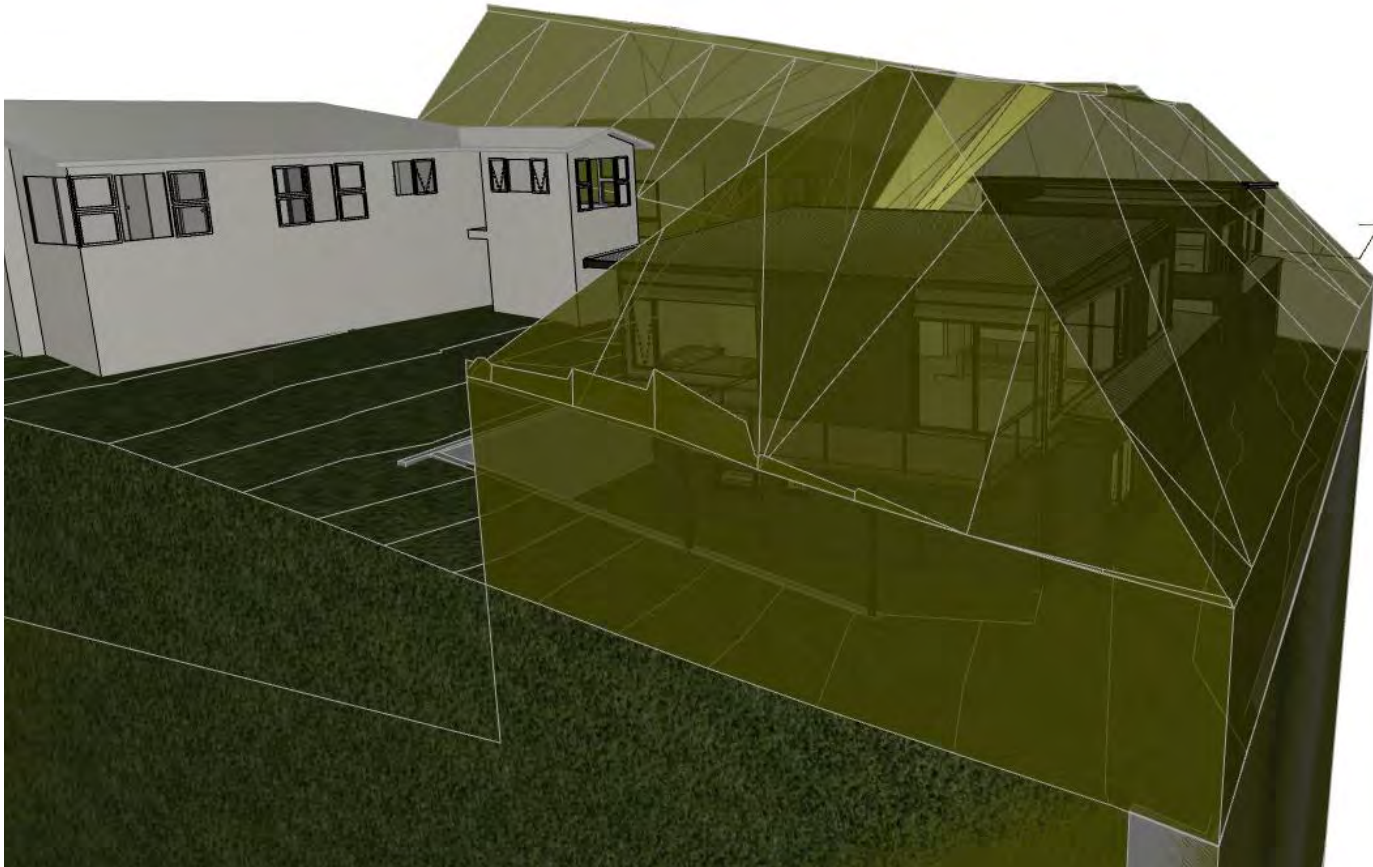
Amendments	
Date	Description



NOT FOR CONSTRUCTION



BUILDING ENVELOPE



BUILDING ENVELOPE

3D Building Envelope



Proposal:	Unit Development	Scale: 1:204.37 @ A3	Job No: 164-2019	Pg No: DA.15
Client:	Brent McDermont & Belinda Collis	Date: 14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description

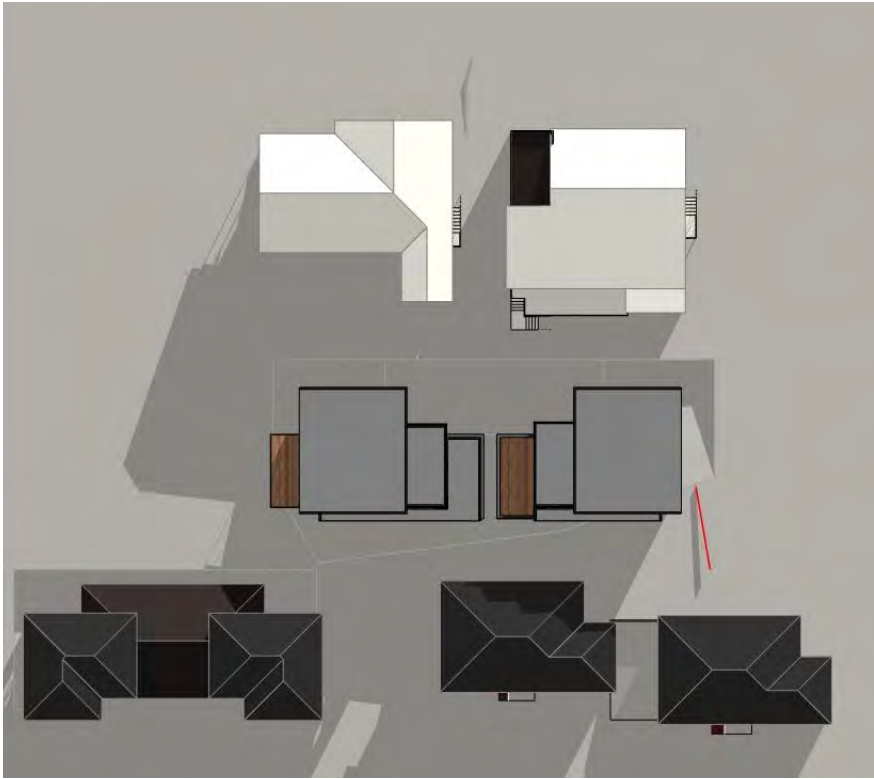
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SHADOWS @ 0900 ON JUNE 21st



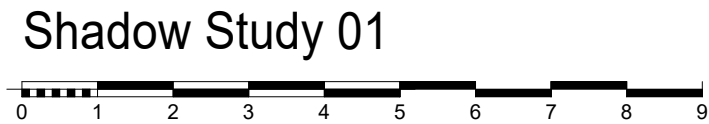
SHADOWS @ 1000 ON JUNE 21st



SHADOWS @ 1100 ON JUNE 21st



SHADOWS @ 1200 ON JUNE 21st



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Proposal:	Unit Development	Scale:	@ A3	Job No: 164-2019	Pg No: DA.16
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:	
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Amendments	
Date	Description



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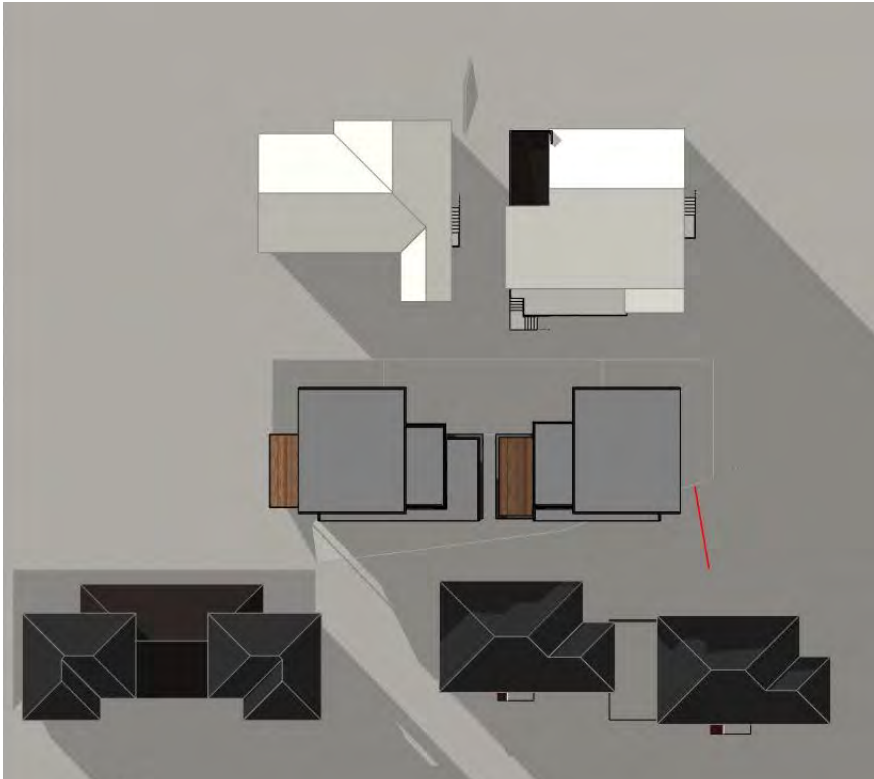
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SHADOWS @ 1300 ON JUNE 21st



SHADOWS @ 1400 ON JUNE 21st



SHADOWS @ 1500 ON JUNE 21st

Shadow Study 02



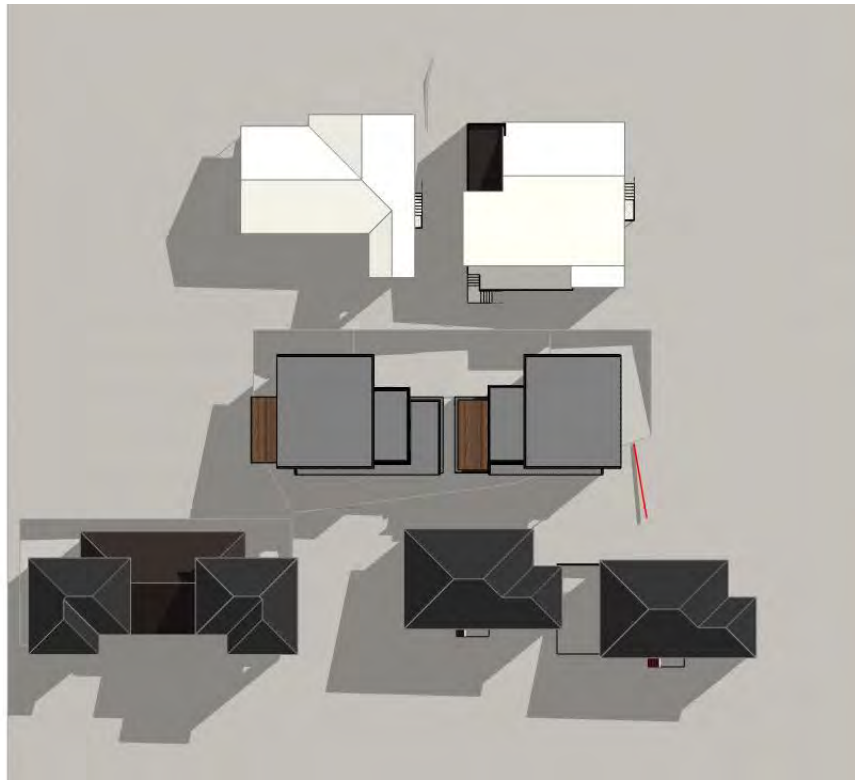
Proposal:	Unit Development	Scale:	@ A3	Job No: 164-2019	Pg No: DA.17
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:	

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Amendments	
Date	Description



NOT FOR CONSTRUCTION



SHADOWS @ 0900 ON SEPTEMBER 21st



SHADOWS @ 1000 ON SEPTEMBER 21st



SHADOWS @ 1100 ON SEPTEMBER 21st



SHADOWS @ 1100 ON SEPTEMBER 21st

Shadow Study 03



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Proposal:	Unit Development	Scale:	@ A3	Job No:	164-2019	Pg No:	DA.18
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:			
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:			
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Amendments	
Date	Description



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SHADOWS @ 1300 ON SEPTEMBER 21st



SHADOWS @ 1400 ON SEPTEMBER 21st



SHADOWS @ 1500 ON SEPTEMBER 21st

Shadow Study 04



Proposal:	Unit Development	Scale:	@ A3	Job No: 164-2019	Pg No: DA.19
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:	
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:	

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Amendments	
Date	Description



NOT FOR CONSTRUCTION



JUNE 21 9 AM



JUNE 21 10 AM



JUNE 21 11 AM



JUNE 21 NOON



JUNE 21 1 PM



JUNE 21 2 PM



JUNE 21 3 PM



JUNE 21 4 PM



JUNE 21 9 AM



JUNE 21 10 AM



JUNE 21 11 AM



JUNE 21 NOON



JUNE 21 1 PM



JUNE 21 2 PM

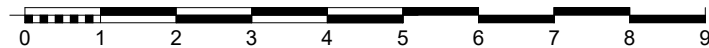


JUNE 21 3 PM



JUNE 21 4 PM

3D Sun Study June 21



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Proposal:	Unit Development	Scale:	@ A3	Job No:	164-2019	Pg No:	DA.20
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:			
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:			

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Amendments

Date	Description



NOT FOR CONSTRUCTION



SEP 21 9 AM



SEP 21 10 AM



SEP 21 11 AM



SEP 21 NOON



SEP 21 1 PM



SEP 21 2 PM



SEP 21 3 PM



SEP 21 4 PM



SEP 21 9 AM



SEP 21 10 AM



SEP 21 11 AM



SEP 21 NOON



SEP 21 1 PM



SEP 21 2 PM



SEP 21 3 PM



SEP 21 4 PM

3D Sun Study Sep 21



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Proposal:	Unit Development	Scale:	@ A3	Job No:	164-2019	Pg No:	DA.21
Client:	Brent McDermont & Belinda Collis	Date:	14.11.19	Engineer:			
Address:	23 & 25 Hill St, Bellerive	Drawn:	JRN	Building Surveyor:			
PINNACLE DRAFTING & DESIGN. CC6073Y 2 Kennedy Drv, Cambridge 7170 P: 03 6248 4218 E: jnickerson@pinnacledrafting.com.au							

Amendments	
Date	Description



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Attachment 3



Photo 1: 23 Hill Street, Bellerive



Photo 2: 25 Hill Street, Bellerive



Photo 3: 23 and 25 Hill Street, Bellerive

8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 RECISSION OF COUNCIL DECISION – ITEM 9.2 OF 31 AUGUST 2026
COUNCIL MEETING – BAYVIEW PARK****EXECUTIVE SUMMARY****PURPOSE**

To rescind the Council decision made at the 31 August 2026 council meeting in respect to Item 9.2 (to defer consideration of upgrades to Bayview Park in Lauderdale to a workshop) and to authorise commencement of the Request for Tender process for upgrade of Bayview Park.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2025–2035 and Annual Plan 2026/27 are relevant.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Deferral of tendering and construction of the Bayview Park upgrade project until a workshop can be held will be likely to lead to increased costs; however, these costs cannot be quantified at this time. Additionally, there may be impacts related to grant funding of the project should further extensions of time not be granted. Proceeding to tender and construction now will reduce the risk of additional costs being incurred.

RECOMMENDATION:

That Council:

- A. Rescinds its decision at the Council meeting of 31 August 2026 in respect to Item 9.2 (Bayview Park Upgrade) vis *'That Item 9.2 be deferred for consideration at a Workshop'*; and
- B. Authorise the Chief Executive Officer to commence the Request for Tender process as originally planned.

Note: this decision requires an absolute majority of Council.

RECISSION OF COUNCIL DECISION – ITEM 9.2 OF 31 AUGUST 2026 COUNCIL MEETING – BAYVIEW PARK /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The proposed redevelopment of Bayview Park includes the whole park area, including beach access, parking, stormwater improvements and other amenities whilst accommodating underground assets and the existing and mature native trees.
- 1.2.** As is usual with such redevelopments, council officers have designed the park area and consulted with the community before finalising plans and preparing tender documentation. The finalised design was to be released for tender in the coming few weeks, with the aim of selecting a successful Tenderer later this year and construction starting around February 2027.
- 1.3.** At the Council meeting of 31 August 2026, a Notice of Motion regarding Bayview Park was considered. The Notice of Motion sought consideration of a different option for the Bayview Park upgrade. The motion was amended and approved by Council. The amended motion was to defer the matter for consideration at a future workshop.
- 1.4.** For the reasons set out below, deferral will result in a significant delay to the project. There are a number of consequences associated with a delay.

2. REPORT IN DETAIL

- 2.1.** Bayview Park in Lauderdale is due for renewal. Council officers have undertaken a design, consultation and tender development process.
- 2.2.** At Council's last meeting, a Notice of Motion seeking consideration of another option for redevelopment of Bayview Park was amended and approved as follows: *"That Item 9.2 be deferred for consideration at a Workshop."*

- 2.3.** There are two direct consequences of the above decision:
- a) That a workshop cannot now occur until after the Caretaker Period concludes in early November; and
 - b) That the Request for Quotation (RFQ) that would have been issued within the next two weeks cannot now be released, for ethical and governance reasons, until at least after the workshop occurs.
- 2.4.** In respect to holding a workshop, section 5.2 of Council's recently approved Election Caretaker Period Policy 2026 is relevant - there are no workshops to be held during the caretaker period unless it is required as a result of an emergency. A workshop to discuss redesign of a play park is not an emergency. This means that a workshop cannot be held until at least mid to late November 2026.
- 2.5.** In respect to the RFQ, Council officers were approximately two weeks away from releasing the RFQ for the Bayview Park redevelopment. This timing was important because it was planned that work on the park would commence shortly after the school holidays end in February and be completed ahead of winter. For obvious reasons, upgrading the park in winter is not preferred.
- 2.6.** Additionally, given the council decision to defer the matter to a workshop, it would be unethical and contrary to good procurement practice for council officers to release the RFQ if there is a risk that council may ultimately decide to revise the play park design. It would also potentially be inconsistent with the Council's decision.
- 2.7.** Further internal consultation with councillors has indicated that, in hindsight, there is a majority preference to proceed with the tender as originally proposed. For this reason, the recommendation seeks rescission of the 31 August decision and authorisation to proceed with the tender.

3. CONSULTATION

3.1. Community Consultation Undertaken

Community consultation was undertaken by council officers in relation to the Bayview Park redevelopment in 2025. The consultation tested the draft concept design to renew the play space, modify the parking and kayak washdown. The consultation was shared with councillors via a weekly briefing report on 3 December 2025.

The engagement page had 582 visits and resulted in 206 online survey responses. The feedback assisted officers in the design process for the whole park and emphasised the preference for nature play to be incorporated into the final design.

Separate to the above consultation, Cr Goyne undertook her own consultation and submitted a petition in relation to the Bayview Park redevelopment. That petition was noted at the council meeting held on 10 August 2026.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

3.4. Further Community Consultation

No further consultation is required.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. Council's Strategic Plan 2025 – 2026 provides:

“Under the Focus Area ‘Sustainable Growth’:

2.4 Sustainable asset management and investment - *Proactive maintenance, renewal and optimisation of existing assets, alongside investment in climate ready and resilient infrastructure and services that protect the community, support liveability and enable sustainable growth over the long-term.”*

“Under the Focus Area ‘Culture and Place’:

- 3.4 **Safe, vibrant and distinctive places** - *Well-designed places that are safe, welcoming, inclusive, reflecting Clarence’s environment, culture, and creativity, enhancing liveability strengthening connection across our city and building a strong sense of place.”*

“Under the Focus Area ‘Wellbeing and Belonging’:

- 4.1 **Healthy lives for all** - *We support improved health and wellbeing outcomes across all ages, supported by safe, inclusive and accessible environments, active lifestyles, social connection, and valued parks and open spaces.”*

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

7.1. This project is partly funded by State Government grant funding. There is an \$84,000 grant from the LGAT Open Spaces grant program and a \$100,000 State Government grant commitment arising from the 2024 State election. Both grants will require council officers to apply for an extension of time if this matter goes to workshop and/or is delayed by redesign.

7.2. The State Government grant funding for the project has already had one extension to the completion date approved until 31 December 2026. The original design is more progressed with tender possible before the end of the year and therefore requires a smaller extension to the completion date. There is a risk that a request for a longer extension due to project re-design will be declined, placing the \$184,000 grant funding in jeopardy.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

Noting the discussion contained in the report, it is recommended that Council rescind its decision in relation to Item 9.2 from the 31 August 2026 council meeting and authorise the Request for Quotation process to proceed as previously planned.

Attachments: Nil

Ian Nelson
CHIEF EXECUTIVE OFFICER

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION – COUNCILLOR GOYNE
HERBICIDE-FREE TRIAL – BELLERIVE BEACH PARKS**

In accordance with Notice given, Councillor Goyne intends to move the following Motion:

“Requests that Council:

1. Note that increased utilisation levels of Council’s No Spray Register demonstrate community interest in the management and use of glyphosate-based herbicides in Council public open spaces.
2. Approve a 12 month trial during which no herbicides are applied within Bellerive Beach Park, including its playground, with weed and vegetation management across the Park undertaken using non-chemical or alternative methods for the duration of the trial.
3. Request the Chief Executive Officer to ensure appropriate monitoring and record-keeping is undertaken throughout the trial, including in relation to weed and vegetation control outcomes and amenity within the Park.
4. Request the Chief Executive Officer report the outcomes of the trial to Council at its conclusion, together with advice on whether a herbicide-free approach should be extended to other Council parks or public open spaces”.

EXPLANATORY NOTES

Council currently uses glyphosate-based herbicides as part of its vegetation and weed management program across parks, reserves, streetscapes and other Council-managed land, including children’s playgrounds.

Bellerive Beach Park is a highly used, family-oriented public space adjoining the foreshore. Its playground incorporates all-abilities design elements, reflecting Council’s commitment to maximising inclusion for park users of all ages and abilities. A contained, single-site trial across the Park allows Council to test a herbicide-free approach in a defined, high-visibility location and to observe practical outcomes – including weed regrowth and amenity – before considering any broader change to Council practice.

The level of community utilisation of Council’s No Spray Register demonstrates recognition of community interest in the potential health, environmental and biodiversity impacts of glyphosate use. Interest in this issue has grown locally and nationally amid ongoing scientific and regulatory debate, differing assessments by health authorities, and litigation involving glyphosate-based products overseas.

A number of Tasmanian and Australian councils have undertaken trials of alternative vegetation management approaches at individual sites. A single-site, time-limited trial is consistent with contemporary risk management principles and allows Council to gather local, site-specific evidence to inform any future decisions.

The trial is consistent with Council's commitments to environmental sustainability and biodiversity protection, and with its responsibilities under the Work Health and Safety Act 2012 regarding the handling and application of chemical products by staff and contractors. This motion proposes a contained, single-site trial only. It does not propose any change to Council's wider weed management practices. Any future changes beyond Bellerive Beach Park would be considered by Council following review of the trial outcomes, together with officer advice.

E Goyne
COUNCILLOR

CHIEF EXECUTIVE OFFICER'S COMMENT

Council has previously considered issues related to glyphosate use during this term of council. Most recently, a petition was noted at the council meeting on 23 March 2026, and a Notice of Motion was lost at the council meeting on 11 May 2026.

Following a complaint to Worksafe Tasmania regarding council's glyphosate use, the resultant investigation confirmed that council's work practices and methods were safe. There were no recommendations or further actions required by Worksafe Tasmania.

City of Clarence is responsible for the management of weeds and vegetation within its road reservations, bushland and coastal reserves, riparian areas, recreational grounds and other natural areas.

Management of weeds and vegetation is guided by Clarence City Council's Weed Strategy 2016-2030 and includes a combination of mowing, manual removal and herbicide spraying. Glyphosate is an Australian Pesticides and Veterinary Medicines Authority (APVMA) approved herbicide registered for use in Australia. This means it has been through rigorous scientific assessment by the APVMA to check its safety.

The No Spray Register Policy has been in place since 2020. For the 2026 intake, council received 51 new applications, with 50 of those being accepted. This takes the total number of properties on the register to 200 out of 29,000 rated properties, or 0.69% of Clarence.

Council has previously costed manual weed removal in parks by staff and/or contractors, which is considerably more expensive than applying herbicide and not feasible within current budgets. Hand weeding in parks has been estimated to cost in the order of 7.5 times more than weed spraying, considering a range of variables and differences across a range of parks and play areas within the city. Consequently, hand weeding is considered uneconomic.

If a trial is to be conducted at Bellerive Beach Park, it is recommended that it occur over the Spring and Summer periods where growth is at its highest. Any trial will need to be properly funded, as manual weeding will require significantly more labour. For this reason, it is recommended that any trial should be subject to a properly considered budget proposal and be subject to the approval of Council as a part of its annual Estimates process.

10. COUNCILLORS' QUESTION TIME

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

10.1 QUESTIONS ON NOTICE

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

Cr Mulder has given notice of the following questions:

CLARENCE CRICKET CLUB

Clarence Cricket Club, amongst others, is concerned over lease renegotiations and reported moves to increase rent based on income from function areas.

1. Does Council have a policy position on reducing sporting club income streams from function areas and is this a common approach across all sports ground leases?
2. Will council officers suspend lease negotiations till the new council has had an opportunity to assess this and other policies relating to sports ground leases?

10.2 ANSWERS TO QUESTIONS ON NOTICE**10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**

Cr Hunter

What is the status of closure and timeframes for repairing and reopening the foreshore track between Howrah and Little Howrah Beach?

ANSWER

(Acting Head of Infrastructure and Natural Assets) That track has been washed out for a number of years because of where it is located and we are doing an assessment of it to see what can be done and what budget may be required for repair.

Cr Hulme

1. My report that I tabled at a previous council meeting on the Eighth National Housing and Homelessness forum mentioned that one of the practices that many service providers were trying to implement was a “no wrong door” approach to people who are homeless and this means that service providers ensure that no matter who provides the service, a person seeking help can go to any provider without having to retell their story. Has there been any consideration given that council regularly deals with people sleeping rough as to how council can help implement a no wrong door approach when it comes to contact with people sleeping rough in Clarence?

ANSWER

(Head of Community and Culture) I have provided a copy of your report to officers in my team. We are currently looking at our approach to homelessness and looking at what our options are so it is something that we may consider in the future.

2. A business owner who operates a business in Lindisfarne Bay told me that he once asked the council about whether there could be signage erected to urge members of the public not to feed seagulls. I understand that we have such signage in relation to Pacific black ducks, but he was told “no”. I just wanted to get that clarified. Is that something that would potentially be progressed or are there any roadblocks to that?

ANSWER

(Acting Head of Infrastructure and Natural Assets) We would be happy to revisit that and have a closer look. We do try and do some education work with the community about not feeding wildlife and birds in particular.

(Further Information) Council recently received a request regarding the installation of an educational sign in the Simmons Park area to discourage bird feeding. Officers are currently in the process of producing updated signs to be inclusive of all birds, which will replace the existing ‘do not feed the ducks’ signs. Installation is anticipated to occur in September-October 2026.

Cr Walker

What budget allocation do we make in the annual budgets for civic receptions; what policy guidelines influence when the civic reception is warranted; and is it usual practice for civic receptions to be occurring during caretaker periods or similar?

ANSWER

Taken on notice.

(Further information) Council’s 2026-2027 Budget includes a provision of \$5,500 for civic events expenditure. This allocation supports a range of civic activities. Council does not have a specific policy prescribing when a civic reception is warranted. Each occasion is considered on a case-by-case basis. Civic receptions are not necessarily precluded during a caretaker period. Any reception proposed during caretaker would be considered in accordance with Council’s Election Caretaker Period Policy, including whether it forms part of ordinary or established civic business. No civic receptions have been held, or are scheduled to be held, during the current caretaker period.

Cr Goyne

1. An action coming out of the bushfire mitigation policy is to install fire trail markers through our relevant bushland areas to aid emergency workers. None of the local volunteer fire brigades that I have contacted in my area have been notified of the locations of these markers and their intended purpose. Will they be provided with a purpose mapping and information to assist the emergency response planning and when will that occur.

ANSWER

(Acting Head of Infrastructure and Natural Assets) My understanding is that it will occur, but I am happy to provide an update.

(Further information) As part of council's capital works program, fire trail markers are currently being installed across council's fire trail system, to aid fire management vehicle navigation across the network. The Tasmania Fire Service (TFS) will be provided with relevant fire trail information, including trail locations and classification, once installation and mapping updates are complete. Hard copy maps will also be provided, which the TFS can then distribute to the local brigades. This information will be provided to the TFS prior to the fire season.

2. On 10 August, I enquired about the requirement for an additional safety bollard to facilitate outdoor dining at the Bellerive Bakehouse in Percy Street. At that time, I noted that there was an existing bollard that had already been missing for several weeks. Given that the data provided in the answer indicated a significant increase in vehicle impacts involving these bollards since the upgrades, is there a replacement of this missing bollard, is it being prioritised and what is the estimated time of arrival of it?

ANSWER

Taken on notice.

(Further information) A replacement for the missing bollard is on order, with the expectation that it will be received and installed by the end of September 2026.

Cr Warren

1. Since closing off some of the parking spots in Bellerive and moving the bus in there, anecdotally I have noticed on a Saturday morning that it is very difficult to park which is I believe impacting on local business. So, has there been monitoring of that parking situation since that closure in the carpark?

ANSWER

Taken on notice.

(Further information) Council has been liaising with the contractor, Hazell Bros, regarding the parking arrangements associated with the Bellerive Ferry Terminal redevelopment works. During the initial stage of the project, a temporary bus was located within the carpark and used as an alternative to a contemporary site office. This arrangement was necessary as power, water and sewer services were not available while the temporary ferry ramp was being constructed so as to maintain ferry operations while construction occurs. The contractor has confirmed that the temporary ramp has now been completed and the bus has been permanently removed from the site. The site has now transitioned to the next stage of the approved Traffic Management Plan, resulting in the permanent construction site layout being established for the remainder of the works. Council will continue to work with Building Tasmania and their nominated contractor to minimise disruption to parking availability where practical during the redevelopment works.

2. I also noticed that on the first week after the closure there was a second disability spot allocated but that has not been there since then that I can see so I wanted to confirm if there are still two disability spots in that carpark at the ferry wharf?

ANSWER

Taken on notice.

(Further information) As part of the approved Traffic Management Plan, the two existing accessible parking spaces adjacent to the ferry terminal are located within the construction area and are therefore temporarily unavailable. To maintain accessible parking provision during construction, two replacement accessible parking spaces have been provided within the adjacent parking area.

10.4 QUESTIONS WITHOUT NOTICE

A Councillor may ask a Question without Notice of the Chairman or another Councillor or the Chief Executive Officer. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, a Councillor or the Chief Executive Officer may decline to answer a question without notice.

11. CLOSED MEETING

Regulation 17 of the Local Government (Meetings Procedures) Regulations 2025 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matter has been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 17 of the Local Government (Meeting Procedures) Regulations 2025.

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

This report has been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 17 of the Local Government (Meeting Procedures) Regulation 2025 as the detail covered in the report relates to:

- (l) requests by councillors for leave of absence;

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

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

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 17 matters, and that members of the public be required to leave the meeting room”.