City of Clarence
38 Bligh St Rosny Park
PO Box 96
Rosny Park TAS, 7018

03 6217 9500
clarence@ccc.tas.gov.au
ccc.tas.gov.au

1 July 2026

Reference: REQ2026-135895

Ms Pam Allan
Chairperson
Development Assessment Panel
Tasmanian Planning Commission
Via email: tpc@planning.tas.gov.au

Dear Ms Allan

Request for Information – Kangaroo Bay Hotel Major Project

Thank you for the opportunity to comment on the Kangaroo Bay Hotel Major Project Proposal (the '**Major Project'**) in accordance with section 60ZZD of the *Land Use Planning and Approvals Act 1993 (Tas.)* ('**LUPAA'**).

As outlined in our letter of 21 April 2026, the City of Clarence has a number of concerns with the proposed Major Project. As the Panel selectively chose which of those matters to consider in the preparation of the Initial Assessment Report (IAR) and suggested that council may wish to include the remainder by way of representation, such matters have been reincluded below.

The City of Clarence is of the position that the Major Project should be rejected as:

- The land ownership is in dispute and the proposal does not accord with the conditions of sale of public land - this does not represent fair and orderly planning.
- The proposal is reliant upon other approvals which are fundamental and which are unable to be advanced – accordingly, the proposal cannot be brought into effect.
- The proposal is deficient in its description and documentation to such a degree that the Panel is unable to reasonably determine it.
- The proposal does not satisfactorily address the Assessment Guidelines.

To support this position, council provides the following comments with regard to the Kangaroo Bay Hotel Major Project Proposal.

- **Limitation on representations**

  It is noted that section 60ZZM(2) of LUPAA instructs the Panel as to the matters which must be considered when determining a major project, including criterion (b) – '… *any representations made under section 60ZZD(1) in relation to the major project*'.

  Section 60ZZD then limits matters which are able to be raised by representation to:

  "(a) the major project;
  (b) the major project impact statement in relation to the major project;
  (c) any conditions or restrictions that the person considers ought to be specified on any major project permit, if the Panel were to grant such a permit in relation to the major project;
  (d) any amendment to a planning scheme (other than to the SPPs) that the person considers may be required, or is proposed, to be made in order for the major project to comply with the requirements of a relevant planning scheme;
  (e) any matter included, in accordance with section 60ZZA(2) , in the initial assessment report."

  However, in addition to the above, even where not explicitly stated, section 5 of LUPAA places an obligation on any decision maker in exercising any function under the Act to further the objectives set out in Schedule 1 of LUPAA.

- **Land ownership of Major Project site**

  At the outset, we are supportive of development on this prominent site that provides a positive contribution to the City of Clarence. It was for this purpose that council undertook a rigorous Expression of Interest process and appointed a preferred developer in 2016 and issued a permit for development in 2018. The original, approved design was iconic, fitting to its location, and the development importantly not only provided for a high-quality hotel but included a TasTafe Hospitability School. The current proposal represents a watered-down version of the original approval in terms of its design and place-making and with the removal of the training facility.

  Despite rejection of a major project designation in 2024, the proponent has continued to pursue this matter. It is noted that any approval will provide an eight-year period in which the new development has to substantially commence, effectively quarantining it from any other development until the project is cancelled by the Minister.

  As the approved project has not proceeded, council has sought to exercise its contractual rights to 'buy back' the land. Accordingly, Council is currently the purchaser of the land under an uncompleted contract. That contract is the subject of dispute in proceedings before the Supreme Court of Tasmania in which Council is seeking an order that Chambroad complete the contract. The action is well-advanced, and is anticipated it will go to trial within the next seven to eight months.

If Council succeeds in obtaining an order that Chambroad complete the contract, Council will resume ownership of the land and Chambroad will cease to be the owner of, or retain any interest in, the land. In that event, all action henceforth taken in respect of the Major Project declaration will be rendered nugatory, with consequent further considerable waste of public resources.

Gaining control of public land through promising one development then seeking approval via a third party to deliver a different development does not represent fair or orderly planning as required by the Objectives of the LUPAA.

- **Interest in Major Project site**

The area of the Major Project was defined in the Major Project Proposal – Kangaroo Bay Project dated 9 August 2024 - which accompanied the request for declaration. It is our understanding that this area has not been amended in accordance with section 40TG of LUPAA. The Major Project Impact Statement (MPIS) then has been prepared and submitted on this basis.

Accordingly, it would appear that the site of the Major Project is constrained to Lots 7, 8 and 11 described in Sealed Plan 173171.

It appears that portions of the actual site, including supporting rockwall structures exist outside this boundary (as demonstrated in *Consolidated Plan Set 2 - Titles & Survey*) which have then been reduced in the architectural plans to appear to be within the site boundary. Clarity is necessary as to the actual location of all proposed works, development and use in relation to the title boundary and the declared area.

Accurate information is also vital in order to manage any future development applications on surrounding land and the operation of the Act from an enforcement perspective and in order to process any future amendments to the major project (if approved). The Panel have recognised this inaccuracy in their commentary on *Assessment criterion 1.1 Use and activation* in the IAR.

Council retains interest in the land through:

- An existing Right of Carriageway in favour of Clarence City Council marked as “C” on Lot 8 on Sealed Plan 173171
- An existing Right of Carriageway in favour of Clarence City Council marked as “E” on Lot 11 on Sealed Plan 173171.

- An existing Drainage Easement in favour of Clarence City Council marked as “D” on Lot 7 on Sealed Plan 173171.

The site plan does not align the access to the Bellerive Yacht Club with the Right of Carriageway “E” on Lot 11and appears to shift it to the west and locates carparking, loading areas and overhead supporting structures within this area which will fundamentally interfere with Right of Carriageway. The proposed boardwalk (and public access) does not align with the Right of Carriageway “C” on Lot 8. In addition, the cut for the lower carpark and the location of the Plant Room adjacent to Cambridge Road appear to ignore the drainage easement “D” on Lot 7.

The desire to adjust various easements and rights of way has been identified in Section 2.2 of *Attachment 1 - Planning Compliance Report* but these are not identified through the plan of subdivision.

Council does not consent to any relocation or change to its easement and rights of carriageways. It is noted that any approvals necessary to modify easements, or relocate stormwater infrastructure are not project-related approvals under project-associated Acts. These are also matters that cannot be imposed by condition – in particular, the Panel cannot compel a third party to agree to any change. Accordingly, without such consents the proposal is unable to be brought into effect.

We note that, despite consultation with the adjacent landowner – the Bellerive Yacht Club - no consultation has occurred with council over the proposed use of this area and the assumption of its inclusion as proposed is inappropriate. In addition, the development, through enclosure of this space and signage effectively seeks to privatise a public space. The reliance on this right of carriageway to enable the Bellerive Yacht Club to remove their Cambridge Road access has been recognised in the consent agreement for *Bellerive Yacht Club Inc. v Clarence City Council [2024] TASCAT 75* as well as the prior planning permit D-2018/469.

- **Subdivision and consolidation of lots**

The declaration of the Major Project did not identify that the project included the subdivision or consolidation of lots despite section 60Q(1)(d)(ii) of LUPAA which requires that such a declaration must include ‘*the proposed uses or developments that are proposed to occur in relation to the project’*.

Section 2.2 of *Attachment 1 - Planning Compliance Report* identifies that the application seeks consolidation of lots through a plan of subdivision labelled ‘*Proposed Amalgamation of Boundaries’* plan in the *Consolidated Plan Set 2 - Titles & Survey*. The plan of consolidation is notated as seeking a “preliminary subdivision approval from the council” – this is an incorrect statement.

Consolidation is not included in the definition of subdivision despite the applicable standards for consolidation being identified within subdivision controls. This is a failing of the Tasmanian Planning Scheme but does not invalidate the need for approval for this activity. However, consolidation is within the definition of development, under the Act, as an alternative to subdivision [emphasis added].

> *'development includes –*
> *(a) the construction, exterior alteration or exterior decoration of a building; and*
> *(b) the demolition or removal of a building or works; and*
> *(c) the construction or carrying out of works; and*
> *(d) the subdivision* ***or consolidation*** *of land, including buildings or airspace; and*
> *(e) the placing or relocation of a building or works on land; and*
> *(f) the construction or putting up for display of signs or hoardings –*
> *but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f) , prescribed by the regulations for the purposes of this definition.'*

Accordingly, as development, to enable the Panel to consider consolidation of lots, it should have been identified as part of the declaration. It is not a subsequent activity which can be rectified through condition or assessment guidelines. While we note that Appendix A of the Assessment Guidelines request this information, this is in excess of the project declaration.

It would appear that the only mechanism available is a formal amendment to a Major Project permit, once issued, under section 60ZZW of LUPAA as it would involve the change of description of development. It is also submitted that the process of adhesion, under section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP) is not relevant as all lots have the qualities of a minimum lot (which are provided by the relevant planning scheme).

In addition, it is noted that the provisions of section 60S of LUPAA prevent the planning authority from issuing a normal permit for development (such as consolidation) outside the provisions of the Major Project.

The drafting of the major project provisions of the Act also creates a conflict with the process of the Sealing of a Final Plan as the relevant provisions of LGBMP are predicated on the approval of a plan of subdivision by Council, not a major project permit by the Panel.

- **Major Project Impact Statement**

  Council has undertaken a review of the provided MPIS. Accordingly, we raise the following key points:

  - *Traffic and Parking*

    The number of car parking bays and motorcycle bays described in Table 11 of the *Attachment 20 - Traffic Impact Assessment* (TIA) (and therefore repeated in other documents) do not match that shown on the Finalised Architectural plans (Appendix A of that report). In addition, the TIA shows two other parking layouts (pages 21 and 31) respectively – the latter being repeated on page 25 on the Traffic and Movement Study. Accordingly, it is unclear what the actual proposed parking arrangements and numbers are.

    The TIA identifies the vacant site at 30 Kangaroo Bay Drive as "Overflow parking" and makes the assumption that this area is available for public use into the future. That assumption is erroneous.

    Currently that site is subject to a Preferred Developer Agreement, following a tender process in 2018, and a permit for a large commercial/residential development has been issued. This development was approved on 9 November 2021, with timeframes extended under section 53 of LUPAA and the permit now expiring on 9 November 2027, unless substantially commenced. This approval consists of:

    - 1277m^2 of commercial tenancies
    - 86 residential apartments
    - 21 residential townhouses
    - 249 carparks.

    It is acknowledged that, in approving this development, the planning authority waived the provision of 42 spaces which were required to meet the acceptable solution under Clause E6.6.1A1 of the Parking and Access Code of the Clarence Interim Planning Scheme 2015.

    The TIA has, in part, justified a reduced provision of parking for the Major Project by suggesting that analysis of other similar development indicates that a one car space per four residential tenancies is a more appropriate rate, as well as applying a reduced parking allowance due to the presence of public transport and multi-modal opportunities for transport.

    Whilst the principles for variations to the planning scheme parking requirements outlined is generally agreed, the numerical assumptions used to justify a reduction in parking provision to 50% of the scheme rate are not sufficiently substantiated, nor should the 30% and 20% be simply added to make 50%. The lack of evidence-based justification and the compounding of non-independent assumptions means the car parking demand reduction is likely to be overstated. Especially considering with a predominance of tourists to Hobart using cars as their main transport mode.

In addition there are the following discrepancies between the Traffic Impact Assessment and the Transport and Movement Study:

- The TIA has the ground floor restaurant capacity as 300m2, whereas the TMS has the capacity listed as 424m2 in Table 4.
- It is unclear whether the rooftop restaurant is expected to generate traffic separately to the hotel. The TIA may be underestimating parking requirements.
- The Transport and Movement Study assumes the commercial tenancies are retail, whereas the TIA assumes they be treated as Hotel Industry, Food and Beverage Services.
- It is unclear whether non-guests can visit the wellness centre. If non-hotel guests have accessibility to the wellness centre, the assessment trip and parking impacts may not have been accounted.

It is our position that the proposal has not provided sufficient parking on site and/or demonstrated that sufficient carparking is readily available nearby to accommodate the reasonable use of the site. In addition, the MPIS does not clearly demonstrate how the development's transport demand relates to network capacity or supports the conclusions drawn.

- *Cambridge Road*

We note that the proposal intends to provide a significant cut and retaining wall along the Cambridge Road frontage. No detailed information is provided with regard to the engineering design of this structure to ensure that it will be fit for purpose and provide suitable ongoing support for the roadway and footpath.

No information is provided as to how this will provide for the continuation of drainage as provide for by the existing Drainage Easement in favour of Clarence City Council marked as "D" on Lot 7 on Sealed Plan 173171.

It would appear that the Cambridge Road frontage will be a blank wall approximately 1500mm high (forming the rear of the plant room) with presumably wire security fence to prevent climbing on the roof. There are no details regarding this elevation which is a fundamental consideration of the Cambridge Road streetscape.

It is also noted that work along the Cambridge Road façade and the need to ensure continued use of Cambridge Road has not been included in the provided Construction Management Plan by Pitt & Sherry (Attachment 6).

- *Site conditions*

  The site of the Major Project has significantly changed over time:

  - 2015 – completion of Kangaroo Bay Drive roadworks
  - 2017 – removal of old ferry terminal structure
  - 2018 – reclamation of land

  The detail survey by PDA Surveyors, Engineers & Planners (*Consolidated Plan Set 2 - Titles & Survey*) is comprised of new survey, incorporation of survey data from 2017 (prior to reclamation) and LiDAR data. The bathymetric survey data, used in Attachments-05-Coastal Inundation Assessment, was completed in 2017, prior to the reclamation works in 2018.

  It is also noted that the hazard mapping, used in the development of the overlays in the Tasmanian Planning Scheme – Clarence, is based on circa 2016 data.

  The age of relevant datasets that for the basis of site investigation, in some cases, are almost 10 years old and the accuracy is questioned given the potential for site settlement or changes as a result of reclamation works.

- *Inadequacy of documentation*

  Specific issues in response to inadequacies of and the need for further information to the technical reports accompanying the MPIS are identified in the tabulated Attachment 1 to this submission.

I trust the information provided above is sufficient for your purposes. If you have any further questions or wish clarification to any of the above points, please contact Daniel Marr, Head of City Planning, via 03 6217 9500 or via dmarr@ccc.tas.gov.au.

Yours sincerely,

[redacted]

Ian Nelson
CHIEF EXECUTIVE OFFICER

Attachment 1 – Summary of aspects and deficiencies with technical reports

The following summary arises from a high-level peer review of reports by GHD and council officers.

Attachment 05 - Coastal Inundation Hazard Assessment Report
The following aspects have been identified in this Report. ◦ The Coastal Inundation Hazard Assessment with topographic and bathymetric survey do not reflect the actual site geometry and elevation. ◦ Consider additional data points available in CSIRO CAWCR (now WHACS) beyond 2021, evaluate impacts to the extreme value analysis results and implication to the inundation hazard extent and severity, and update the inundation assessment as required. ◦ Provide clarity and documentation on Deflt3D model setup, data sources, and model performance results. ◦ Elaborate the comparison of storm tide level derived from the Delft3D model and that read from Canute3, as well as the storm tide level established in research by others. ◦ Elaborate the comparison of pre- and post-development inundation extent and severity at the site, using more up-to-date surveys. ◦ Confirm compliance of finished floor levels and other proposed building elements to the inundation hazard assessment, to ensure consistency across all reports and architecture drawings, and to satisfy the planning requirements. The coastal inundation hazard assessment relies on outdated baseline information and does not reflect current site conditions following reclamation. There is a lack of model validation and absence of discussion with regards to the selection of the storm tide levels. There are inconsistencies between the assessment conclusions and the proposed finish floor levels, revetment heights and ancillary development elements, and insufficient information to demonstrate the development will not increase coastal inundation risk to adjacent land or public infrastructure. **The information provided is inadequate to confirm that an acceptable level of coastal inundation risk can be achieved for the intended life of the development.**
Attachment 06 - Construction Management Plan
The following aspects have been identified in this Report.

◦ The Construction Management Plan (CMP) needs site-specific and evidence-based controls, rather than relying on a high-level framework to be finalised post-approval. ◦ The CMP should be able to demonstrate at MPIS stage how construction impacts can be managed to an acceptable level, rather than deferring key mitigation measures to future contractor-prepared plans. ◦ Greater detail should be provided on construction staging, sequencing, and duration, including identification of high-impact phases, to enable an assessment of the scale and persistence of amenity impacts on nearby sensitive receivers. The CMP does not take into account varying tides and a marine environment. ◦ The construction traffic arrangements must be quantified and demonstrated, including indicative construction vehicle numbers, peak delivery periods, access arrangements, and swept-path feasibility within the constrained site. ◦ The CMP should include an assessment of construction noise and vibration impacts at representative sensitive receivers, with predicted levels compared against relevant criteria to demonstrate that impacts can be managed to an acceptable level. ◦ Soil and water management measures need to be expanded to include defined monitoring triggers, response actions, and contingency measures appropriate to the site's coastal and environmental context. ◦ The emergency management arrangements must be clearly demonstrated for all stages of construction, including how emergency access, coordination, and response will be maintained throughout the construction period. **The Construction Management Plan is presented as a framework document to be further developed by the contractor and does not sufficiently demonstrate, at MPIS stage, that construction impacts can be managed to an acceptable level. This limitation is particularly significant given the site's location within a marine and estuarine environment, where construction activities have a direct potential to impact coastal waters and marine values.** **The CMP does not adequately demonstrate how construction risks specific to this marine setting will be addressed prior to approval.**
Attachment 08 - Environmental Impact Assessment
The following has been identified with this Report:

• Testing should be undertaken for a broader range of contaminants particularly those associated with landfills. These include PFAS and nutrients (including nitrate, ammonia and phosphorous) that have not been tested for at the site. • Management plans should be conditioned as per the recommendations in the Report.
Attachment 09 - Flood Hazard Assessment Report
The following aspects have been identified. ○ The flood hazard assessment with topographic survey does not reflect the actual current site geometry and elevation. ○ The Report lacks rigorous validation of the hydrology model parameters including the loss values adopted (to demonstrate these are replicating runoff within an expected order of magnitude). ○ There is no clarity on the approach to quantifying runoff from the roofed areas within the proposed site. The material reviewed by GHD indicates that runoff in these areas has been ignored and this is covered in the Stormwater Management Plan for events up to the 1% AEP + climate change. The Stormwater Management Plan does not quantify flows in this event. It should be clear (including quantification of flows and how they will be managed), for events up to this event. ○ The reporting and results presentation should consistently filter results such that they show the same flood extent for the same event. In summary, the flood risk could be different in more frequent storms and present a different challenge to manage in terms of stormwater and drainage systems in these events. A range of events, rather than a single AEP, should be considered for this assessment. Also, older as-built topographical data is being used as the base of the model and may poorly inform inundation risk assessment outcomes. The internal stormwater management system does not assess performance either in the stormwater model or flood model up to and including the 1% AEP to demonstrate that overflow occurring from the drainage system, expected to occur in events up to and including this frequency, do not pose flood risk. **The information provided is inadequate to confirm that an acceptable level of flood risk can be achieved for the intended life of the development.**

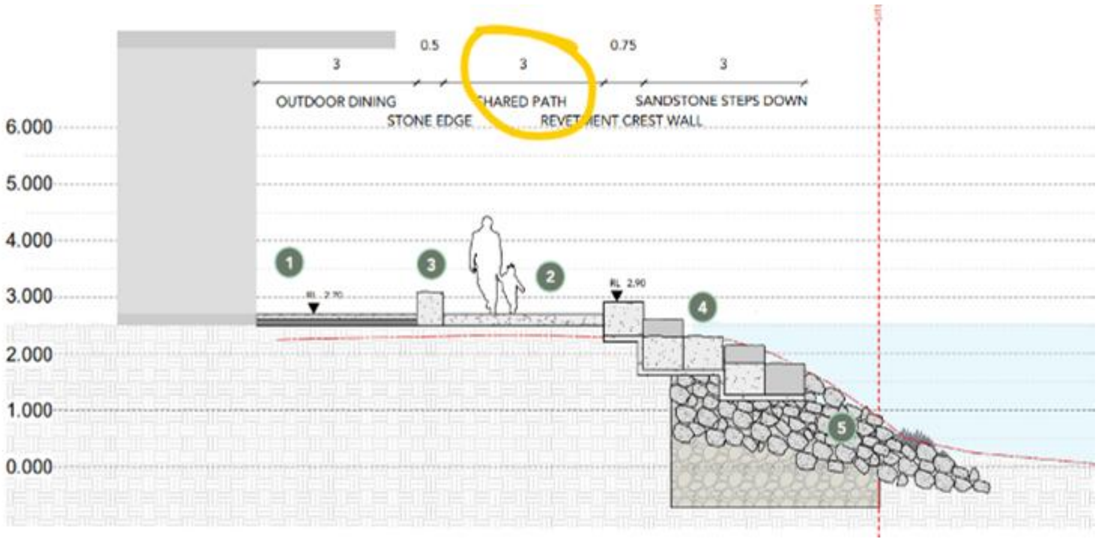
City of Clarence

Attachment 10 - Geotechnical Desktop Assessment Report
The following aspects have been identified with the Report. The criteria require the project to maintain the existing water quality and flow of surface water and groundwater. The Report does not explicitly address this nor discuss the existing conditions, commitments to maintaining these conditions during the hworks and how risks will be managed.Similarly, the Report does not address impacts of erosion, siltation, sedimentation, and runoff. At a minimum there needs to be a commitment to develop a soil and water management plan for the project.
Attachment 11 - Infrastructure Services Report
The following aspects have been idenitified. ○ The electrical demand assessment should appropriately quantify and incorporate electric vehicle (EV) charging loads, noting that the current assumptions materially understate the potential contribution of EV charging to maximum demand. ○ The electrical demand assumptions for back-of-house areas needs to be justified, as classification of these areas as warehouse space is not considered representative of their function within a conditioned hotel environment. ○ The demonstrated margin between calculated electrical demand and available supply capacity should be reassessed once EV charging and back-of-house loads are appropriately quantified, to confirm the adequacy of the proposed electrical supply arrangement. ○ The proposed potable water meter size needs to be justified through an assessment of operating velocities and alternative meter options, to demonstrate that the selected meter is appropriate for the stated peak potable water demand. ○ Wastewater design flows should be consistently derived and clearly documented, including reconciliation of average dry weather flows and adopted peaking factors, to support confidence in the proposed sewer servicing assessme**nt.** **The anticipated demand of the development has not been wholistically assessed for the scale of the development.**

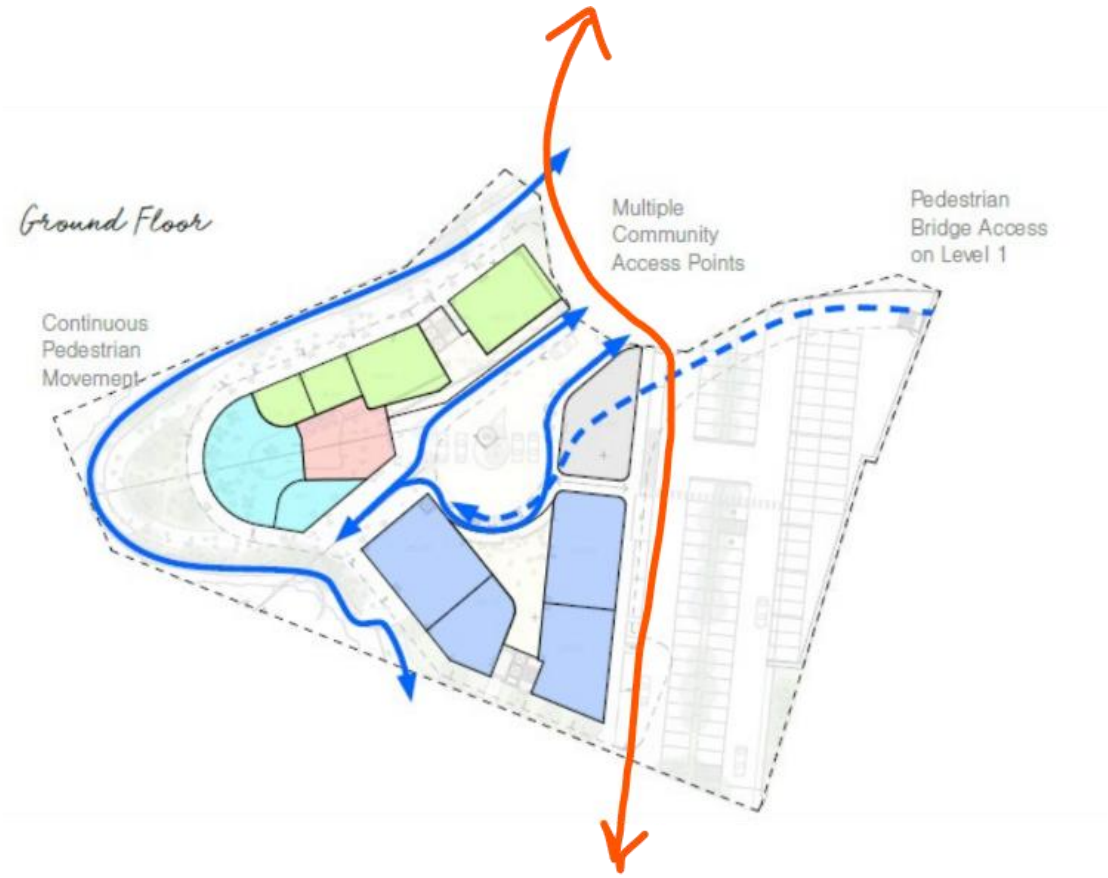
Attachments 12.1 - Landscape Architectural Report and 12.2 and Landscape Concept Plans (Council officers review)
Section 1.2 Context and Landscape: Criteria reference the proposed use must *'treat the KB waterfront as a continuous public space with an emphasis on safe, legible pedestrian movement'*. Given the movement on the foreshore is a continuation of the Clarence Foreshore Trail (CFT), this movement should not be limited to pedestrians and needs to consider the shared use of this movement corridor and the high volume of cyclists. I query how "safe" current design configuration of the shared path will be for people moving along the CFT once the hotel is operational, especially cyclists. Key areas of concern: o The design is currently showing a 3.0m wide shared use path which is a continuation of the existing CFT width and format (see snip 1 below). The design has both sides of the shared path bound by low walls or sandstone blockwork, essentially containing CFT users to the path. These edges area a pedal clipping hazard for cyclists and to avoid they will travel more central on the path. Best practice we now apply to any new works on the CFT is provide <u>at least</u> a 500mm offset for any raised edges or obstructions on edges of the trail. While existing sections of the CFT are 3.0m, we would recommend if the current cross section design is to be retained, the shared path should be at least 4m wide. o There are several points where cross-movement will occur across the CFT, especially from the hotel to the lookout point and viewing decks. Every cross movement is a risk for collision with cyclists, exacerbated by the edge containment reducing opportunity to avoid by moving off the path or tracking close to the edge. The curve of the path, especially around the south side as well as proposed planting areas (screening shrubs) will likely shorten sight lines. The design currently relies on users managing their own risk - cyclists slowing and pedestrians being aware of their surroundings. This is unlikely to eliminate conflict, especially during peak use times. o Given the current layout, it is predicted confident cyclists will avoid the CFT on the foreshore and will instead divert to on-road passage behind the Hotel and through the rear car park (see snip 2 below). This cycle movement is currently not accommodated and introduces a new range of possible conflicts between cars, pedestrians and loading bays. o It is acknowledged this section of the CFT will be privately owned and managed and therefore liability for these risks rest with the Hotel. However, it is foreseeable that the public will view this section of the CFT as Council responsibility and raise requests regarding conflicts we have no capacity to

address. For this reason, it is critical these foreseeable conflicts are resolved at the design stage.

Snip 1. Current CFT cross section, showing 3m wide shared path with raised edge/wall barriers.



Snip 2. Predicted cyclist movement (red line) to avoid conflicted area along foreshore.



Attachment 14 - Natural Values Assessment – Marine Solutions

The following aspects have been identified with the Natural Values Assessment (NAV) Report.

The NVA provides a description of existing marine conditions at the site, including habitat, sediment characteristics and targeted species surveys. This baseline information is generally sound.

However, the assessment does not clearly describe how the proposed works will interact with these values. In particular:

- The nature and extent of the proposed works are not described in sufficient detail to provide for full impact assessment.
- The report does not link construction activities to potential impacts, such as sediment disturbance, turbidity, or contaminant mobilisation.
- Mitigation measures (e.g. silt curtain) are identified but not clearly tied to specific risks.
- Conclusions that the impact will be “low” are largely based on assumptions e.g. that proposal will be small scale, without sufficiently defining the scale.

Attachment 18 - Stormwater Management Plan
The following aspects have been identified with this Report. ○ The exclusion of on-site stormwater detention appears reasonable in principle given the modest increase in impervious area and discharge via a new outfall to Kangaroo Bay; however, formal approval from the Clarence City Council Group Manager Engineering Services is required and has not been demonstrated. Reliance on the 2016 Aldanmark engineering feasibility report has not been shown to reflect the conditions or assumptions adopted in the current MPIS, and a requirement for detention cannot be discounted. ○ While the proposed underground (minor) drainage layout appears generally reasonable, no DRAINS model outputs have been provided to demonstrate compliance with the 5% AEP design standard. ○ No underground drainage has been proposed for boardwalk areas located behind revetment walls, and it is unclear how runoff from these areas is collected and connected to the minor drainage system. ○ No DRAINS modelling has been provided to demonstrate the performance of the Minor drainage system and major overland flow system during exceedance (1% AEP) events. ○ Statements regarding overland flow paths from the Porte Cochere are inconsistent with the spot levels shown on the approved ground level drawings, raising concerns regarding the accuracy of the overland flow assessment and the management of runoff from Kangaroo Bay Drive. ○ The assessment of overland flow paths is based on pre-development topography only, with no consideration of post-development conditions or the potential for internal flooding, particularly given revetment wall levels exceed the proposed finished floor levels and no evidence or discussion that the minor drainage system has capacity to adequately manage the flood risk in the 1% AEP event. ○ Although the overall water quality treatment approach appears reasonable, no raingarden design parameters or MUSIC source node parameters have been provided, preventing verification of the suitability and performance of the proposed treatment systems. ○ The MUSIC modelling has been undertaken using only a single year of meteorological data. As MUSIC is a continuous simulation model and accepted guidance recommends long-term datasets (typically at least 10 years), the results are not considered representative or reliable for demonstrating compliance with stormwater performance objectives.

○ On the basis of the above, compliance with the Clarence City Council Stormwater Management Procedure for New Developments has not been adequately demonstrated. **It has not been adequately demonstrated that the proposed stormwater management system meets Clarence City Council's Stormwater management requirements.**
Attachment 20 - Traffic Impact Assessment
The following has been identified with this Report. ○ The proposed amendments to the planning scheme parking provision requirements appear to be either: Arbitrary and without justification or source material or based on data that has not been provided and is therefore not auditable. ○ SIDRA modelling indicates that queues on the east approach to the Rosny Hill Road/ Bligh Street/ Kangaroo Bay Drive intersection extend through the Rosny Hill / Cambridge Road roundabout. However, the impacts of this queueing within and through the roundabout have not been acknowledged or assessed. ○ Several traffic engineering recommendations have been identified; however, it is unclear whether these have been incorporated into the design. Examples include relocation of a pole to improve pedestrian sight distances, positioning of the boom gate to improve loading bay access, and proposed crossover and cul-de-sac improvements. **Parking at Pembroke Place is unavailable to this development. It is unclear to what is the basis of using 1 space per 4 hotel rooms. There is no referenced evidence. Especially considering tourists predominantly use cars and limited public transport compared to the mainland cities. There is no justification for compounding two non-independent assumptions with the demand reduction, resulting in the likelihood the parking demand reduction is overstated.**
Attachment 21 - Transport and Movement Study
The following has been identified with this Report. ○ The issues identified above in Section 2.7 on the Traffic Impact Assessment review also have a direct influence on the findings and conclusions of the Transport and Movement Strategy Report.

- There are several inconsistencies between the Traffic Impact Assessment and the Transport and Movement Study, most notably: Differences in the adopted restaurant land use areas for the traffic generation estimates; and
- Differences in the adopted land use type for the commercial tenancies within the proposed development.

The inconsistencies between the Traffic Impact Assessment and the Transport and Movement Study (TMS) may be underestimating parking requirements and traffic generation of the proposed development. The lack of clear, consolidated summary of person trips and mode share means the TMS does not clearly demonstrate how the development's transport demand relates to network capacity or support the conclusions drawn.