

PLANNING REPORT

HOWRAH CHURCH OF CHRIST

30 Holland Court, Howrah

December 2022

Issuing Office: 117 Harrington Street, Hobart 7000
JMG Project No. 203057PH

Document Issue Status

Ver.	Issue Date	Description	Originator		Checked		Approved	
1.0	May 2021	For Council Submission	KH	6/5	TH	6/5	MSC	6/5
2.0	6/5/22	RFI Update	KH	23/11	SZ	25/11	MSC	6/6
2.0	10/5/22	RFI Update	KH/MS	10/5	SZ	31/05	MSC	31/05
3.0	25/10/22	RFI Update (lot sizes)	KH	25/10	AF	25/10	AF	25/10
3.0	17/11/22	Final Report Update	KH	17/11	MSC	1/12	MSC	12/12

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Executive Summary

This report has been prepared in support of the proposed rezoning and subdivision at 30 Holland Court, Howrah (CT 35660/1). The application is to be lodged with the Clarence City Council for assessment.

The proposed scheme amendment involves rezoning the site (1.562 ha) from 'Community Purpose' zone to 'General Residential' (1.4824ha) and 'Open Space' (796m²).

The proposal seeks the subdivision of one existing lot into ten. This includes the balance lot, non-residential, which will contain the existing church building that is to be retained and two Public Open Space lots. As a consequence of the proposed subdivision, seven new residential lots will be created.

The *Land Use Planning and Assessment Act 1993* (LUPAA) allows for a combined permit and request to be made to a planning authority to amend the zoning or use or development of one or more parcels of land specified in a Local Planning Scheme. It is submitted that the proposed amendment ought to be considered under Section 40T of the *Land Use Planning and Approvals Act 1993* on the basis that it is consistent with the objectives of LUPAA.

The proposal has been considered against the subdivision development standards of the General Residential Zone (Clause 8.6) of the Local Planning Scheme and the proposal generates the following discretions under the Planning Scheme:

- Clause 8.6.2 Roads - the proposal includes a new road;

Development on the site is subject to the following overlay Codes:

- C2.0 Parking and Sustainable Transport Code;
- C3.0 Road and Railway Assets Code;
- C7.0 Natural Assets Code;
- C12.0 Flood-Prone Areas Code;
- C13.0 Bushfire Prone Areas Code;
- C15.0 Landslip Hazard Code;
- C16.0 Safeguarding of Airports Code.

The proposal has been assessed against all relevant objectives relating to subdivision and is found to be acceptable with respect to the Planning Scheme requirements.

1. Introduction

Johnstone McGee & Gandy Pty Ltd (JMG) Engineers and Planners have been engaged by Howrah Church of Christ to prepare an application on their behalf. This report has been prepared in support of a proposed rezoning and subdivision to be lodged with the Clarence City Council for assessment.

The proposal consists of two components, one being to rezone 30 Holland Court, Howrah (35660/1) from 'Community Purpose' to 'General Residential' and 'Open Space' and the other being to subdivide the property into seven residential lots, one balance lot (the church), and two public open space lots.

2. Site Location & Context

The subject site is located at 30 Holland Court, Howrah (35660/1) (Figure 1). The site is currently used as a Church and the total area subject to rezoning is 1.562 ha. To extend Holland Court works will need to be undertaken in the existing Holland Court road reserve (CT35062/101) which is currently privately owned but a Council maintained public road.



Figure 1 - Subject Site - 30 Holland Court

The site is located immediately to the south of the South Arm Highway Road Reserve, between existing residential settlements of the Clarence Municipality and areas to be developed for residential purposes. It is also in proximity to environmental/open space areas.

The site (in its entirety) is currently occupied by a Church (community purpose use).

Title information is included in Appendix A.

2.1 The Local Area

Howrah is situated within the Clarence City Council municipality and has a population of approximately 8,690 residents¹. The site currently houses the *Howrah Church of Christ* building, which is a community building that hosts a range of community events and programs, predominantly on weekends. The facility will remain in operation.

The subject site is surrounded by *General Residential* to the east and west, *Low Density Residential* to the southeast and southwest, *Landscape Conservation* to the south, and *Utilities* to the north (Figure 2).

The proposal will allow for additional dwellings to be delivered within an established residential area. The site is also within close proximity to community facilities, local services, and public open spaces.

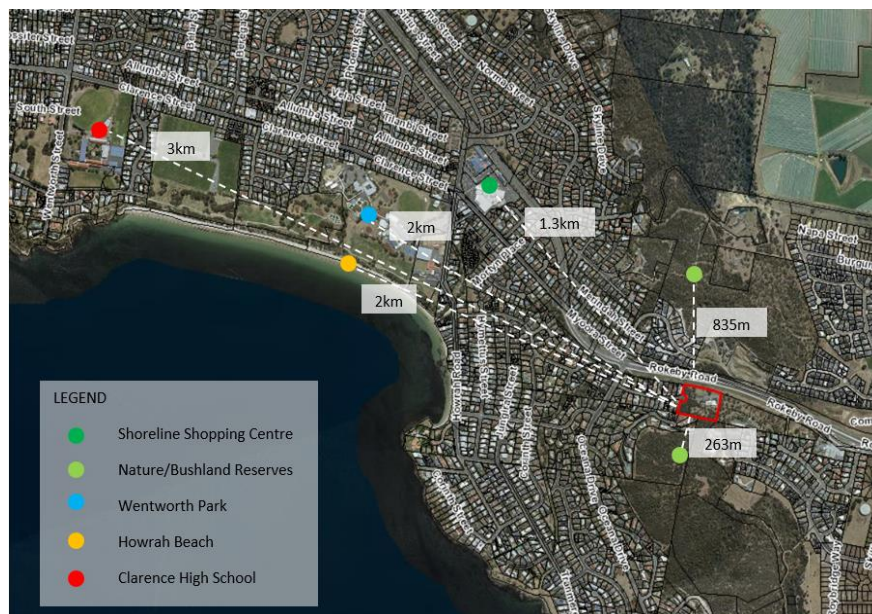


Figure 2 - Subject Site Local Context

2.3 Surrounding Development Applications and Permits

The site to the east, 38 & 38A Buckingham Drive Howrah (PID 2565865), is currently zoned general residential and is subject to the same overlays.

A proposal for a 30-lot subdivision (4 stages) was approved on 21st June 2021 (see Figure 3). Conditions 6 & 19 of the permit specify:

6. *ENG M2 - DESIGNS SD include additional dot point “a multi-user path within public open space and linking the new road lot and existing multi-user path along South Arm Highway”, replace second paragraph with “A fee in accordance with council’s adopted fee schedule will be charged for the approval of these plans and is payable upon their lodgement. A “start of works” permit must be obtained prior to the commencement of any “works.”*
19. *LAND 5 - SUBDIVISION LANDSCAPING replace third sentence with “the plan must include construction details for footways, multi-user paths and other public links within both road reserves and public open space areas.”*

¹ 2016 Census Quick Stats - Howrah

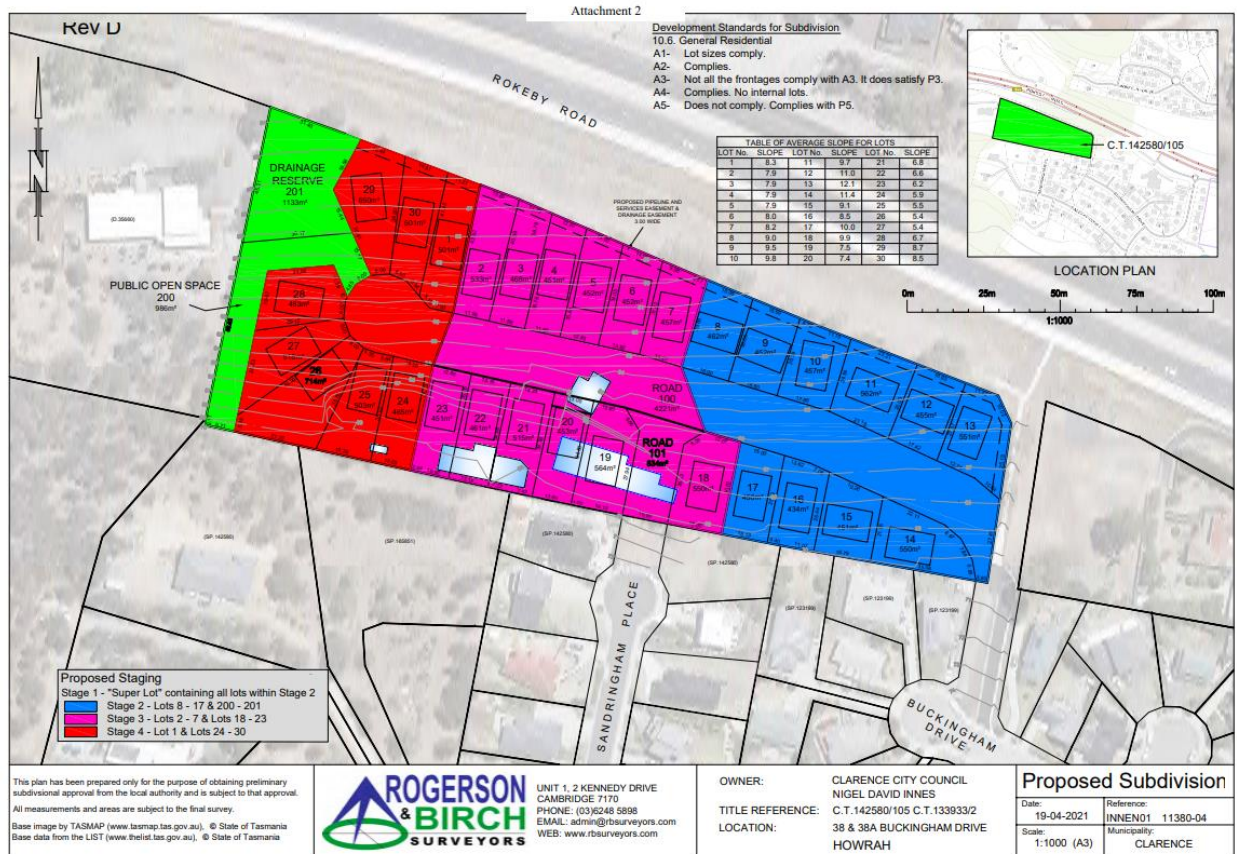


Figure 3 - 38 & 38A Buckingham Drive Subdivision

3. The Proposal

3.1 Scheme Amendment

The proposed amendment involves rezoning the Subject Site from 'Community Purpose' (Figure 4) to 'General Residential' (Figure 5). The amendment will affect the Planning Scheme zoning map.

The rezoned land will immediately adjoin existing 'General Residential' zoned land to the east and west as well as 'Low Density Residential' to the south.

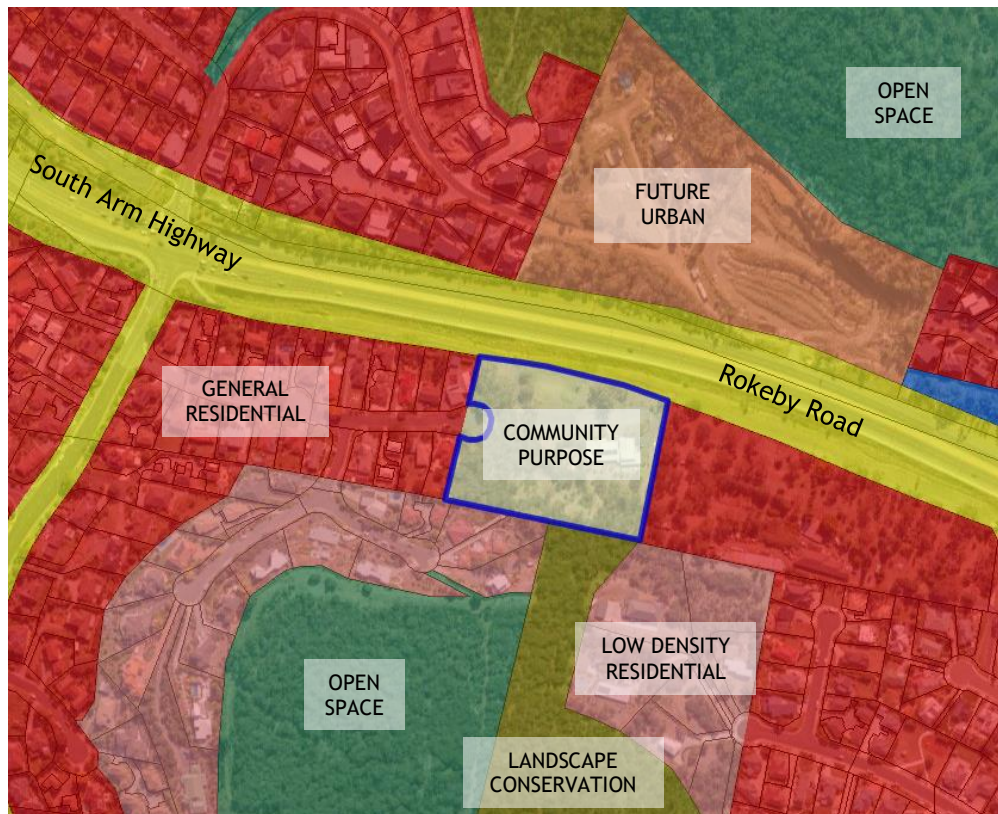


Figure 4 - Current Zoning (source: LISTmap 10.05.22)

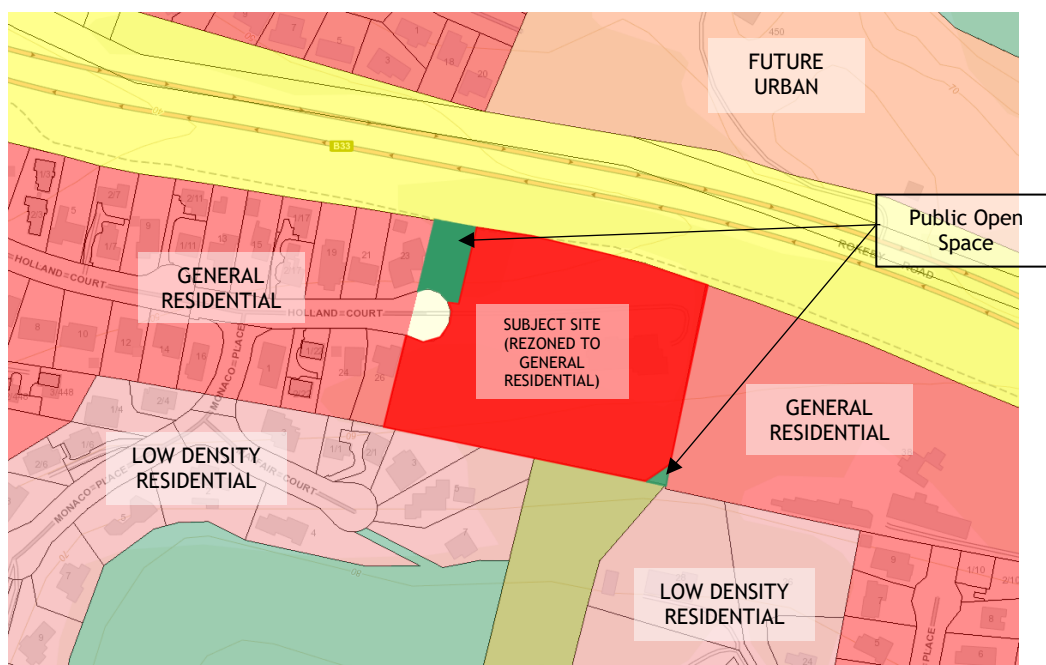


Figure 5 - Proposed Zoning of 'Subject Site' to General Residential

3.2 Consideration of Alternative Forms of Amendment

Two alternative forms of the amendment were considered with respect to the proposed rezoning.

The first was a site-specific qualification, but this is considered overly complex given the use and development standards of the General Residential zone should be applied to the type of development proposed (i.e. single dwellings).

The second was to develop a *Specific Area Plan* for the site, which would allow for site-specific development where it contributes to a significant social, economic or environmental benefit to the State or municipal area. In this instance, a SAP was not considered appropriate as a subdivision plan has been prepared for the site that is proposed to be delivered at the same time as the scheme amendment, and as such a long-term development plan for the site was not considered necessary/

Consideration was also given to having the church site zoned Particular Purpose. This was determined to not provide sufficient flexibility should the church leave the site in the future and would be a spot zone within the otherwise predominantly residential area.

The amendment chosen will contribute to delivering much-needed housing land within an established urban area with minimal impact on the character of the area or the natural values of adjoining parkland and reserves.

3.3 Consideration of Potential Land Use Implications

The proposed rezoning will modify the use classes and residential density that is permissible on the site by virtue of the zoning. A comparison of use classes that could occur on the site under the current zoning versus the proposed zoning is presented below in Table 1.

Table 1: Current versus proposed zone uses.

Status	Community Purpose Zone (current)	General Residential Zone (proposed)
No Permit Required	Natural and cultural values management Passive recreation Utilities - only if minor utilities	Natural and Cultural Values Management Passive Recreation Residential - If for a single dwelling. Utilities - If for minor utilities.
Permitted	Business and Professional Services - If for: (a) medical centre; (b) a community-based organisation; (c) government offices; or (d) funeral parlour. Community meeting and entertainment Crematoria and cemeteries - if for a cemetery. Educational and occasional care Emergency services Hospital services Residential - if for (a) a residential care facility, respite centre, retirement village or assisted housing; or (b) accommodation for staff or students of a use on the site. Tourist operation	Residential - If not listed as No Permit Required. Visitor Accommodation
Discretionary	Business and professional services - if not listed as Permitted. Custodial facility - if for alterations or extension to an existing Custodial Facility. Food services General retail and hire - If for a market.	Business and Professional Services - if for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.

Status	Community Purpose Zone (current)	General Residential Zone (proposed)
	Recycling and waste disposal - if for alterations or extensions to an existing Recycling and Waste Depot Sports and Recreation Tourist Operation - if not listed as Permitted. Utilities - if not listed as Permitted. Vehicle parking	Community Meeting and Entertainment - if for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre. Educational and Occasional Care - if not for a tertiary institution. Emergency Services Food Services - if not for a takeaway food premises with a drive-through facility. General Retail and Hire - If for a local shop. Sports and Recreation - if for a fitness centre, gymnasium, public swimming pool or sports ground. Utilities - if not listed as No Permit Required.
Prohibited	All other uses	All other uses

Rezoning to 'General Residential' will allow a permitted pathway for a wider range of dwelling development as well as greater flexibility with uses and overall density. Land to the north, east and west is currently zoned for the purposes of Residential development as such the potential for conflict resultant from the rezoning of the site is minimal. The existing structure, the *Howrah Church of Christ*, is to remain on the site, which will become a discretionary use in the zone.

Use and development on the site will be subject to the provisions of the General Residential zone, outlined below that will further control use and development.

8.3 Use Standards

- *Discretionary use* - hours of operation, external lighting, commercial vehicle movements, impact on sensitive uses; and
- *Visitor Accommodation* - existing building with a gross floor area of not more than 200m² or must have regard for the character and use of the area.

8.4 Development Standards for Buildings and Works

- *Residential density for multiple dwellings* - comply with 325 m² site area per dwelling;
- *Building Height & Setback* - comply with the building envelope; and
- *Site coverage, Private open space, Privacy, Frontage Fencing, Waste storage for multiple dwellings* - comply with relevant provisions.
- .

Part E Codes

The site will be (partially or fully) subject to several Codes.

- C2.0 Parking and Sustainable Transport;
- C3.0 Road and Railway Assets (road or railway attenuation area);
- C7.0 Natural Assets (priority vegetation area);
- C12.0 Flood-Prone Areas;
- C13.0 Bushfire Prone Areas;
- C15.0 Landslip Hazard (low landslip hazard band); and
- C16.0 Safeguarding of Airports (airport obstacle limitation area).

Part F Specific Area Plans

The site is not subject to any Specific Area Plans, nor are any of the adjoining properties.

4. Proposed Development

Under section 40T of the *Land Use Planning and Assessment Act 1993* (LUPAA) a person who requests planning authority to amend the zoning or use or development of one or more parcels of land specified in a Local Planning Scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested

The Council may initiate and certify an amendment to the Scheme if it is satisfied that it is consistent with the LPS criteria set out under Section 34(2) of the Act. Accordingly, to support this Amendment, this assessment has been prepared to:

- Provide the rationale for the proposed amendment
- Detail the site and the surrounding uses
- Provide a full description of the proposed planning scheme amendments
- Demonstrate that the application will further the objectives set out in Schedule 1 of the Act
- Demonstrate that the proposal is in accordance with the State Policies
- Demonstrate that the proposal is as far as practical consistent with the Southern Tasmania Regional Land Use Strategy (STRLUS) and any common provisions
- Demonstrate that a permit should be issued for the intended multiple dwelling use and development once the proposed planning scheme amendment is in place.
- There are no relevant Tasmanian Planning Policies at the time of this application.

It is submitted that the proposed amendment ought to be considered under Section 40T of the *Land Use Planning and Approvals Act 1993* on the basis that it is consistent with the objectives of LUPAA.

The development application (Appendix B) aspect of the application is the subdivision of 1 existing allotment into 10 lots with 7 new residential lots, 1 balance lot (which contains an existing church building that is to be retained) and lots 100 & 101 as Public Open Space.

An assessment against the provisions of Clause 8.6 of the *Tasmanian Planning Scheme - Clarence* is provided under Section 5 of this report.

5. Policy Assessment

5.1 State Policies

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

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

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

- The National Environmental Protection Measures (NEPMS).

The following section examines the State Policies as they apply to this amendment:

State Policy on the Protection of Agricultural Land 2009 - The subject land does not relate to agricultural land and the proposal does not conflict with this Policy.

State Coastal Policy 1996 (revised 2009) - The subject land is located within 1km of the coast (890m) and the proposed re-zoning is considered against the applicable overlays implemented by the planning authority to protect the natural and cultural values of the coast as such the proposal does not conflict with this Policy.

State Policy on Water Quality Management 1997 - The proposed zoning will allow for suitable stormwater treatment to be incorporated in future development as required by the planning scheme. Such measures will ensure the long-term quality of stormwater runoff is efficiently managed to protect water quality as such the proposal does not conflict with this Policy.

National Environment Protection Measures - Matters of noise are discussed throughout this assessment and the accompanying noise report; the proposal will not conflict with any of the NEPMs including those for water quality and noise in particular.

5.2 Land Use Planning and Approvals Act 1993

Schedule 1 of the Land Use Planning & Approvals Act 1993 - Section 34(2)(c) of the Act provides that the Council is to be satisfied that the proposed amendment seeks to further the objectives set out in Schedule 1. The objectives in Schedule 1 and their relevance to this amendment are addressed in section 5.2.

The objectives of Schedule 1 of the Act are considered in the following table:

Table 2: Schedule 1, Part 1 Objectives

Part 1	Amendment Response
<i>(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	<p>The Natural Values Assessment (NVA) identified that the highest conservation values are concentrated in Public Open Space 101 and Lot 1 (Figure 3, Appendix H) which is paradoxically outside the Priority Vegetation Area. The impact is primarily on Lot 100 and Lot 1 of the proposed subdivision (Appendix B). Stormwater and wastewater will be managed appropriately.</p> <p>The development will have minimal impact with regard to ecological processes and genetic diversity and accordingly satisfies Objective (a) of Part 1.</p>
<i>(b) To provide for the fair, orderly and sustainable use and development of air, land, and water; and</i>	<p>The proposed rezoning is to facilitate the production of more housing developments within the City of Clarence. ABS figures demonstrate the population of the area to be steadily increasing (refer to Section 4.2.7).</p> <p>The site is located within the established suburb of Howrah and has good road access, as well as being serviced with mains sewer and water infrastructure.</p> <p>The subdivision has been designed to minimise potential conflict with adjoining land uses and services. The amendment is accordingly considered to satisfy Objective (b) of Part 1.</p>
<i>(c) to encourage public involvement in resource management and planning; and</i>	<p>A public notification period will be conducted in accordance with the requirements of the Land Use Planning and Approvals Act 1993.</p> <p>Accordingly, the amendment is considered to further Objective (c) of Part 1.</p>
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	<p>The likely increase in population resulting from the amendment in conjunction with the site's close proximity to adjoining activity centres will have a positive impact on the economic development of the area.</p> <p>Furthermore, the construction of the subdivision will create employment and economic stimulation in the local community in the short term.</p> <p>Accordingly, the amendment is considered to further Objective (d) of Part 1.</p>
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>	<p>The scheme amendment process is demonstrative of the sharing of responsibility for planning.</p> <p>Accordingly, the amendment is considered to further Objective (e) of Part 1.</p>

Table 3: Schedule 1, Part 2 Objectives

Part 2	Amendment Response
<i>(a) to require sound strategic planning and coordinated action by State and local government; and</i>	<p>The proposal has been considered against the Southern Tasmania Regional Land Use Strategy. The site is within the Urban Growth Boundary and is serviced by existing services and infrastructure. The proposed rezoning and subdivision will provide housing in an area with existing services and public facilities.</p> <p>The proposed rezoning has also been considered against the relevant strategic documents for the Clarence Municipality under Section 5.3 of this report.</p> <p>Accordingly, the amendment is considered to further Objective (a) of Part 2.</p>
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and</i>	<p>The amendment will modify what uses and development may occur on the site. The uses and development will be similar to, and compatible with, the adjoining residential zoned land to the east, west and partially to the south. The implications of this have been addressed in Section 7 of this report and are considered to be acceptable.</p> <p>The proposed amendment is considered to further Objective (b) of Part 2.</p>
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i>	<p>The site is serviced by reticulated water and sewer infrastructure. The amendment will not result in the clearance of any significant standing vegetation for the provision of such infrastructure.</p> <p>The social benefits of providing additional residential land within an existing urban area are considered to be significant. The additional land will contribute to long-term affordability in the area, providing mixed housing choices and a strong community base for future residents.</p> <p>In the short term, the development of the site will create jobs and will stimulate the local economy. In the long term, the increase in population is expected to have a positive economic effect on local service providers and businesses in the neighbouring activity centres.</p> <p>The proposed rezoning is considered to generate positive economic and social outcomes without causing negative environmental impacts. The proposal is therefore considered to further Objective (c) of Part 2.</p>
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and</i>	<p>The amendment is consistent with State, regional and municipal policy. The proposed amendment does not affect the attainment of this objective.</p> <p>Accordingly, the amendment is considered to further Objective (d) of Part 2.</p>
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and</i>	<p>The proposal does not affect the attainment of this objective.</p> <p>Accordingly, the amendment is considered to further Objective (e) of Part 2.</p>
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i>	<p>The development of the site will directly provide a pleasant, efficient and safe environment for living by providing additional serviced, well-located, and accessible land for residential uses.</p> <p>Accordingly, the amendment is considered to further Objective (f) of Part 2.</p>
<i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i>	<p>The site is vacant of any buildings of historical significance. Similarly, a desktop Aboriginal Heritage search was undertaken and no records of identified or registered Aboriginal relics were identified.</p> <p>Accordingly, the amendment is considered to further Objective (g) of Part 2.</p>
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public</i>	<p>As detailed in the Services Report (Appendix E), the existing network will be sufficient to provide the maximum head and service flows required for the proposed subdivision. The existing sewer main is sufficient to accommodate</p>

Part 2	Amendment Response
<i>utilities and other facilities for the benefit of the community; and</i>	the proposed subdivision and, onsite detention is proposed to ensure the load on the downstream stormwater network remains unchanged (Appendix E). As detailed under section 2.2 of this report the subsequent increase in population will assist in the viability of public transport, schools and the like, whilst providing an opportunity for quality housing. As such the proposal will allow for the increased density of residential development without adversely impacting on public infrastructure, assets or utilities. The proposal is therefore considered to further objective (h) of Part 2.
<i>(i) to provide a planning framework which fully considers land capability.</i>	The site is located within an existing urban area and has previously been developed. Accordingly, the amendment is considered to further Objective (i) of Part 2.

5.3 Southern Tasmania Regional Land Use Strategy 2010-2035

The *Southern Tasmania Regional Land Use Strategy 2010-2035* ('the Strategy') is a regional-level policy document providing policies and strategies to guide future land use and development of Southern Tasmania. The document is principally intended to inform the development of interim planning schemes within the region. Any future amendments to local planning schemes will be required to be consistent with the Strategy.

The proposal is in general conformity with the Strategy including:

- Part 8 - Managing Risks and Hazards;
- Part 10 - Recreation and Open Space;
- Part 11 - Social Infrastructure;
- Part 12 - Physical Infrastructure;
- Part 13 - Land Use and Transport Integration;
- Part 18 - Activity Centres; and
- Part 19 - Settlement and Residential Development.

The key strategic considerations under the Strategy with respect to the proposal are discussed in the following sequence.

5.3.1 Managing Risks & Hazards

Effective land-use planning which takes into account hazards and risks is a critical component of any strategy to reduce exposure to natural disasters in the medium and long term.

Part 8.4 (MRH2) seeks to protect life and property from floods through early consideration in the land use planning process. For this purpose, it would be necessary to ensure an acceptable level of residual risk is achieved for future residents and development. An assessment of the relevant Codes has determined that no lots will have a buildable area located in flood-prone areas and future works will factor in the LOW landslide hazard present on some lots.

Part 8.4 (MRH1) seeks to minimise the risk of loss of life and property from bushfires. To comply with Clause E1.6.1 of the Scheme a Bushfire Risk Assessment has been undertaken which determined that the land is Bushfire prone as such a Management Plan for the site would be required (located in Appendix D).

5.3.2 Recreation and Open Space

Part 10.5 (ROS1) seeks to respond to existing and emerging needs in the community for open 'green spaces' which facilitate community connectivity with high-quality walking and cycling routes and ensures that subdivision and development are consistent with relevant design principles.

The proposal will support the creation of two new public open spaces that comply with 8.6.1 of the Scheme by providing a safe, convenient and efficient connection to the surrounding street network and existing ways assisting accessibility and mobility while adequately accommodating pedestrian and cycling traffic. Additionally, the proposed Open Spaces connect the proposed subdivision to an existing permeable pedestrian space which negates the 500m 'walkaround' providing connectivity and supporting the active transport goals of ROS1.6. The public open spaces also provide connectivity to the Bushland Reserve for other residential uses adjacent to the site.

5.3.3 Social Infrastructure

Part 11.5 (SI 1) requires consideration of social infrastructure needs as part of land releases and the need to protect sites for this purpose. For the proposed rezoning, future social infrastructure demands would be in the form of increased frequency of bus services.

5.3.4 Physical Infrastructure

Part 12.5 (PI 1) requires a strategic approach to infrastructure to be adopted, including efficient use of existing infrastructure and planning any new infrastructure with consideration of projected future demand. The physical infrastructure required to service the site and proposed development is considered in section 6 and section 7 of this report and is shown to be sufficient to accommodate the proposal, and represents an efficient use of serviced land.

5.3.5 Land Use and Transport Integration

Part 13.5 (LUTI 1) requires consideration to be given to the integration of transport infrastructure with land use. The proposal is consistent with this strategy as it provides an additional residential area adjoining an existing settlement which will, in turn, support the viability and diversity of local businesses and social infrastructure in the City of Clarence thereby reducing the need to travel to larger centres.

5.3.6 Activity Centres

Part 18.6 (AC 1) aims to protect and enhance the role and function of the Activity Centre network. The suburb of Howrah is a 'Neighbourhood Activity Centre' which means it focuses on serving the day-to-day needs of surrounding communities and is a focus for day-to-day life within that urban community. The proposal will support the ongoing viability of the principal centre (adjacent Rosny Park) and support the ongoing viability of established businesses in Howrah. This is demonstrated in the response provided in section 5.2.7.

5.3.7 Settlement and Residential Development

The settlement network identifies Clarence as part of Greater Hobart, and therefore subject to the Greater Hobart Settlement Strategy.

Howrah is located within an existing Urban Zoning area (Figure 7).

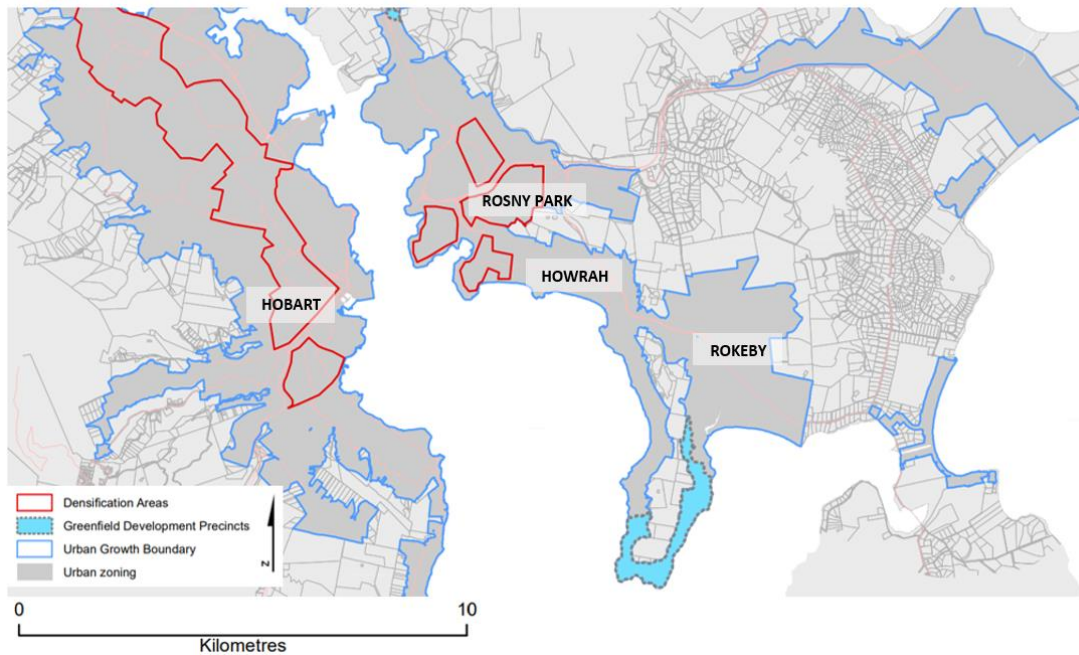


Figure 7 - Extract from Map 10 of Southern Tasmania Regional Land Use Strategy 2010 - 2035

Greater Hobart Settlement Strategy

The Urban Growth Boundary was established by the Greater Hobart² Settlement Strategy and sets a 20-year supply limit from 2015 to 2035. The Greater Hobart Settlement Strategy was based on a forecast demand of 26,500³ additional dwellings aspiring to 50% Greenfield development greatly reducing the existing rate of 85% Greenfield development⁴. *Background Report No. 2 The Regional Profile* ('Background Report No. 2') utilised information and analysis on population trends from the Demographic Change Advisory Council (DCAC) projections using the 'medium growth scenario'.

Background Report No. 14, Providing for Housing Needs ('Background Report No. 14') sets out the basis for the dwelling forecast utilising population and household projections prepared by the ABS using the 'medium growth scenario', and the dwelling approval trends outlined in Background Report No. 2 (also based on ABS data). However, the dwelling demand was only forecast to 2032.

The Greater Hobart Settlement Strategy states that to meet the projected demand approximately 710 ha of further residential land would be required (using net density). This land was allocated to Greenfield Development Precincts in the Strategy and is generally zoned either 'General Residential' or 'Particular Purpose-Urban Growth' under the Interim Planning Schemes.

Section 3 of the Strategy states that Greater Hobart accounts for nearly 86% of the Southern Tasmanian population. The forecast population for Southern Tasmania by 2035 was stated in Section 3 as being 327,036. It can therefore be deduced that Greater Hobart has a forecast population of 281,250.96 (86% of 327,036).

² Defined in the Strategy as the land contained within the Statistical Local Areas (ABS statistical data unit) of Brighton, Clarence, Glenorchy, Hobart Inner, Hobart Outer, Kingborough Part A and Sorell Part A. It includes the metropolitan area and dormitory suburbs.

³ NB: This forecast was actually to 2032 as outlined in Background Report No. 14.

⁴ *Background Report No.14 Providing for Housing Needs* (pg. 15)

At the 2021 Census 247,086 persons resided in the Greater Hobart Area⁵.

The Department of Treasury and Finance Tasmania recently released 2022 - Interim Population Projection Outputs.⁶ Population within the Greater Hobart Area is projected to be 252,768 by 2035 under medium series.

City of Clarence

The City of Clarence local government area is one of five municipalities that constitute the Greater Hobart Area. Clarence has a population of 61,531⁷, covering the eastern shore of the Derwent River from Otago on the north to South Arm in the south and across to Seven Mile Beach. It includes the settlements of Lindisfarne, Rokeby, Lauderdale, Risdon Vale, and South Arm. The administrative centre and main commercial hub for this district is Rosny Park which is approximately 5km from the Hobart CBD.

Census data from 2019 recorded a population growth of 1.5% from 2018. The population of Clarence is expected to continue to grow at a rate of 0.55 % per annum for the next 10 years (from 2015). The Department of Treasury and Finance released the 2022 Interim Population Projections Tasmania, which predicts an increase in population to 68,781 by 2035 under the medium series.

Building Approvals

The Department of Treasury and Finance Tasmania reports From mid-2017, the estimated year-average nominal value of residential building approvals increased strongly in Tasmania, reaching a series high in the year to August 2021. While remaining elevated, the series has fallen over the past year. In Tasmania, the nominal value of residential building approvals in the year to September 2022 was 17.1 per cent lower than the level one year earlier.⁸

Property Market

Background Report No.13 - Dwelling Yield Analysis of the Strategy found that the greatest growth potential is land located in the middle-lower market segment within the urban and urban fringe. The market segments are determined by the median price for the suburb relative to the sale price of other suburbs in the study area. In 2009, Howrah was defined as being in a 'lower' band with a median sale value⁹ of \$205,000.

Hobart property prices rose an average of 24.6% in the year to April 2022 putting Hobart as the fourteenth fastest-growing of 150 cities assessed worldwide by Knight Frank¹⁰.

Adherence to Regional Settlement Strategy

The proposal furthers the following aims of the Regional Settlement Strategy (19.5) due to its location:

- *Minimising inappropriate residential development in areas at risk from hazards such as sea-level rise, flooding, and bushfire;*

The site is an infill development within the Howrah area with the majority of the surrounds already zoned general residential. The site is set back at least 800m from the edge of the river

⁵ 2021 Census All persons QuickStats, accessed 18.11.22 at abs.gov.au/census/find-census-data/quickstats/2021/6GHOB

⁶ Population projections for Tasmania and its Local Government Areas, accessed 18.11.22 at <https://www.treasury.tas.gov.au/economy/economic-data/2019-population-projections-for-tasmania-and-its-local-government-areas>

⁷ 2021 ABS Clarence Community Profile, accessed 18.11.22 at abs.gov.au/census/find-census-data/community-profiles/2021/LGA61410

⁸ 2022 Building Approvals (Sept), Department of Treasury and Finance Tasmania

⁹ It is not specified whether median sale price is for land, house and land or a combination. Result from Australian Property Monitors.

¹⁰ Knight Frank Global Residential Cities Index Q2 2021.

Derwent and has been assessed for its capability to mitigate sea-level rise or flooding. A fire management plan has been developed in recognition that the site abuts a reserve and therefore is considered bushfire-prone.

- *Maximising the use of existing infrastructure;*

The location of the site will enable the subdivision to connect to existing services within the area. It will also facilitate the orderly development of the road network, creating a connection to the existing network.

- *Avoiding the creation of any further environmental issues caused by on-site wastewater disposal;*

The site is located in a serviced area for sewerage and has a proposed plan for onsite wastewater catchment creation before dispersal into the Storm Water system.

- *Preventing linear development in coastal areas;*

The site is not located on the coastline. It consolidates an existing residential area.

- *Protecting distinct landscape character.*

The site does not contain significant areas of standing vegetation and the development of the site will not impact the landscape character of the existing bushland area to the west of the site.

- *A mixed growth scenario indicates that residential growth should come from a mix of both greenfield and infill development and that expansion of the residential zone may be required dependent upon an assessment of the yield capacity and vacancy of existing zoned land.*

The subject site provides infill development of land with a high yield capacity. The subject site can be developed with limited barriers. An expansion of the residential zone will be required to facilitate the development of the site as proposed.

This Strategy proceeds on the basis of a 50/50 ratio of greenfield to infill scenario, with a minimum net residential density of 15 dwellings per hectare.

Residential growth will be primarily managed through an Urban Growth Boundary that will set the physical extent for a 20-year supply of residential land for the metropolitan area.

The site is infill development and is able to provide a minimum net residential density of 15 dwellings per hectare.

Relevant Regional Policies

SRD 2.1 Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.

The proposal will contribute to residential growth through infill development.

5.4 Tasmanian Planning Scheme - Clarence

The study area is currently zoned 'Community Purpose'. The proposal is to rezone the site to 'General Residential'.

The site is subject to the following overlays: Low landslip hazard band, Road or railway attenuation area, (Safeguarding of Airports Code) Airport obstacle limitation area, Priority vegetation area, Flood-prone areas, and Bushfire-prone areas.

The proposed amendment will support the growth of the area of Clarence by providing housing within proximity to community-based infrastructure such as schools, health care services, churches, community hall facilities, and public open spaces. The site is well-positioned in terms of its connectivity to existing public open space and public transport networks that connect with adjoining major centres including Rokeby, Rosny Park, and the Hobart CBD.

The proposal will allow for greater housing choice and affordability within the area, thus furthering the objectives of the planning scheme. The rezoning and proposed development will allow for the redevelopment of currently underutilised land within an existing residential area, thus supporting higher densities close to the existing urban periphery and community infrastructure. The supply of housing will be increased.

5.5 State Planning Provisions

The 'Planning Scheme Purpose and Objectives' of the Scheme are addressed in the next subsection of this report.

5.5.1 Planning Scheme Purpose

The purpose of the planning scheme is to further the objectives of the Resource Management and Planning System and the planning process set out in Parts 1 and 2 of Schedule 1 of the Act and be consistent with State Policies in force under the *State Policies and Projects Act 1993* by:

- (a) *Regulating or prohibiting the use or development of land; and*
- (b) *Making provisions for the use, development, protection, and conservation of land.*

The proposal will allow for uses on the site that are compatible with the future residential character of the local area and regulate or prohibit incompatible uses. The proposal is considered to further the objectives of the planning scheme.

5.5.2 General Residential Zone

The purpose of the General Residential Zone pursuant to 8.1 of the State Planning Provisions, is stated as follows:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport, and other service infrastructure.

8.1.3 To provide for non-residential use that:

- (a) primarily serves the local community; and
- (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The proposal will allow the site to be developed for residential purposes. The lot sizes prescribed under the proposed zoning will provide flexibility in lot layout and diversity in housing choices. The rezoning will also allow the continued pattern of residential land use as is established to the east, west, and south of the site.

The proposed zoning will allow for residential development in an existing residential area close to employment and community facilities. The amendment will provide for activities that will support the ongoing vibrancy of the Howrah residential area and provide housing options for the growing community within proximity to an established public transport network, local services, and employment centres.

The proposal is considered to further the purpose and objectives of the General Residential Zone under the State Planning Provisions.

6. Subdivision - General Residential Zone [8.0]

The proposed development (Appendix B) includes the subdivision of one (1) existing site into ten (10) lots including one balance lot, Lot 7, and one non-residential use lot which contains an existing church building that is to remain, and two Public Open Space lots (Lot 100 & 101).

The result is seven lots for general residential use, one for non-residential use and two Public Open Space lots.

The proposed subdivision has been assessed against the applicable standards. Residential use is permitted in the General Residential zone under clause 8.2.

Plans have been devised which particularly consider the site in relation to:

- the Bushfire Hazard overlay;
- Airport obstacle limitation area;
- Priority Vegetation area overlay; and
- Flood-prone areas overlay.

The Assessment reports and subdivision plans comply with clauses 8.1.1, 8.1.2 and 8.1.3 sub-clause (a)(b).

See Appendix B for proposed lot sizes and frontages.

8.6.1 Lot Design	
<p>A1</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must:</i></p> <p><i>(a) have an area of not less than 450m² and:</i></p> <p><i>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</i></p> <p><i>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</i></p> <p><i>b. easements or other title restrictions that limit or restrict development; and</i></p> <p><i>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</i></p> <p><i>(b) be required for public use by the Crown, a council or a State authority;</i></p> <p><i>(c) be required for the provision of Utilities; or</i></p> <p><i>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</i></p>	<p>P1</p> <p>***</p>

As demonstrated in Appendix B, each proposed lot is demonstrated to comply as:

Each residential or non-residential use lot has an area greater than 450m² and is able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and easements or other title restrictions that limit or restrict development (a)(i); and existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2 (a)(ii);

Lot 101 is required for public use (b);

Not lots are required for the provision of utilities (c); and

There is no consolidation of lots proposed (d).

The proposal is therefore deemed to comply with the acceptable solution (A1).

<p>A2</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</i></p>	<p>P2</p> <p>***</p>
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As demonstrated in Appendix B each lot has a frontage of not less than 12m

The proposal is therefore deemed to comply with the acceptable solution (A2).

<p>A3</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</i></p>	<p>P3</p> <p>***</p>
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Each lot will be provided with vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

The proposal is therefore deemed to comply with the acceptable solution (A3).

<p>A4</p> <p><i>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</i></p>	<p>P4</p> <p>***</p>
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The subdivision does not include a new road therefore this clause (A4) is not considered applicable.

8.6.2 Roads	
<p>A1</p> <p><i>The subdivision includes no new roads.</i></p>	<p>P1</p> <p><i>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) any road network plan adopted by the council;</i> <i>(b) the existing and proposed road hierarchy;</i> <i>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</i> <i>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</i> <i>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</i> <i>(f) access to public transport;</i> <i>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</i> <i>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;</i> <i>(i) the topography of the site; and</i> <i>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</i>

The subdivision does not include a new road however an extension of 30 Holland Court, at the direction of Council, is proposed which has regard to the existing road layout (a)(b);

Future subdivision is not proposed (c);

The road extension will maximise connectivity, minimise travel distances, and maintain access to public transport to existing destinations or access to public transport by extending the existing road network (d)(e)(f);

The road extension has been designed to consider the efficient and safe movement of pedestrians, cyclists and public transport (g);

The road extension is not on new arterial and collector roads (h);

The site topography has dictated the road extension as the preferable option given the site slope (i); and

The future subdivision potential of any balance lot (lot 8) on adjoining or adjacent land has been considered under the direction of Council (j).

The proposal is therefore able to meet the performance criteria (P1).

8.6.3 Services	
A1 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</i>	P1 ***

Each lot is capable of connecting to a full water supply service (see Appendix E).

The proposal is therefore deemed to comply with the acceptable solution (A1).

A2 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</i>	P2 ***
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Each lot is capable of connecting to a reticulated sewerage system (see Appendix E).

The proposal is therefore deemed to comply with the acceptable solution (A2).

A3 <i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</i>	P3 ***
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Each lot is capable of connecting to a public stormwater system (see Appendix E).

The proposal is therefore deemed to comply with the acceptable solution (A3).

7. Codes

For ease of assessment, the Codes relevant to the proposal have been discussed as they relate to the residential subdivision development proposed.

7.1 Parking and Sustainable Transport Code

Unless stated otherwise in a particular purpose zone, or subclause C2.2.2, C2.2.3 or C2.2.4, this code applies to all use and development. Clause C2.5.3, C2.5.4 and C2.5.5 are not applicable as the use class is not stated as being applicable. The applicable standards have therefore been addressed.

C2.5.1 Car Parking Numbers

A1

The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

- (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;
- (b) the site is contained within a parking precinct plan and subject to Clause C2.7;
- (c) the site is subject to Clause C2.5.5; or
- (d) it relates to an intensification of an existing use or development or a change of use where:
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

P1.1

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) the availability and frequency of other transport alternatives;
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (f) the availability, accessibility and safety of onstreet parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (g) the effect on streetscape; and
- (h) 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.

P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

- (a) the nature and intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the surrounding area.

The Church, an existing non-residential building, the car parking requirement is expected to remain unchanged. No changes to this car park are incorporated in the design (See Appendix E).

The proposal is for subdivision only as such it does not include residential dwellings against which to assess the car parking requirement.

The proposal is therefore deemed to comply with the acceptable solution (A1).

C2.5.2 Bicycle parking numbers

A1

Bicycle parking spaces must:

- (a) be provided on the site or within 50m of the site; and
- (b) be no less than the number specified in Table C2.1.

P1

Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and
- (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

The Church (existing non-residential building) facility bicycle parking requirement is expected to remain unchanged and is able to be provided on the site.

The proposal is therefore deemed to comply with the acceptable solution (A1).

C2.5.3 Motorcycle parking numbers

A1

The number of on-site motorcycle parking spaces for all uses must:
(a) be no less than the number specified in Table C2.4; and
(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.

P1

Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:
(a) the nature of the proposed use and development;
(b) the topography of the site;
(c) the location of existing buildings on the site;
(d) any constraints imposed by existing development; and
(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

The Church (existing non-residential building) facility parking requirement is expected to remain unchanged and is able to be provided on the site. No motorcycle parking is required for residential uses.

The proposal is therefore able to meet the performance criteria (P1).

C2.5.4 Loading Bays

The Church (existing non-residential building) facility parking requirement is expected to remain unchanged and is able to be provided on the site. No goods are to be delivered or collected.

As no loading bay is required or existing therefore this clause is not considered applicable.

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone

A1

Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:
(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and
(b) General Retail and Hire uses up to 100m² floor area,
provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.

P1

The Church, is an existing non-residential building, within the General Residential Zone however it is not for Food Services or General Retail and Hire and the hours of operation are not intended to change.

The proposal is therefore deemed to comply with the acceptable solution (A1).

C2.6 Development Standards for Buildings and Works

The proposal is for subdivision only and does not involve the Buildings and Works therefore C2.6.1 and C2.6.2 are not applicable. The proposal is not within the applicable zone requiring assessment therefore C2.6.4, C2.6.7 and C2.6.8 are not applicable. The use is residential in nature and no change of car parking for the existing Church use is proposed therefore C2.6.5 is not applicable. As no loading bays are required therefore C2.6.6 is not applicable.

C2.6.3

A1

The number of accesses provided for each frontage must:

P1

<p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	
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The proposal for subdivision affords 1 access per frontage (See Appendix D). The proposal is therefore deemed to comply with the acceptable solution (A1).

<p>A2</p> <p><i>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</i></p>	<p>P1 ***</p>
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As the proposal is not within the Central Business Zone this clause is not considered applicable.

C2.7 Parking Precinct Plan

The proposal is for subdivision only and no parking precinct plan is applicable therefore C2.7 is not applicable

7.2 Road and Railway Assets Code

This code protects the safety and efficiency of the road and railway networks; reducing conflicts between sensitive uses and major roads and the rail network. This code applies to the rezoning of the site to General Residential and subsequent subdivision.

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

<p>A1</p> <p>A1.1</p> <p><i>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</i></p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing.</p> <p>A1.2</p> <p><i>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</i></p> <p>A1.3</p> <p><i>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</i></p> <p>A1.4</p> <p><i>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</i></p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p> <p>A1.5</p> <p><i>Vehicular traffic must be able to enter and leave a major road in a forward direction.</i></p>	<p>P1 ***</p>
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Holland Court is not a category 1 or 2 road, accordingly, (A1.1) is considered not applicable.

Access to the road will be provided in accordance with the requirements of the local Council. New vehicle crossings are proposed therefore the relevant road Authority consent is required and has been sought (A1.2).

The proposal does not concern the rail network, accordingly, (A1.3) is not considered applicable.

Oceanic Drive combined with Merinda Street contributes an AADT ~ 1,663 to South Arm Highway when traffic stations A0498140 and A0489131 are interrogated. It's anticipated that Merinda Street generates significantly less than Oceanic Drive conservative we may anticipate Oceanic Drive has an AADT ~1200, 70vpd is less than 10%, no further analysis is therefore anticipated. The Church (existing non-residential building) vehicular traffic is expected to remain unchanged as such the proposal is therefore deemed to comply with the acceptable solution (A1.4).

Vehicular traffic will be able to enter and leave a major road in a forward direction therefore the proposal is deemed to comply with the acceptable solution (A1.5).

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	
<p>A1 <i>A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</i></p>	<p>P1 <i>A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) the topography of the site;</i> <i>(b) any buffers created by natural or other features;</i> <i>(c) the location of existing or proposed buildings on the site;</i> <i>(d) the frequency of use of the rail network;</i> <i>(e) the speed limit and traffic volume of the road;</i> <i>(f) any noise, vibration, light and air emissions from the rail network or road;</i> <i>(g) the nature of the road;</i> <i>(h) the nature of the intended uses;</i> <i>(i) the layout of the subdivision;</i> <i>(j) the need for the subdivision;</i> <i>(k) any traffic impact assessment;</i> <i>(l) any mitigating measures proposed;</i> <i>(m) any recommendations from a suitably qualified person for mitigation of noise; and</i> <i>(n) any advice received from the rail or road authority.</i>

Lot 1 and 2 (see Appendix B) are intended for sensitive use within the Rokeby Road attenuation overlay and therefore trigger's clause C3.7.1.

The lots seek to minimise the effects of noise, vibration, light and air emissions from the existing major road as:

The proposed site covers nominally 5000m² of relatively flat land on the southern side of Rokeby Road, which drops some 20m from the SE corner to the NW corner (a);

The boundary adjacent to the road is below the finished road level (b);

The existing building on the site (lot 8) which is subject to the overlay is not a sensitive use (c);

A traffic noise assessment details the nature of the road, the speed limit and traffic volume of the road any noise, vibration, light and air emissions from the road network (e)(f)(g);

The intended uses within the attenuation area are residential (h);

Existing dwellings to the east and west of the site are at a similar distance from Rokeby Road to the northern row (i);

The subdivision will provide additional residential lots within an established residential area (j);

The traffic noise will be the dominant ambient noise as shown and a noise assessment has been undertaken (k);

Advice (see Appendix C) is that the northern boundary of the subdivision (lots 1 and 2) will be required to have a 1.8m solid fence installed (l)(m); and

No specific advice has been received from the rail or road authority (n).

The proposal is therefore able to meet the performance criteria (P1).

7.3 Natural Assets Code

This code applies as the subject site is assessed as being within the General Residential Zone and is subject to priority vegetation area overlay.

A Natural Values Assessment (Appendix H) has determined that lots 2, 3, 4, 5, 6 and 7 are within the priority vegetation area.

The applicable standards of this code have been addressed.

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

The site is not within a waterway and coastal protection area or a future coastal refugia area therefore this clause is not considered applicable.

C7.7.2 Subdivision within a priority vegetation area

A2

Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:

- (a) be for the purposes of creating separate lots for existing buildings;*
- (b) be required for public use by the Crown, a council, or a State authority;*
- (c) be required for the provision of Utilities;*
- (d) be for the consolidation of a lot; or*
- (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.*

P1.1

Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:

- (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;*
- (b) subdivision for the construction of a single dwelling or an associated outbuilding;*
- (c) subdivision in the General Residential Zone or Low Density Residential Zone;*
- (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;*
- (e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or*
- (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.*

P1.2

Works associated with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:

- (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;*

	<p><i>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</i></p> <p><i>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</i></p> <p><i>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</i></p> <p><i>(e) any on-site biodiversity offsets; and</i></p> <p><i>(f) any existing cleared areas on the site.</i></p>
--	--

The lots proposed in a plan of subdivision, within a priority vegetation area (lots 3, 4, 5, 6, 7 & 8) is for:

The existing use on the site (lot 8) does not require any clearing (a);

Subdivision for the construction of a single dwelling (lots 3, 4, 5, 6 & 7) is proposed (b);

Subdivision is within the General Residential Zone (c);

The proposed development will result in additional residential lots in close proximity to existing residential lots (d);

The proposed subdivision will involve clearance of native vegetation to enable construction of residential dwellings and so that dwellings comply with bushfire hazard management requirements (e); and

Clearance of native vegetation within the applicable lots (3, 4, 5, 6 & 7) is limited in scale relative to the extent of priority vegetation on the site as identified in the Natural Values Assessment (f).

The proposed subdivision is therefore able to meet the performance criteria (P1.1).

Works associated with subdivision within a priority vegetation area (lots 2, 3, 4, 5, 6 and 7) will minimise adverse impacts on priority vegetation by having regard to:

The subdivision has considered site topography and land hazards in determining lots and works required for access and services (a);

Works associated with subdivision (access, services) are not within the priority vegetation area (b);

Future habitable buildings can be sited to minimise impacts resulting from bushfire hazard management measures (c);

No specific mitigation measures have been implemented to minimise the residual impacts on priority vegetation (d);

No on-site biodiversity offsets have been considered (e); and

Cleared areas on lot 3, 4, 5, 6 and 7 can accommodate a buildable area (f).

The proposed subdivision is therefore able to meet the performance criteria (P1.2).

7.4 Flood Prone Areas Hazard Code

This code applies to the development of land within a flood-prone hazard area (C12.2.1).

C12.7.1 Subdivision within a flood-prone hazard area	
<p>A1</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:</i></p> <p><i>(a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area;</i></p> <p><i>(b) be for the creation of separate lots for existing buildings;</i></p>	<p>P1</p> <p>***</p>

- | | |
|--|--|
| (c) be required for public use by the Crown, a council or a State authority; or
(d) be required for the provision of Utilities. | |
|--|--|

The proposed subdivision plan, see Appendix B, shows all lots which are within a flood-prone hazard area with building areas: lots 100, 1, 2, 7 and 8. Lot 8 contains the existing Howrah Church which is a non-sensitive use. Lot 100 will be a Public Open Space which is also a non-sensitive use. Lots 1, 2 and 7 (residential use) are subject to the flood-prone areas overlay and are subject to this clause and therefore have been assessed against the relevant provisions.

Given the above the subdivision plan shows that no lot will have a building area, access or services located within a flood-prone hazard area (a); is for the creation of a separate lot for an existing building (b); and is not required for public use by the Crown, a council nor a State authority or for the provision of Utilities, therefore, subclauses (c)(d) are not applicable.

The proposal is therefore deemed to comply with the acceptable solution (A1).

7.5 Bushfire-Prone Hazard Code

The Bushfire Management Code applies to the subdivision of land that is located within, or partially within, a bushfire-prone area in accordance with clause C13.2.1. The applicable standards of this code have been addressed.

A *Bushfire Management Plan* has been prepared and is provided under Appendix D.

C13.6.1 Provision of Hazard Management Areas

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision:
- (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;
 - (ii) shows the building area for each lot;
 - (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
 - (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
- (c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

P1

The proposed subdivision plan, see Appendix B, shows all lots which are within a bushfire-prone area with building area and the required separations.

To comply with sub-clause (b) Appendix D contains the bushfire Hazard Management Plan (BHMP) which addresses all lots individually and does not require land external to the proposed subdivision, which has been certified by an accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas.

The proposal is therefore deemed to comply with the acceptable solution (A1).

C13.6.2 Public and fire fighting access

A1

(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or
(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:
(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and
(ii) is certified by the TFS or an accredited person.

P1

An accredited person has certified, attached to the Bushfire Hazard Management Plan (Appendix D), that there is an insufficient increased risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of firefighting complying with sub-clause (a).

The proposal is therefore deemed to comply with the acceptable solution (A1).

7.6 Landslip Hazard Code

The Landslide Code applies to the development of buildings and works or sub-division within a Landslip Hazard Area.

Lots 3, 4, 5, 6 and 7 are subject to the Low landslip hazard band as such this proposal is not exempt from this code (C15.4) therefore the applicable standards of this code have been addressed.

C15.7.1 Subdivision within a landslip hazard area

A1

Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must:
(a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area;
(b) be for the creation of separate lots for existing buildings;
(c) be required for public use by the Crown, a council or a State authority; or
(d) be required for the provision of Utilities.

P1

Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:
(a) any increase in risk from a landslip for adjacent land;
(b) the level of risk to use or development arising from an increased reliance on public infrastructure;
(c) the need to minimise future remediation works;
(d) any loss or substantial compromise, by a landslip, of access to the lot on or off site;
(e) the need to locate building areas outside the landslip hazard area;
(f) any advice from a State authority, regulated entity or a council; and
(g) the advice contained in a landslip hazard report.

Lots on the plan of subdivision (lots 3, 4, 5, 6 & 7), within the landslip hazard area, contain a building area that is not wholly located outside a landslip hazard area as such a performance-based assessment is required.

A Geotechnical Report (Appendix G) determined that the upper slope of the site is overlain by the landslide hazard overlay, due to the slope and angles and underlying dolerite rock. The assessment states that the soils are shallow, and the exposed dolerite rock is of high strength and is considered competent and would not pose a risk of mass slope instability for residential development. The report concludes that “no serious impediments to the proposed development were identified during the desktop investigations”; the landslide risk associated with the subdivision is of acceptable risk; is for

the creation of a separate lot for an existing building; is not required for public use by the Crown, a council nor a State authority or for the provision of Utilities.

The Geotechnical Report has considered sub-clauses (a)(b)(c)(d) & (e).

The building area shown is to demonstrate compliance with zone provisions and future development (as opposed to subdivision) could see a building constructed outside the LOW landslip hazard area (e);

No advice from a State authority, regulated entity or a Council was obtained (f); and

The advice contained within the Geotechnical Report was considered in the preparation of the subdivision plan (g).

The proposed subdivision is therefore able to meet the performance criteria (P1).

7.7 Safeguarding of Airports Code

The proposed site is subject to Airport Obstacle Area overlay; therefore, the Safeguarding of Airports Code needs to be considered.

Future development will be residential in nature with a potential compliant height that is less than the AHD height therefore it will be exempt from the C16.0 Safeguarding of Airports Code.

Since the site is not within the airport noise exposure area the remainder of the code is not applicable.

8. Relevant Issues

8.1 Context, Setting and Visual Impact

The site is located within the context of the existing urban settlement of Clarence. Land immediately adjoining the eastern and western boundaries is zoned General Residential, and the southern boundary is zoned Low Density Residential.

The existing Church will remain.

The land to the east, 38 Buckingham Drive, is zoned General Residential and has been approved as a 30-lot subdivision on this land with lots that are approximately 400 square meters. The smallest lot size for this proposal is 620 square meters which are comparable to lot sizes currently along Holland Court.

The proposal also provides lots that are of a size such that they act as a buffer between the existing General Residential developments (east and west) and the Low Density lots to the south. Directly across from the site on the other side of Rokeby Road land has been zoned 'Future Urban'.

The proposal provides a Public Open Space (lot 100) that seeks to protect the identified significant flora and provide a safe, convenient, and efficient connection to assist accessibility and mobility of the community along with the provision of adequate accommodation for pedestrians and cycling traffic. An additional Public Open Space (lot 101) has been provided at the instigation of the Council.

From the perspective of adjoining uses, the proposed subdivision lots will be in line with existing uses making use of amenities and services which support this predominately residential area of Howrah. This subdivision does not dominate existing uses nor intensify use greatly.

8.2 Traffic and Transport Networks

The site is within the Urban Growth Boundary and is serviced by existing services and infrastructure. The proposed rezoning and subdivision will provide housing in an area with existing services and public facilities including public bus services and footpaths for active transport.

The proposed lot accesses will utilise the existing road connection onto Holland Court which will be extended east (as such on the Subdivision Plan) and each lot will have one vehicle access point onto the public road.

The proposal provides a Public Open Space (lot 100 & 101) that supports a pedestrian way, connecting the subdivision on Holland Court with Rokeby Road (South Arm Highway) and to the Kuynah Bushland Reserve. The pedestrian network will align with the existing road network, ensuring good legibility and ease of movement for pedestrians. This pedestrian access also facilitates access to the Public Open Space to the east which affords access to the reserve.

Provides convenient access is to local shops, the Shoreline Plaza on the corner of Clarence Street and South Arm Highway is approximately 1.2km from the subdivision, and access to public transport routes via its connection to the pedestrian ways along Rokeby Road.

The estimated increase in vehicle movements as a result of the proposed subdivision and future residential development will be minimal. The Church facility traffic volume is expected to remain unchanged.

The proposed subdivision and increase in traffic movements will generate a minimal impact on the operation of the existing road network.

8.3 Water Quality

Stormwater from new impervious surfaces will be collected in an internal stormwater network that is disposed of by gravity to Council Stormwater infrastructure adjacent Rokeby Road.

The subdivision stormwater system will incorporate water-sensitive urban design principles. This will be achieved through the implementation of grass swales, a detention basin and SPEL Stormsacks (to be located on grated pits within roadways). The effectiveness of this treatment drain is detailed in the Concept Services Report (Appendix E).

The proposed stormwater drainage system will be designed with a capacity for 5% AEP rainfall events as detailed in the Concept Services Report (Appendix E). Onsite detention and an appropriately sized orifice will be designed such that post-development flows can be restricted to pre-development levels. A detention basin is proposed downhill from the existing Church car park adjacent Rokeby Road.

The proposed stormwater drainage system will be capable of accommodating flows generated by a 1% AEP rainfall event. Overland flow paths are provided through the Public Open Space to the west, and the grass area in front of the Church car park to the east.

8.4 Noise

Noise as a result of the proposed development will be residential in nature and therefore not considered to cause any significant impact on the surrounding area in the long term. Noise generated during construction will have a short-term impact on the surrounding area, the timing of which will be per established timeframes under the *Environmental Management and Pollution Control Act 1994*.

As the site is within 50m of a highway (within the Road or railway attenuation area) an acoustic assessment (Appendix C) has been undertaken.

The assessment report notes that noise emissions from Rokeby Road are unlikely to adversely impact dwellings within the subdivision. The report recommends “the northern boundary of the subdivision has a 1.8m solid fence installed”.

8.5 Natural Hazards

There are known hazards on the site. Reports have been prepared accordingly.

A bushfire risk assessment has been undertaken for the site and confirms that the land is bushfire-prone therefore a fire management plan has been generated (Appendix D).

A Geotechnical Report enabled an assessment against applicable elements of the Landslide Hazard Area Code and determined that there is no serious impediment to the proposed development (Appendix G).

A Natural Values Report (NVA) has been prepared for the site to assist with enabling an assessment against applicable elements of the Natural Assets Code, Bushfire-Prone Area Code and inundation/flood-prone area overlay (Appendix H).

8.6 Heritage

The site is not listed on the Tasmanian Heritage Register or under the Planning Scheme for historic heritage values. An Aboriginal heritage desktop assessment was undertaken (Appendix F) and no Aboriginal heritage sites were identified under the Aboriginal Heritage register.

As a precautionary measure, an Unanticipated Discovery Plan must be in place at the time of construction should an item of Aboriginal archaeological significance be discovered.

Based on the above, the proposal will have no impact on any identified Aboriginal heritage sites.

8.7 Flora and Fauna

A Natural Values Assessment (NVA) report has been prepared for the site and is provided under Appendix H.

The report identified that the highest conservation values are concentrated in Lot 100 and Lot 1. The proposal provides a Public Open Space (lot 100) to protect the significant flora as identified by the NVA from the encroachment of sensitive Use.

Land on the upslope lots (Lots 3, 4, 5, 6 and 7) includes cleared areas and modified native vegetation and does not support any priority vegetation as defined in the Code.

Weed management will be required due to the presence of declared weeds. The report identified an infestation of Paterson's curse of many thousands of plants which should be treated before subdivision as a cost-saving measure and to ensure success.

8.9 Social Impacts & Economic Impacts

The proposed development will provide additional housing in an established urban area that has proximity to employment, services and community-based infrastructure.

The proposed development will also increase the spending population for the City of Clarence. In the short term, the development will support economic growth in the property and construction sectors within the area.

9. Conclusion

The proposed rezoning will provide land for residential development within an existing urban settlement. The additional residential land will support the growing population of the Clarence local government area and in particular, provide housing that is accessible and close to services and public transport.

The Greater Hobart Residential Strategy provides a dwelling demand forecast for the Hobart area to 2035. The population of Clarence was estimated by the ABS and is currently tracking the DTF Medium Growth Scenario. Current population growth projections for Greater Hobart are significantly higher than those envisaged when the STRLUS was drafted. This has resulted in a well-recognised housing shortage as the development of housing options within certain sectors has not kept pace with demand.

The STRLUS provided a strategy to achieve ideal residential growth and development within the Greater Hobart area from 2010 to 2035. The subject site provides an area ready for diverse development options with minimal barriers, that is located within a commutable distance to multiple activity centres. The site is also located adjacent to existing infrastructure and transport networks, as well as existing services.

The proposed scheme amendments have been prepared in accordance with section 40T of the *Land Use Planning and Approvals Act 1993* which states the requirements to be considered in assessing a scheme amendment. The proposed scheme amendment is considered to be in accordance with all statutory requirements.

The proposal seeks the subdivision of one existing lot into ten. This includes one balance lot [Lot 7], one non-residential lot which contains an existing church building that is to be retained [Lot 8], and two Public Open Space lots [Lot 100 & Lot 101]. The result is seven lots zoned general residential. The proposal has been considered against the subdivision requirements of the zone and the proposal generates the following discretions under the Planning Scheme:

- Clause 8.6.2 Roads - the proposal includes a new road;
- C2.0 Parking and Sustainable Transport Code;
- C3.0 Road and Railway Assets Code;
- C7.0 Natural Assets Code;
- C12.0 Flood-Prone Areas Code;
- C13.0 Bushfire Prone Areas Code;
- C15.0 Landslip Hazard Code; and
- C16.0 Safeguarding of Airports Code.

The proposal has been assessed against all relevant objectives relating to subdivision and is found to be acceptable with respect to the Planning Scheme requirements.

APPENDIX A

Certificate of Title

APPENDIX B

Proposed Subdivision Plan

APPENDIX C

Acoustic Report - Traffic Noise Assessment

APPENDIX D

(bushfire) Hazard Management Plan

APPENDIX E

Concept Services Report

APPENDIX F

Aboriginal Heritage Desktop Assessment

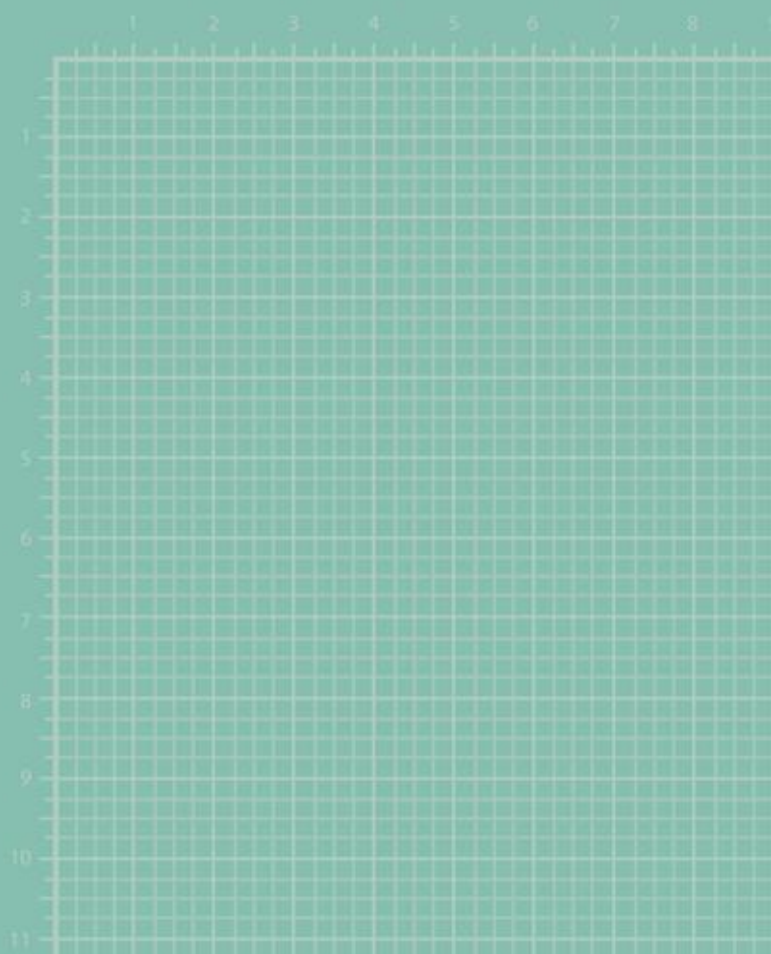
APPENDIX G

Geotechnical Report

APPENDIX H

Natural Values Report

1



Johnstone McGee & Gandy Pty Ltd

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JMG Ref: 203057PH

23 September 2022

General Manager
Clarence City Council

Attention: Shannon McCaughey

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Johnstone McGee &
Gandy Pty Ltd
ABN 76 473 834 852
ACN 009 547 139
as trustee for Johnstone
McGee & Gandy
Unit Trust

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Dear Shannon,

PLANNING APPLICATION - PDPSPAMEND-2021/019004 - 30 HOLLAND COURT, HOWRAH

I refer to the Council's letter regarding the above application dated 4 August 2022.

To enable further consideration a response to the Council's 'request for further information' (RFI) is addressed in the sequence below.

1. Stormwater easement through Public Open Space

The stormwater easement running thru the proposed Public Open Space (lot 100) is to be removed from the POS contribution as it contradicts the Council's Open Space Policy. The easement will run through lot 1.

See Attachment 2.

2. Stormwater- open channel

See Attachment 2.

3. Cul-de-sac turning head alterations

See Attachment 2.

4. Public Open Space - footpath

The applicant will build a footpath to the boundary/road that connects to the existing path along the boundary (not going onto Crown land).

See Attachment 2.

5. Public Open Space – subdivision layout

The subdivision layout has been amended to reflect the concerns of the Council.

Please note that the following new site dimensions:

- Lot 100 - 474m²
- Lot 101 - 200m²
- Lot 1 - 899m²
- lot 2 - 792m²
- Lot 7 - 3150m²
- Lot 8 - 5038m²

See Attachment 1 (replaces Appendix B of the Planning Application).

We trust that the advice contained in this letter satisfies Council's request, however, if further information or clarification is required, please contact me on 62 312 555 or via planning@jmg.net.au.

Yours faithfully,

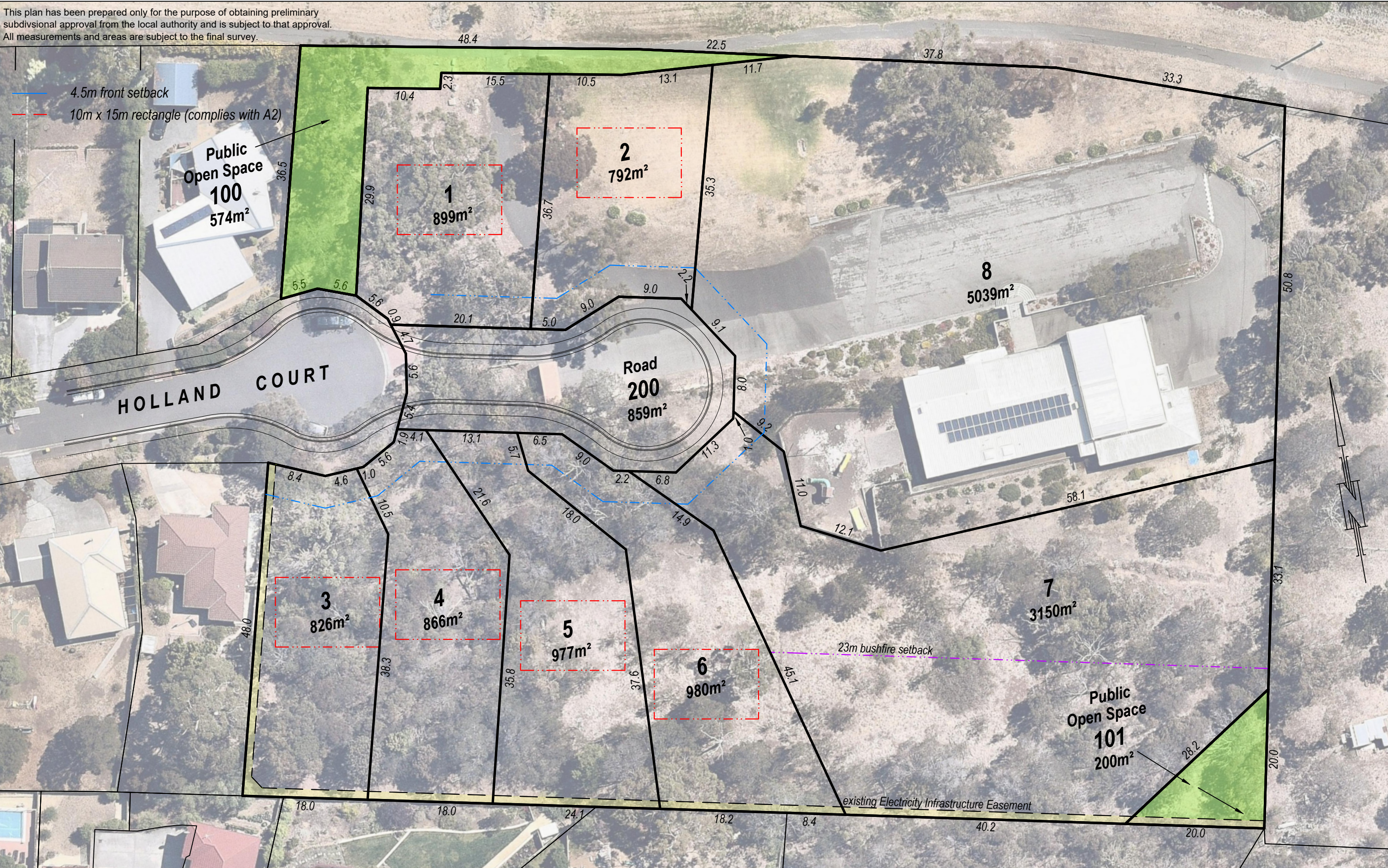
JOHNSTONE McGEE & GANDY PTY LTD

A handwritten signature in black ink, appearing to read 'K Hill'.

Katrina Hill
Town Planning

Attachment 1 Revised Subdivision Plan

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.



		AB	15-11-21	AB
				AB
				AB
				AB
J	P.O.S changes (council RFI)	AB	12-8-22	AB
REV	see previous plans for details of all revisions AMENDMENTS	DRAWN	DATE	APPR.



UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

OWNER:
TITLE REFERENCE:
LOCATION:

CHURCHES OF CHRIST
C.T.35660/1
30 HOLLAND COURT
HOWRAH

Proposed Subdivision

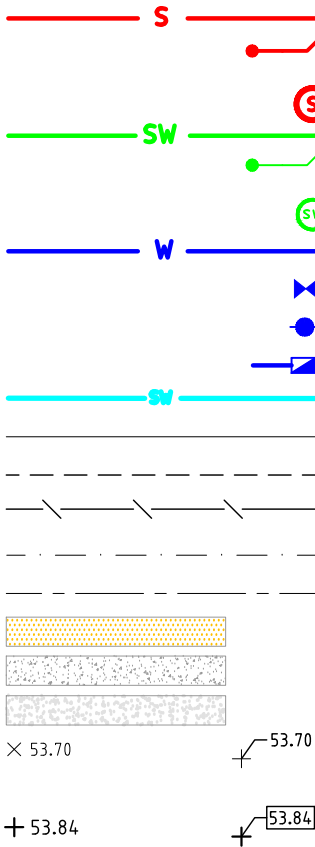
Date: 12-8-2022	Reference: HOWCC01 12572-05
Scale: 1:500 (A3)	Municipality: CLARENCE

Attachment 2 Revised Civil Drawings

LEGEND - NEW

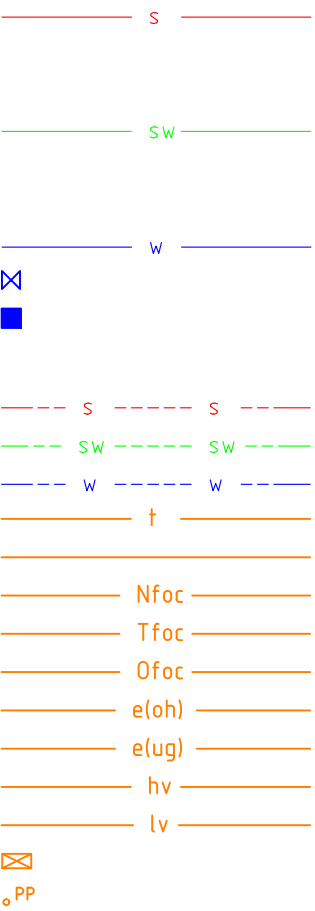
- NEW SEWER MAIN
NEW SEWER LOT CONNECTION
NEW SEWER MANHOLE
NEW STORMWATER MAIN
NEW STORMWATER LOT CONNECTION
NEW STORMWATER MANHOLE
NEW WATER MAIN
NEW STOP VALVE
NEW FIRE HYDRANT
NEW PROPERTY WATER CONNECTION
NEW STORMWATER (PRIVATE)
PROPERTY BOUNDARY
NEW BUILDINGS
EXISTING FENCE
TOP OF BANK (EXISTING)
BOTTOM OF BANK (EXISTING)
ASPHALT ROADWAY/DRIVEWAY TO DETAIL
REINFORCED CONCRETE DRIVEWAY TO DETAIL
REINFORCED CONCRETE FOOTPATH TO DETAIL
NATURAL SURFACE LEVELS

FINISHED SURFACE LEVELS



LEGEND - EXISTING

- SEWER MAIN
SEWER LOT CONNECTION
SEWER MANHOLE
STORMWATER MAIN
STORMWATER LOT CONNECTION
STORMWATER MANHOLE
WATER MAIN
STOP VALVE
FIRE HYDRANT
PROPERTY WATER CONNECTION
EXISTING SEWER MAIN TO BECOME REDUNDANT
EXISTING STORMWATER MAIN TO BECOME REDUNDANT
EXISTING WATER MAIN TO BECOME REDUNDANT
EXISTING TELSTRA
EXISTING OPTUS
EXISTING NBN FIBER OPTIC
EXISTING TELSTRA FIBER OPTIC
EXISTING OPTUS FIBER OPTIC
EXISTING OVHERHEAD ELECTRICAL
EXISTING UNDERGROUND ELEC.
EXISTING HIGH VOLTAGE ELEC.
EXISTING LOW VOLTAGE ELEC.
EXISTING TELSTRA PIT
EXISTING POWER POLE



JMG Engineers & Planners - Civil Concept Services Schedules

C2.5 USE STANDARDS

Relevant Planning Scheme Clause	Qualitative Development Consideration	Quantitative Expectations	Development Proposals	Details and explanatory notes
C2.5.1	Car Parking Numbers as per Table C2.1 to meet acceptable solution A1	0	0	The existing church car park remmains functional as is and is not scheduled to be impacted. No changes to this car park are incorporated.

C3.5 USE STANDARDS

N/A	Pre-development impervious area	2715	m ²	
N/A	Pre-development 5% AEP total Q	102	l/s	Rational method with 16% CC
N/A	Pre-development 1% AEP total Q	164	l/s	Rational method with 16% CC
	Overland Flow total Q (Pre development)	-45	l/s	Location: Through POS and over footpath adjacent to hwy
N/A	Estimated post development pervious area	6	m ²	
N/A	Estimated post development impervious area	3555	m ²	
N/A	Estimated post-development 5% AEP total Q	123	l/s	Rational method with 16% CC
N/A	Estimated post-development 1% AEP total Q	198	l/s	Rational method with 16% CC
N/A	Overland Flow total Q (Post development)	4.7	l/s	Location: Through POS and over footpath adjacent to hwy
N/A	Post development likely detention volume	12	m ³	Rational method using Boyd's Formula.
N/A	Post development likely % reduction in suspended solids	80	%	Suggested treatment train Pit inserts on church car park and SEP's. swale through POS and rain garden built into
N/A	Post development likely % reduction in total phosphates	45	%	
N/A	Post development likely % reduction in total nitrates	45	%	

SEWER AND WATER

N/A	No. equivalent tenements - water	6	No.	6 lots (discounting existing church and connection that is to remain in place)
N/A	Probable Simultaneous Demand - Water	1.3	l/s	
N/A	No. equivalent tenements - Sewer	6	No.	6 lots (discounting existing church and connection that is to remain in place)
N/A	Average Dry Weather Flow - Sewer	0.0324	l/s	
N/A	Peak Dry Weather Flow - Sewer	0.22	l/s	
N/A	Design Flow Sewer	0.68	l/s	

P4	21.09.2022	REVISED LAYOUT
P3	06.05.2022	NEW LOT LAYOUT
P2	10.05.2021	LOT BOUNDARIES REVISED
P1	11.09.2020	ISSUED FOR CLIENT REVIEW
REV	DATE	REMARK



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PROJECT
**30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION**
TITLE
CONCEPT SERVICES

Accepted Chris Males (Discipline Head)	Date	
Accepted Matt Clark (Team Leader)	Date	
Approved Matt Clark (Group Manager)	Date	
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	PLOT DATE	23/09/2022

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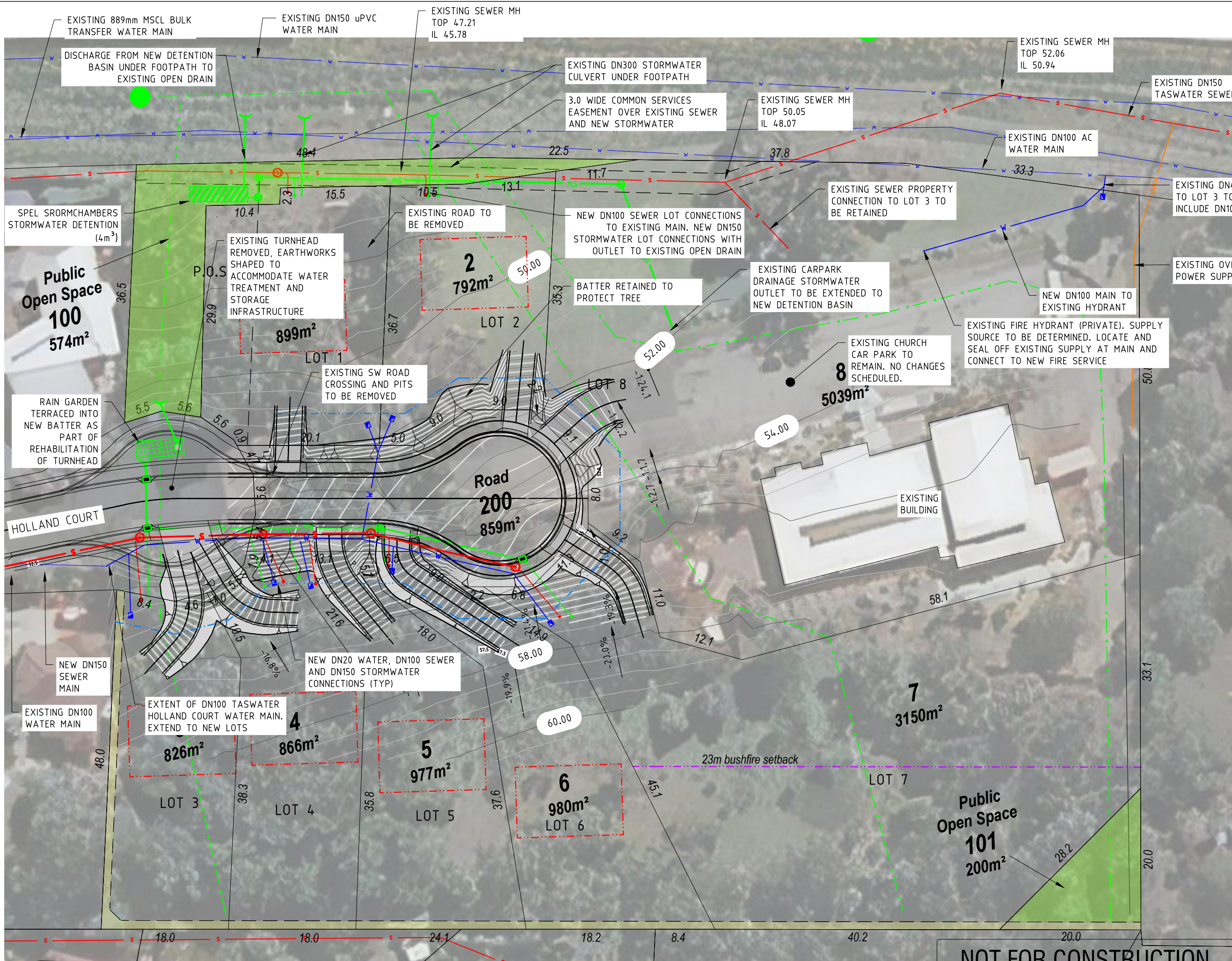
PLOT DETAILS J203057PH - CIV3D BASE OPTION 2.DWG

PROJECT NO. **J203057PH**

DWG NO. C01	REVISION P4
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P3	06.05.2022	NEW LOT LAYOUT
P2	10.05.2021	LOT BOUNDARIES REVISED
P1	11.09.2020	ISSUED FOR CLIENT REVIEW
REV	DATE	REMARK



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www.jmg.net.au info@jmg.net.au info@jmg.net.au

PROJECT
**30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION**

TITLE
**CONCEPT SERVICES
PLAN**

Accepted Chris Males (Discipline Head)	Date
Accepted Matt Clark (Team Leader)	Date
Approved Matt Clark (Group Manager)	Date

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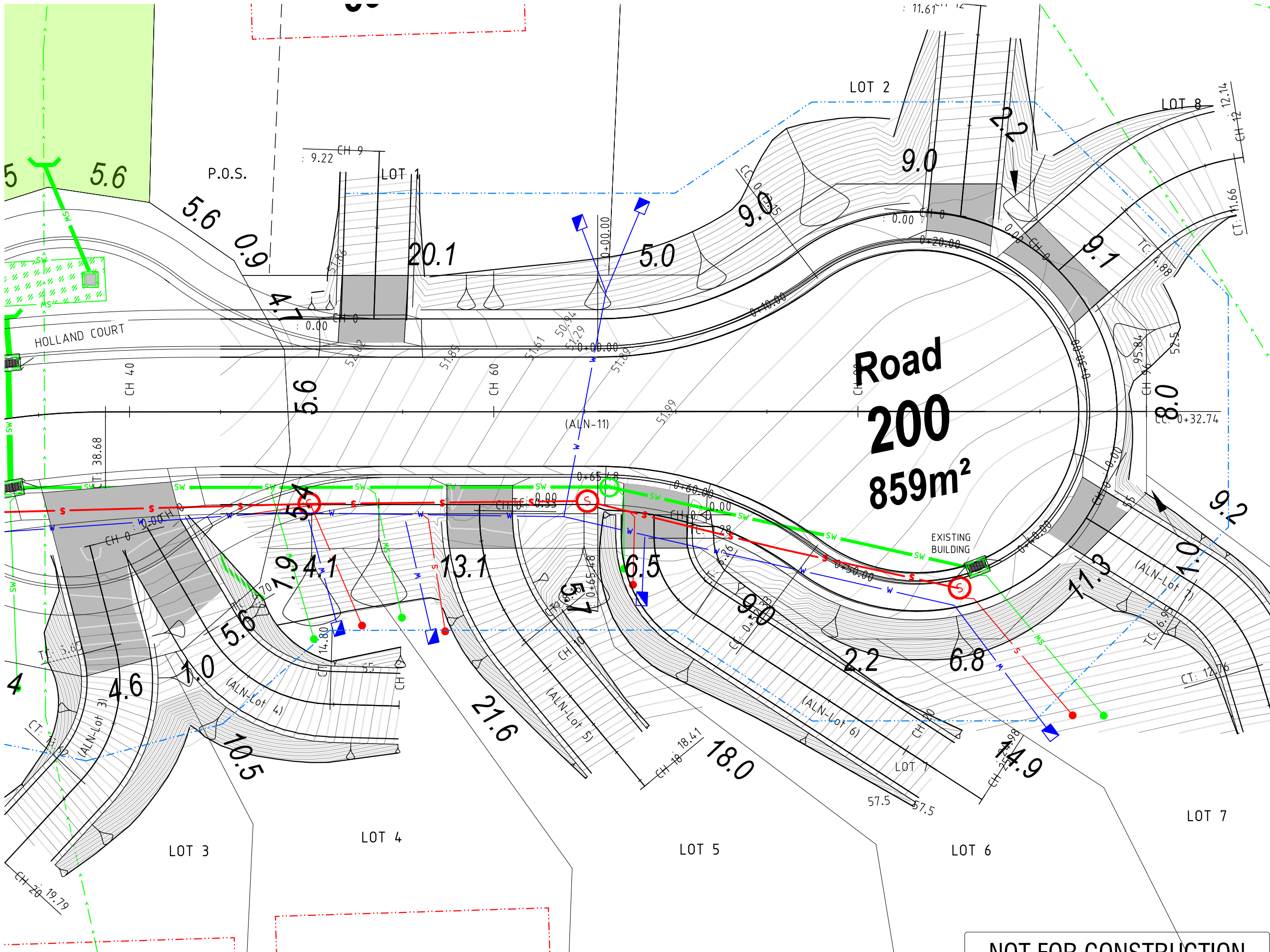
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PROJECT NO. **J203057PH**

DWG NO. C02	REVISION P4
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Engineers & Planners

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PROJECT
**30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION**

TITLE
**ACCESS
PLAN**

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Accepted Matt Clark (Team Leader)	Date
Approved Matt Clark (Group Manager)	Date

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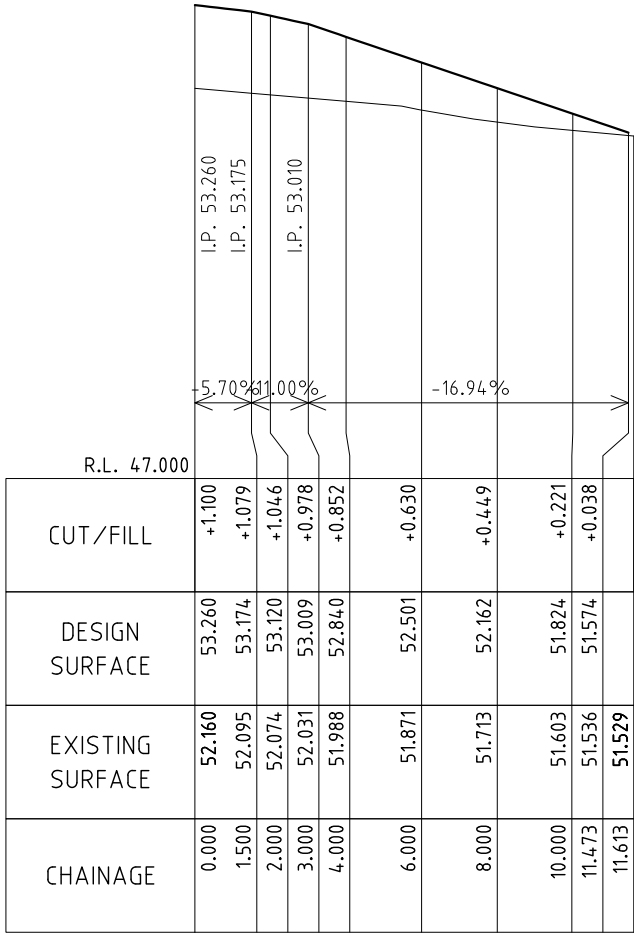
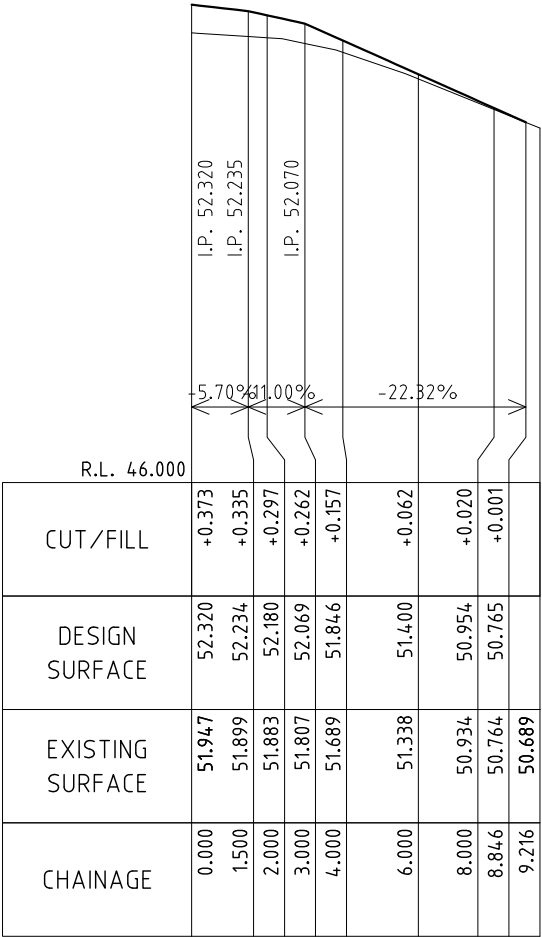
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PROJECT NO. **J203057PH**

DWG NO.	REVISION
C03	P4

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PROJECT
30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION

TITLE
CONCEPT SERVICES
ALN-LOT 1 DRIVEWAY
ALN-LOT 2 DRIVEWAY

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Accepted Matt Clark (Team Leader)	Date
Approved Matt Clark (Group Manager)	Date

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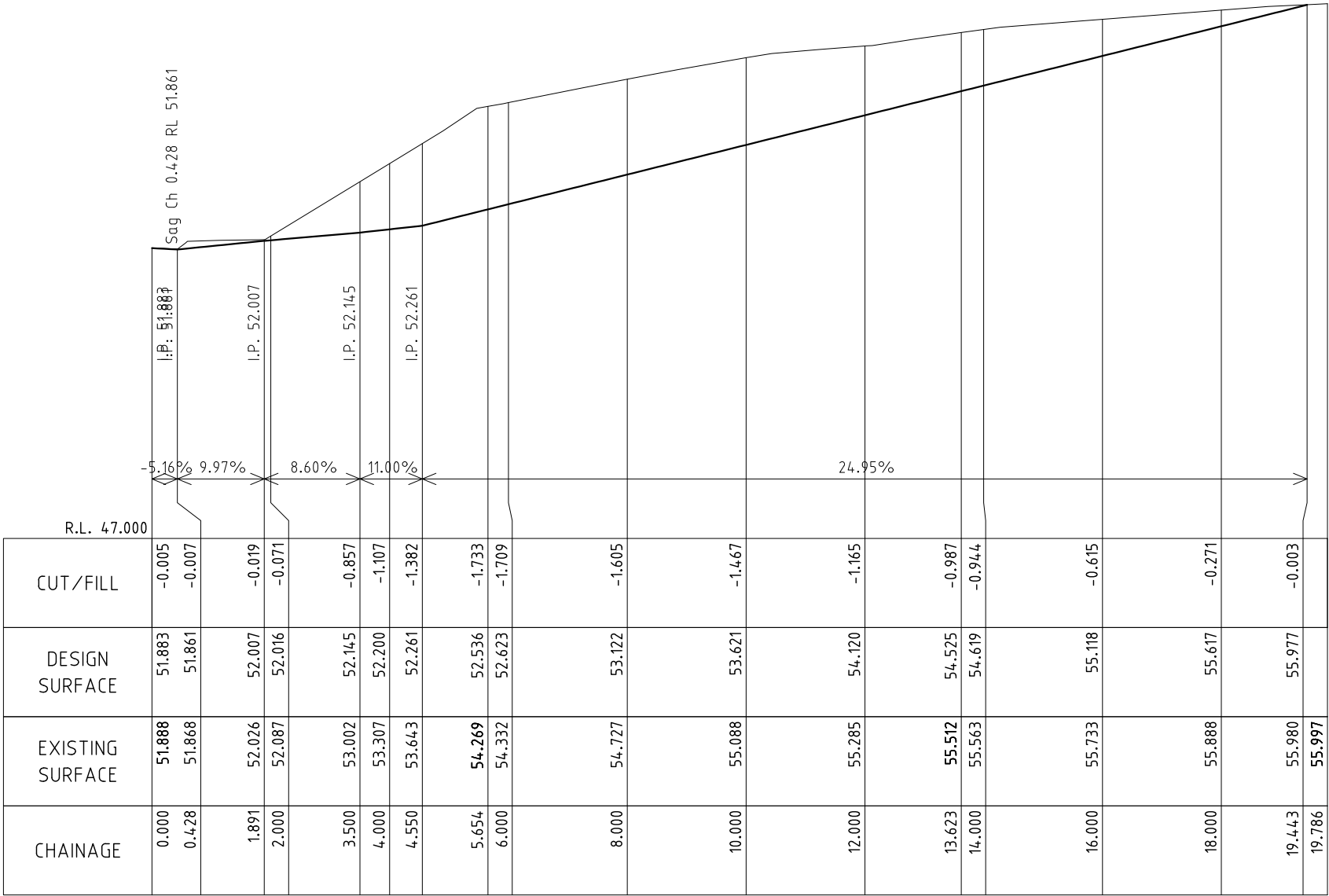
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PROJECT NO. **J203057PH**

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Profile ALN-Lot 3 From 0.000 To 19.786
Scales: (H) 1:100 (V) 1:100

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PROJECT
**30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION**

TITLE
**CONCEPT SERVICES
ALN-LOT 3 DRIVEWAY**

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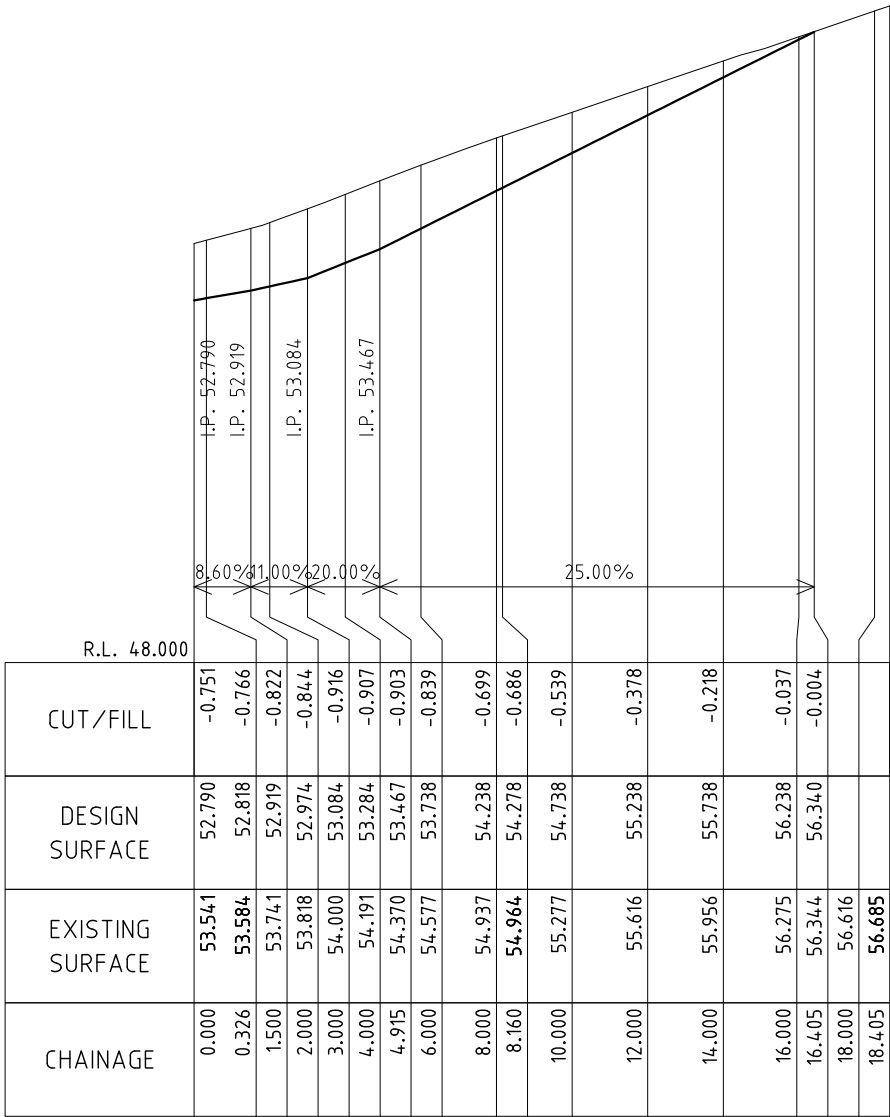
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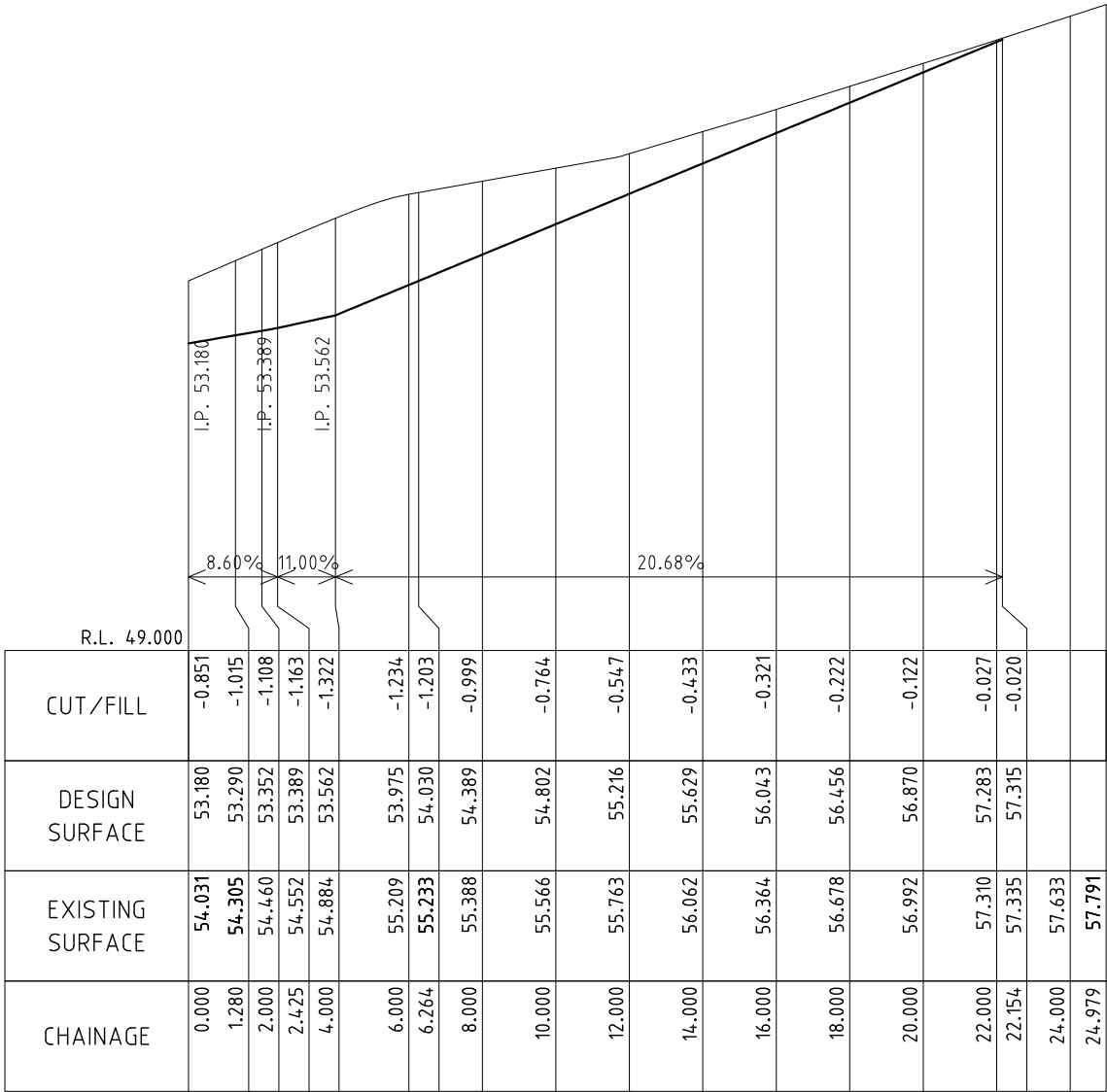
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DWG NO.	REVISION
C05	P4

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Profile ALN-Lot 6 From 0.000 To 24.979
Scales: (H) 1:200 (V) 1:100

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P3	06.05.2022	NEW LOT LAYOUT
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P1	11.09.2020	ISSUED FOR CLIENT REVIEW
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**30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION**

TITLE
**CONCEPT SERVICES
ALN-LOT 5 DRIVEWAY
ALN-LOT 6 DRIVEWAY**

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Approved Matt Clark (Group Manager)	Date

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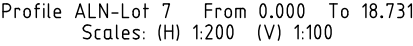
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PROJECT
30 HOLLAND COURT
HOWRAH - PROPOSED
SUBDIVISION

TITLE
CONCEPT SERVICES
ALN-LOT 7 DRIVEWAY

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JMG Ref: 203057PH

26th May 2022

General Manager
Clarence City Council

Attention: Shannon McCaughey

Dear Shannon,

PLANNING SCHEME AMENDMENT S43A APPLICATION - PDPSPAMEND-2021/019004 - 30 HOLLAND COURT, HOWRAH

I refer to the Council's letter regarding the above application dated 31th May 2021.

To enable further consideration a response to the Council's 'request for further information' (RFI) is addressed in the sequence below.

An Amended Planning Report (with updated Appendices) and updated Amendment Form has been provided to reflect Council requirements.

1. Amendment Fee

Payment of the outstanding Amendment Fee will be made by our client direct to Council.

2. Planning Scheme Amendment Form

See Attachment 1.

3. TPC Landowner Consent Form

See Attachment 2.

4. Bushfire Hazard Management Plan

See revised Hazard Management Plan (see Attachment 3).

5. Geotech Assessment

See revised Planning Report.

6. Meeting Issues

Extension of Holland Court

As requested we have extended Holland Court to enable development of the balance of the site should that event ever arise. It should be noted the Howrah Church of

117 Harrington Street
Hobart 7000
Phone (03) 6231 2555
Fax (03) 6231 1535
infohbt@jmg.net.au

49-51 Elizabeth Street
Launceston 7250
Phone (03) 6334 5548
Fax (03) 6331 2954
infohbn@jmg.net.au

Johnstone McGee &
Gandy Pty Ltd
ABN 76 473 834 852
ACN 009 547 139
as trustee for Johnstone
McGee & Gandy
Unit Trust

www.jmg.net.au

Christ have no plans to leave the site. The grades of the site will not enable an extension of Holland Court upwards to the Kuynah Bushland Reserve and as can be seen from the civil design driveway access is already steep.

The extension of Holland Court will remove approximately 18 car parks from the existing unmarked car parking area of the church. This at least 50 car parks on the sealed area (excluding the drop off area), plus overflow room on unsealed areas. The removal of the existing culdesac head is unnecessary to meet Council standards and is an unreasonable cost to the developer.

Pedestrian Access to the Kuynah Bushland Reserve

Pedestrian Access to the Kuynah Bushland Reserve already exists from Holland Court (via Monaco Place and Mayfair Court). We understand there is a proposed Public Open Space on the eastern boundary of 30 Holland Court which is part of the subdivision of 38 Buckingham Drive. The proposed public open space access from the existing Holland Court culdesac head to the footpath in the Rokeby Road corridor has been maintained. We have incorporated a wedge of public open space in the south-east corner of the site to allow access to the Kuynah Bushland Reserve from the future public open space on 38 Buckingham Drive. This will allow local residents to loop from the Mayfair Court access around to the new connection made through the site. To be clear, we will not be providing public access from the new culdesac head directly to the Kuynah Bushland Reserve and there is no strategic plan that suggests this link.

Density

The General Residential zone in the Tasmanian Planning Scheme allows for lots as small as 450sqm and there is no maximum lot size. In practice the size of the lots is heavily dictated by the need for access/frontage and the existing church building. Lot 7 is intended to be developed as multiple dwellings by the church at some time in the future.

We trust that the advice contained in this letter satisfies Council's request, however, if further information or clarification is required, please contact me on 62 312 555 or via planning@jmg.net.au.

Yours faithfully,

JOHNSTONE McGEE & GANDY PTY LTD



Mat Clark
Principal/Town Planning Group Manager

Attachment 1

Planning Scheme Amendment Form

Clarence City Council

APPLICATION FOR PLANNING SCHEME AMENDMENT



Clarence... a brighter place

The personal information on this form is required by Council for the amendment of a planning scheme under the Land Use Planning and Approvals Act 1993. We will only use your personal information for this and other related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time. How we use this information is explained in our **Privacy Policy**, which is available at www.ccc.tas.gov.au or at Council offices.

Amendment
Details:

Type of Amendment:

Change to Maps

☒

Change to Ordinance

☐

Description of Amendment:

Rezoning - 'Community Purpose' to 'General Residential'

Location:
(if applicable)

Address 30 Holland Court

Suburb/Town Howrah

Postcode 7018

Current Owner/s:
(if applicable)

Name/s (Mr/Mrs/Ms) Churches of Christ (Tasmania)

Is a related application for development or subdivision
also being submitted in accordance with Section 43A
of the Land Use Planning and Approvals Act 1993?

Yes:

☒

No:

☐

Applicant:

Name (Mr/Mrs/Ms) JMG Engineers & Planners obo Churches of Christ (Tasmania)

Address 117 Harrington Street

Suburb Hobart

Postcode 7000

Telephone (Daytime contact) 62312555

Facsimile

If you have had pre-application discussions with
a Council Officer, please give their name.

Declaration:

- I have read the Certificate of Title and Schedule of Easements for the land and am satisfied that this application is not prevented by any restrictions, easements or covenants.
- I authorise the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation. I agree to arrange for the permission of the copyright owner of any part of this application to be obtained. I have arranged permission for Council's representatives to enter the land to assess this application.
- In accordance with Section 33(2A) of the Land Use Planning and Approvals Act 1993, the written consent of the owners to the making of the request is attached.
- I declare that the information in this information is true and correct.

Applicant's
Signature:

Signature

R Hill

Date

21/03/22

PLEASE SEE CHECKLIST OVER PAGE /...

38 Bligh Street, Rosny Park, Tasmania • Address correspondence to: General Manager, PO Box 96, Rosny Park 7018 • Dx: 70402
Telephone (03) 6217 9550 • Facsimile (03) 6245 8700 • Email clarence@ccc.tas.gov.au • Website www.ccc.tas.gov.au

Clarence City Council

PLANNING SCHEME AMENDMENT CHECKLIST



Clarence... a brighter place

To ensure that we can process your application as quickly as possible, please read the following checklist carefully and ensure that you have provided all the necessary information. If you are unclear on any aspect of your application, please contact our Development Appraisal Officers on 62179550 to discuss or arrange an appointment concerning your proposal.

All requests for Amendments require the following to be provided at the time of submitting the application. However, upon assessment, it may be necessary for additional information to be further requested.

- ☐ A completed Application for Planning Scheme Amendment form. Please ensure that this form is completely filled out with the applicant's correct address and contact details, is signed and dated.
- ☐ 2 copies of a written submission supporting the amendment including:
 - Detailed description of the requested amendment identifying the extent of its application.
 - Consideration of the Objectives of the Land Use Planning and Approvals Act 1993.
 - Consideration of the relevant provisions of the Planning Scheme such as the Intents, Development Principles, Objectives and detailed provisions of the zone.
 - Strategic impact of the proposal such as alternative uses, flow on development and cumulative impacts.
- ☐ A current copy of the Certificate of Title of all properties involved (if applicable) containing the:
 - Search Pages.
 - Plans, Sealed Plans or Diagrams.
 - Any Schedules of Easements, Covenants, Council Notifications, and Conditions of Transfer.
- ☐ Application fees. (please phone 62179550 to determine what fees apply)

Attachment 2 A TPC Landowner Consent Form

Form No. 1

Owners' consent

Accompanying draft planning scheme amendment requests under section 33(1), including combined permit applications under section 43A of the *Land Use Planning and Approvals Act 1993*.

Requests for draft amendments or combined permit applications require owners' consent. This form must be completed if the person making the request is not the owner, or the sole owner.

The person making the request must clearly demonstrate that all owners have consented.

Please read the notes below to assist with filling in this form.

1. Request made by:

Name(s): JMG engineers & Planners obo Churches of Christ
(Tasmania)

Address: 117 Harrington Street
Hobart, Tas 7000

Email address: planning@jmg.net.au

Contact number: 6231 2555

2. Site address:

Address:

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).


Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner : *Trustees of the Hobart Churches of Christ*
X *Christian Development Trust Fund*

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

X


Position (if applicable): X *Trustee*

Signature:  Date: X *4/5/2022*
Gavin David THOMPSON

Registered owner (please print): *Trustees of the Hobart Churches of Christ*
Christian Development Trust Fund

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

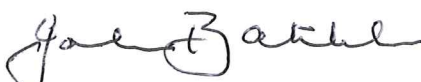
Position (if applicable): *Trustee*

Signature:  Date: *4.5.2022*
JOHN CHARLES WESTMORE

Registered owner (please print): *Trustees of the Hobart Churches of Christ*
Christian Development Trust Fund

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable): *Trustee*

Signature:  Date: *4/5/2022*
JOAN CLEMENT BATCHELER
TRUSTEE OF THE HOBART CHURCHES OF CHRIST
CHRISTIAN DEVELOPMENT TRUST FUND.

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner :

X

Trustees of the Hobart Churches of Christ
Christian Development Trust Fund

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

X

Position (if applicable):

X

Trustee

Signature:

Date:

X

5/5/2022



Geoffrey Raymond MORFEW

Registered owner (please print):

Trustees of the Hobart Churches of Christ
Christian Development Trust Fund

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable):

Trustee

Signature:

Date:

5/05/2022



LESTER BASIL BRADBURN

Registered owner (please print):

Trustees of the Hobart Churches of Christ
Christian Development Trust Fund

Property identifier (folio of the register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable):

Trustee

Signature:

Date:

5/5/2022



Graeme Bruce HOLT

NOTES:

a. Who can sign as owner?

Where an owner is a natural person they must generally sign the owner's consent form personally.

Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, for example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

b. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the *Strata Titles Act 1998*. For common property, permission can be provided in one of the following ways:

- i. a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
- ii. the consent of each owner of each lot on the strata plan.

c. Companies

If the land is owned by a company then consent must be signed in accordance with the *Corporations Act 2001 (Cwth)* as follows:

- i. one company director and company secretary; or
- ii. two company directors; or
- iii. if a sole director/sole shareholder who is also the sole secretary, the sole director; or,
- iv. a company with a common seal may execute a document if the seal is fixed to the document and witnessed by two directors; or one director and a company secretary, or for a proprietary company that has a sole director who is also the sole company secretary, that director.

The ABN or ACN, the names and positions of those signing the consent, and a current ASIC company extract (www.asic.gov.au) must be provided.

d. Associations

If the land is owned by an incorporated association then the document must be signed in accordance with the rules of the association by, for example being:

- i. sealed and witnessed in accordance with the association's rules; or,
- ii. signed by a person authorised in accordance with the association's rules.

The ABN, the names and positions of those signing the consent, and copy of the association's rules must be provided.

e. Council or the Crown

If the land is owned by a council or the Crown then consent must be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate.

The name and positions of those signing must be provided.

Effective Date: 30 March 2020

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

Information Sheet 1/2020

Subject: Owners' consent form

Purpose: To provide background information about the new owners' consent form for draft amendment requests or applications for a combined permit and amendment.

Introduction

The Commission has issued an owners' consent form under section 33(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*. The form requires each request for a draft amendment or application for a combined permit and amendment to be accompanied by a completed owners' consent form when lodged with a planning authority after **30 March 2020**.

The Commission has noticed an increasing number of requests for draft amendments and applications for combined permits have been accompanied by inadequate evidence of owners' consent.

Owners' consent is a requirement under section 33(2A) of the Act and must be provided before the planning authority initiates and certifies a draft amendment. It cannot be provided retrospectively.

Where owners' consent is later found to be deficient, the Commission would be without jurisdiction. Such a circumstance is costly and time consuming for everyone.

The form gives detailed information about how owners' consent must be demonstrated, including the requirement for documentary evidence in some instances.

Implementation

The form is available on the [Commission's website](#) under publications.

Planning authorities and practitioners are encouraged to review their administrative processes so that when accepting requests for draft amendments or applications for combined permits and amendments, they ensure the completed owners' consent form is provided in all instances.

After 30 March 2020, the Commission will require a completed form to accompany each new request or application.

If the form is not provided, the Commission will advise the planning authority that it will not proceed with its consideration of the draft amendment or combined permit and amendment. The planning authority would need to resolve to initiate and certify the draft amendment or combined permit and amendment after it has received a completed owners' consent form.

Further information

For further information contact the Tasmanian Planning Commission:

Telephone: (03) 6165 6828

Email: tpc@planning.tas.gov.au

Website: www.planning.tas.gov.au

Peter Fischer

Acting Executive Commissioner

Tasmanian Planning Commission

10 March 2020

Note: References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the ***former provisions*** of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. Parts 2A and 3 of the ***former provisions*** remain in force until a Local Planning Schedule comes into effect for the municipal area.

Attachment 3 Hazard Management Plan



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20.05.2022

ISSUED FOR REVIEW

REV

DATE

REMARK

JMG

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PROJECT

30 HOLLAND COURT

HOWRAH - PROPOSED

SUBDIVISION

TITLE

BUSHFIRE HAZARD

MANAGEMENT PLAN

Accepted Chris Males

(Discipline Head)

Date

Accepted Matt Clark

(Team Leader)

Date

Approved Matt Clark

(Group Manager)

Date

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DRAWN BY

1:500

CJM

RH

PLOT DATE

25/05/2022

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