



**LAUNCESTON CITY COUNCIL**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 8 DECEMBER 2014**

# LAUNCESTON CITY COUNCIL

**COUNCIL AGENDA**

**Monday 8 December 2014**

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**Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -**

**Date: 8 December 2014**

**Time: 1.00 pm**

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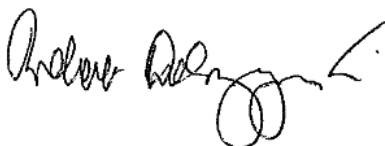
## **Section 65 Certificate of Qualified Advice**

### **Background**

Section 65 of the *Local Government Act 1993* requires the General Manager to certify that any advice, information or recommendation given to Council is provided by a person with appropriate qualifications or experience.

### **Declaration**

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the agenda items for this meeting.



**Robert Dobrzynski**  
**General Manager**

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**1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES**

**2 DECLARATION OF PECUNIARY INTERESTS**

**3 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

1. That the Minutes of the Ordinary Meeting of the Launceston City Council held on 24 November 2014 be confirmed as a true and correct record.
2. That the Minutes of the Annual General Meeting of the Launceston City Council held on 1 December 2014 be confirmed as a true and correct record.

**4 DEPUTATION**

**Nil**

**5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME**

**Nil**

**6 PUBLIC QUESTION TIME**

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Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items 7.1 - 7.4

### 7 PLANNING AUTHORITY

- 7.1 80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction of

**FILE NO:** DA0452/2014

**AUTHOR:** Ashley Brook (Consultant Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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### DECISION STATEMENT:

To consider and determine a development application in accordance with the Section 57 of the Land Use Planning and Approvals Act 1993.

### PLANNING APPLICATION INFORMATION:

Applicant:	Boral Construction Materials Group Limited
Property:	Part 80 Lindsay Street, Invermay (CT 167770/2)
Zoning:	Commercial
Application Validity Date:	02/10/2014
Further Information Request:	08/10/2014 & 23/10/2014
Further Information Received:	24/10/2014
Deemed approval:	08/12/2014 (Extension of Time Agreed)
Representations:	Nil (0)

### PREVIOUS COUNCIL CONSIDERATION:

#### DA0490/2014

A subdivision permit issued under delegation on 14/11/2014 which approved the consolidation of 80 Lindsay Street (CT 167770/2) with an adjoining Crown-land parcel to the north, and the subdivision of the consolidated land into two (2) lots including Lot 1 (2.43 ha) and a Balance (6.913 ha). The subdivision is not complete.

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### **7.1 80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction...(Cont'd)**

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A subsequent planning application (DA 0538/2014) has been lodged to subdivide Lot 1 into a further two (2) lots. The proposed lot which will accommodate the proposed Boral use and development is Lot 1 (1.3 ha) in the current application. It has frontage to Gleadow Street. This is the 'site' as described in the application.

#### **RECOMMENDATION:**

That Council approve the application DA0452/2014 for Manufacturing and processing – concrete batching plant; Business and Professional Services – office and testing laboratory; Transport Depot and Distribution – transport depot; associated development including construction of buildings and structures, car parking, access and advertising; landscaping within the adjoining Gleadow Street nature strip at Part 80 Lindsay Street, Invermay (CT 167770/2) subject to the following conditions:

#### **PERMIT CONDITIONS**

##### **1. ENDORSED PLANS & DOCUMENTS**

The use and development must be carried out in accordance with the following endorsed plans and documents to the satisfaction of the Planning Authority unless modified by a condition of the Permit:

- a. Concept Layout, Prepared by Pitt & Sherry, Drawing No. LN14092-P2 Rev. A, Dated 19/09/2014.
  - b. General Arrangement – Swept Paths, Prepared by Pitt & Sherry, Drawing No. LN14092-P3 Rev. A, Dated 19/09/2014.
  - c. Site Section, Prepared by Pitt & Sherry, Drawing No. LN14092-P4, Dated 25/09/2014.
  - d. Site Plan, Prepared by Pitt & Sherry, Drawing No. LN14092-P5, Dated 25/09/2014.
  - e. Stormwater Concept Layout, Prepared by Pitt & Sherry, Drawing No. LN14092-P6 Rev. A, Dated 23/10/2014.
  - f. 3D Site Visualisation, Prepared by Pitt & Sherry, Drawing No. LN14092-3D-1.
  - g. 3D Site Visualisation, Prepared by Pitt & Sherry, Drawing No. LN14092-3D-2.
  - h. Building Floor Plan, Prepared by Carrol & Cockburn Architects, Project: Launceston Concrete Plant Relocation, DA Drawings Rev. 3, Dated 26/09/2014.
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### **7.1 80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction...(Cont'd)**

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- i. Building Elevations – Admin Building, Prepared by Carrol & Cockburn Architects, Project: Launceston Concrete Plant Relocation, DA Drawings Rev. 3, Dated 26/09/2014.
- j. Building Elevations – Amenity and Lab Building, Prepared by Carrol & Cockburn Architects, Project: Launceston Concrete Plant Relocation, DA Drawings Rev. 3, Dated 26/09/2014.
- k. Architects Impression, Prepared by Carrol & Cockburn Architects, Project: Launceston Concrete Plant Relocation, DA Drawings Rev. 3, Dated 26/09/2014.
- l. Boral Site Signage, Prepared by Carrol & Cockburn Architects, Project: Launceston Concrete Plant Relocation, DA Drawings Rev. 3, Dated 26/09/2014.
- m. Batching Plant Sections and Elevations, Prepared by Tail Condon Pty Ltd, Drawing No. TCH-BOR-14-2056-A1 Rev. A, Dated 10/09/2014.
- n. Batching Plant Sections and Elevations, Prepared by Tail Condon Pty Ltd, Drawing No. TCH-BOR-14-2056-A2 Rev. A, Dated 10/09/2014.
- o. Landscape Concept Plan, Prepared by Lange Design, Drawing No. GS0914 – LPC01 Issue C, dated 29/09/2014.
- p. Planning Report, Prepared by Pitt & Sherry, Report No. LN14092L003 PlanningRep 31P Rev. 0, Dated 26/09/2014.
- q. Traffic Impact Assessment, Prepared by Pitt & Sherry, Report No. LN14092L001 TIA 31P Rev. 02, Dated 01/10/2014.
- r. Flood Report & Response Plan, Prepared by Pitt & Sherry, Report No. LN14092L002 FloodRep 31P Rev. 2, Dated 24/10/2014.
- s. Concept Stormwater Design, Prepared by Pitt & Sherry, Report No. LN14092L001 SW Report 31P Rev. 0, Dated 24/10/2014.

## **2. AMENDED PLANS REQUIRED**

Prior to the commencement of the development, amended plans shall be submitted to the satisfaction of the Planning Authority to show the following requirements. Once approved, the amended plans will be endorsed by Council and will form part of the Permit.

- a. Modification to the bicycle parking area to include rails or hoops for the locking of bicycles and to satisfy the relevant dimension requirements in accordance with Australian Standard AS 2890.3 – 1993.
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- b. Modification to the parking layout to include one (1) dedicated taxi drop-off and pickup space in the parking area within the frontage setback.
- c. Modification to the parking layout to include one (1) motorbike space in the parking area within the frontage setback.

### **3. ENVIRONMENTAL MANAGEMENT PLAN**

A site specific Environmental Management Plan (EMP) for the use must be submitted to Council for approval, prior to the commencement of the use. The EMP is to include a Stormwater Management Plan and site plan for the activity.

### **4. EMERGENCY MANAGEMENT PLAN**

Prior to the commencement of the use a detailed Flood Response Plan must be submitted to and endorsed by the Planning Authority. The details of the plan must consider (but may not be limited to):

- a. The risks to life;
- b. The likely impact on the use or development; and
- c. How the risk associated with the use or development will be managed to tolerable levels, including clear trigger points for evacuation prepared in conjunction with advice from the Department of Police and Emergency Management and the Planning Authority.

The plan must consider the performance of the building during an overtopping event or a breach of the levee in the vicinity. It must consider the likely characteristics of the flood in these scenarios and ensure that these have been effectively considered in the design of the building taking into account any mitigation measure proposed for the site or in the vicinity.

### **5. LEGAL TITLE**

The use and development, excluding approved works within the adjoining road reserve, shall be confined to the legal title of the subject site.

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### **6. AMENITY**

The construction of the development permitted by this permit must not adversely affect the amenity of the site or the locality by reason of the processes carried on; the transport of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

### **7. NOTIFICATION OF INCIDENT**

If an incident causing or threatening serious or material environmental harm from pollution occurs in the course of the activity (or activities) to which this Permit relates, then the person responsible for the activity (or activities) must:

- a. Immediately take all practicable action to minimise any adverse environmental effects from the incident, and,
- b. As soon as reasonably practicable, but not later than 24 hours, after becoming aware of the incident, contact Council's Environmental Services Department on 03 6323 3000.
- c. Not later than 24 hours after becoming aware of the incident, provide a report to the Council's Environmental Services Department by facsimile to 03 6323 3001, or by hand delivery, outlining the nature of the incident, the circumstances in which it occurred and the action taken to deal with the incident. (This report must be provided irrespective of whether the person responsible for the activity (or activities) has reasonable grounds for believing that the incident has already come to the notice of the Council's Environmental Services Department or any officer engaged in the administration or enforcement of the Environmental Management and Pollution Control Act 1994).

### **8. CONTROL OF NUISANCE**

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use, in spite of the fact that air, noise and water pollution matters may be subject to the provisions of the Environmental Management and Pollution Control Act 1994 and Regulations there under.

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### **9. SOLID WASTE MANAGEMENT**

All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:

- a. by a licensed waste removal operator; or
- b. in an approved land fill.

### **10. TASWATER**

The development shall be undertaken in accordance with the Submission to Planning Authority Notice TWDA 2014/01277-LCC.

### **11. VEHICULAR CROSSINGS – INDUSTRIAL**

Before the commencement of the use, two new industrial vehicular crossovers must be provided to service this development. The kerb layback and apron widths must be sufficient to wholly contain the swept paths as indicated on the endorsed plans. An application for such work must be lodged on the approved form. All unused crossovers and driveways must be removed prior to the occupation of the development.

No work must be undertaken to construct the new vehicular crossing or to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Roads and Hydraulics Department.

The new crossing must be constructed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (e.g. TasWater, Telstra, and Aurora etc.). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

### **12. ROAD CROSSINGS FOR SERVICE CONNECTIONS**

Where it is required by a service provider (i.e. TasWater, Telstra, Aurora, etc.) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to Council's Roads and Hydraulics Manager for approval to install the connection across Gleadow Street.

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The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in exceptional circumstances and requires the written consent of the Council's Roads and Hydraulics Manager who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

### **13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

- a. requires a road or lane closure;
- b. are in nominated high traffic locations;
- c. involve opening or breaking trafficable surfaces; or
- d. require occupation of the road reserve for more than one week at a particular location.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

### **14. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

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### **15. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS**

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements for pipelines and conduits up to 90mm. Pipelines and conduits greater than 90mm are subject to detailed engineering design to ensure no trench settlement. Trenches crossing the existing reinforced concrete panels in Gleadow Street are to have the concrete panels reinstated. Any asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

### **16. CONSTRUCTION OF PARKING, ACCESSES, MANOEUVRING AND CIRCULATION AREAS**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.2 Off-street commercial vehicle facilities, AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities.
  - b. Be properly constructed to such levels that they can be used in accordance with the plans,
  - c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
  - d. Be drained to Councils requirements,
  - e. Be line-marked or otherwise delineated to indicate each car space and access lanes,
  - f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
  - g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,
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- h. Have a discreetly directional sign of not more than 0.3m<sup>2</sup> which must be provided at the entrance to the site indicating the availability of off-street visitor parking.

Parking areas and access lanes must be kept available for these purposes at all times.

### **17. CONSTRUCTION OF WORKS**

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
  - i. Provision of a public drainage system (grassed drain) capable of conveying the existing overland flows and the overflow from the proposed detention structure to the TasWater combined sewer system,
- b. Roads
  - i. Provision of two urban style industrial vehicular crossings complete with culverts over the grassed drain described above,

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- a. Construction requirements,
  - b. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
  - c. Construction Audit inspections,
  - d. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.
-

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- 7.1 **80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction...(Cont'd)**
- 

### **18. SUBMISSION AND APPROVAL OF PLANS**

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- a. Be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. Include all infrastructure works within the road reserve required by the permit or shown in the endorsed plans and specifications.
- d. be accompanied by:
  - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
  - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

#### Notes

##### **A. Other Approvals**

*This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals will be required:*

- a) *Building Permit*
- b) *Plumbing Permit*
- c) *Occupancy Permit*

##### **B. Appeal Provisions**

*Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

*A planning appeal shall be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.*

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- 

*A planning appeal shall be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.*

**C. Permit Commencement**

*This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 53(1b) of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.*

**D. Lapsing of permit**

*This permit lapses after a period of two years from the date of granting the permit if the use or development has not substantially commenced within that period.*

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## **REPORT:**

In accordance with the Council's Policy the assessment of this development application was outsourced to an independent consultant Town Planner as it relates to development in which Council has a pecuniary interest.

### **1. PROPOSAL**

Boral Construction Materials Group Limited has lodged an application to re-establish its operations currently located at 61 Lindsay Street, Invermay on a new site 80 Lindsay Street, Invermay (CT 167770/2). The proposed site will have frontage to Gleadow Street to the north.

The relocation is required to finalise the strategic development of the flood mitigation scheme for Invermay/Inveresk in the area where Boral's operations are currently located.

### **Proposed uses**

The application includes four (4) separate uses including a transport operation associated with the applicant's quarry operations, state offices, a testing laboratory and a concrete batching plant.

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The operations will employ 42 persons on-site and will normally occur between 6 am to 5 pm Monday to Friday and 6 am to 12 pm Saturday. Maintenance will occur outside these times.

#### **Proposed development**

The concrete batching plant will occupy the bulk of the site and be centrally located. It will comprise aggregate bins formed with concrete walls having a maximum height of 3 m, a main feed hopper/conveyor system, two (2) twin cement silos having a maximum height of 19.5 m and parking areas for seven (7) concrete agitators.

The transport depot providing parking for 14 tipper (truck and dog) heavy vehicles will be located at the rear of the site. It will include a 6 m x 20 m truck wash building.

Two (2) single-storey buildings having a commercial appearance will be developed in the front part of the site. One will accommodate the testing laboratory, a store and amenities and other facilities associated with the concrete batching plant. The main office building accommodating the state office will be located closest to the frontage.

#### **Car parking**

Formal car parking areas capable of accommodating 46 vehicles will be provided to the front of and in between the proposed buildings at the front of the site. The proposed development will include two (2) accesses providing separate ingress (western access) and egress (eastern access). This will provide a one-way circulation system for large vehicles within the site. Light vehicles will be limited to the front portion of the site.

#### **Landscaping**

The proposed landscaping includes two (2) *Acer negundo* 'Sensation' trees in the nature strip to the north of the site which are intended to replicate existing street trees to the east. Additional landscaping will include low plantings within a 1 m wide landscaped area along the frontage, and three (3) trees at the eastern end of the office and laboratory buildings.

A 2 m high front fence (steel frame with rods) will be erected along the road frontage and partly along the eastern boundary to provide visibility. A 3 m high Colorbond fence will be erected around the remainder of the site.

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### **Advertising signage**

The application also includes a site entry sign ('pylon sign'), main office building sign ('wall sign') and signage painted on the signage ('painted wall signs').

## **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

### **Legal description**

The proposed use and development will be established within a part of the property at 80 Lindsay Street (CT 167770/2) which has frontage to Gleadow Street. The application also involves an untitled narrow strip of Crown-land adjacent to the Gleadow Street which will be developed for access and car parking. It also involves land within the adjoining Gleadow Street nature strip which will be developed with two (2) landscape plantings.

The main part of the site (CT 167770/2) is owned by Bunnings Properties Pty Ltd. Boral Construction Materials Group Limited has declared that it has notified Bunnings Properties Pty Ltd of its intention to lodge the application as required by Section (1) of the *Land Use Planning and Approvals Act 1993* ('LUPAA').

The application also includes landowner permissions from the Crown and Council's General Manager in relation to the proposed use and development within untitled Crown-land parcel and Gleadow Street nature strip respectively, as required by Section 52 (1B) of LUPAA.

It is intended that the proposed use and development will ultimately be located within its own lot. Planning permit DA0490/2014 issued by Council under delegation on 14/11/2014 approved the consolidation of the untitled Crown-land parcel with 80 Lindsay Street (CT 167770/2) and the subdivision of the land into two (2) lots including Lot 1 (2.43 ha) and a Balance (6.913 ha). A subsequent planning application (DA 0538/2014) has been lodged to subdivide Lot 1 into a further two (2) lots. The proposed lot which will accommodate the proposed Boral use and development is Lot 1 (1.3 ha) in application DA0538/2014. This is the 'site' as described in the application.

### **Property description**

The property at 80 Lindsay Street is 9.13 ha in area. It is part of the former Gunns Launceston Timber Mills and has been cleared of all buildings and structures.

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### Locality description

The area to the north is characterised by commercial and industrial uses and developments. It is zoned General Industrial on the western side of Montagu Street and Light Industrial to the east. A number of dwellings are located in the Light Industrial Zone to the north east of the site.

The land to the west of the site is within the General Industrial Zone and includes a concrete batching plant use and development.

The recent Bunnings Development is located to the south east of the site on an adjoining title at 78 Lindsay Street.

## 3. PLANNING SCHEME REQUIREMENTS

### 3.1 Commercial Zone

23.1	Zone Purpose
23.1.1	<i>To provide for large floor area retailing and service industries.</i>
23.1.2	<i>To provide appropriate location(s) for larger format land uses such as car yards, bulky goods sales, warehouse and showrooms in the areas of high traffic volume and high passing visibility which do not necessarily suit a business zone location.</i>
23.1.3	<i>To ensure general retail uses support and do not threaten the established retail and business hierarchy.</i>
<b>Consistent</b> The proposed uses are not specifically identified in the Zone Purpose and rely on discretionary approval, with the exception of the transport depot which is a permitted use in the Zone. They are consistent with the North Bank Land Use Study which identifies the land fronting Gleadow Street to the north-west of the Bunnings development as being within an Industrial Precinct.	

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### 3.2 Use

#### 3.21 Use Table

The application includes a number of uses that require separate categorisation as detailed in the table below.

Proposed Use	Use Class	Use Status
1. Transport depot	Transport depot and distribution	Permitted
2. State office 3. Testing laboratory	Business and professional services	Discretionary
4. Concrete batching plant	Manufacturing and processing	Discretionary

#### 3.2.2 Use Standards

23.3.1	<i>Emissions</i> <i>To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to residential uses.</i>
A1	<i>Discretionary use or development not listed in Clauses E12.6.2 or E12.6.3 must be setback from residential uses a minimum of 100m.</i> <b>Complies</b> The proposed use and development will be setback a minimum of 110 m from the nearest residential use which is located to the north-east (within a Light Industrial Zone).
A2	<i>All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:</i> <ul style="list-style-type: none"> <li><i>a) by a licensed waste removal operator; or</i></li> <li><i>b) in an approved land fill; or</i></li> <li><i>c) in accordance with a management plan approved by the Environment Protection Authority.</i></li> </ul> <b>Complies</b> All solid wastes generated on site will be capable of being removed either by a licensed waste removal operator or to an approved land fill. The requirements of the acceptable solution are reinforced in a recommended permit condition.

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23.3.2	<i>Storage of Goods</i> <i>To ensure that adequate provision is made for storage of goods, materials and waste.</i>
	<b>Consistent</b> The application satisfies the relevant acceptable solution below.
A1	<i>Storage of goods, materials or waste, other than from retail sale, must not be visible from any road or public place.</i>
	<b>Complies</b> Goods, materials and wastes will be stored in the centre of the site to the rear of the main office and laboratory buildings and the side and rear boundaries of the site will be provided with a 3 m high Colorbond fence.

### 3.3 Development Standards

23.4.1	<i>Building Design and Siting</i> <i>To ensure that the site and layout, building design and form is visually compatible with surrounding development.</i>
	<b>Consistent</b> The site layout, building design and form is visually compatible with surrounding development. The location of the main office building at the front of the site will provide a commercial appearance in the streetscape. The height of the concrete batching plant silos will exceed the acceptable solution requirement below however will not be out of character with the surrounding streetscape which does include the appearance of similar structures.
A1	<i>All buildings are to be orientated to:</i> <i>a) face a road, mall, laneway or arcade, except where the development is not visible from these locations; and</i> <i>b) have the primary pedestrian entrance to buildings off the frontage to a road, mall, laneway or arcade.</i>
	<b>Does not comply</b> The primary pedestrian entrance to the main office building at the front of the site will not be directly from the road frontage and therefore does not satisfy A1 (b). The building has otherwise been orientated to face the road and therefore satisfies A1 (a).

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P1	<p><i>The entrance to a building must be clearly visible from a road and must provide a safe and accessible access for pedestrians from the road to the main entrance to the building.</i></p> <p><b>Complies</b>  Pedestrians will access the main office and other buildings associated with the proposal from the car parking areas within the site. The surrounding area is characterised by commercial and industrial uses dependent on vehicular traffic (including heavy vehicles) for access. There is currently no footpath provided on the southern side of Gleadow Street. Designated walkways will be provided within the site to provide safe access particularly in areas which will be subject to heavy vehicle traffic. The proposed access arrangements for pedestrians are therefore appropriate and safe.</p>
A2	<p><i>Building height must not exceed:</i></p> <ul style="list-style-type: none"> <li>a) 10m; or</li> <li>b) <i>The average of the building heights on immediately adjoining titles; whichever is greater.</i></li> </ul> <p><b>Does not comply</b>  The proposed concrete batching plant silos will have a maximum height of 19.5 m. All other proposed buildings and structures satisfy the acceptable solution.</p>

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P2	<p><i>Buildings must be designed to:</i></p> <ul style="list-style-type: none"> <li><i>a) be complementary to the streetscape immediately surrounding the site; and</i></li> <li><i>b) avoid unreasonable levels of shading to the road, public places or adjoining properties.</i></li> </ul> <p><b>Complies</b></p> <p>The streetscape immediately surrounding the site comprises a 30 m wide road reserve (Gleadow Street) bordered by row of industrial buildings on the northern side having a broadly consistent height and a setback close to the frontage. There are no significant buildings on the southern side of the street to the west of Montagu Street. Larger structures are evident in the streetscape including a visually prominent brick tower on the northern side of the street and a concrete batching plant silo on the southern side adjacent to the site. Similar to these existing structures, the height of the proposed silos is a product of their function. The proposed silos will have a greater setback from the Gleadow Street frontage (110 m) which will assist in reducing its relative scale particularly when viewed in conjunction with the other buildings proposed within the site and the adjoining Bunnings development. They will be painted in a muted green colour which will soften their visual impact in the wider landscape. The proposed building height is therefore complementary to the streetscape immediately surrounding the site.</p> <p>Given the form of the silos and their setback from the frontage (110 m) and side boundaries (&gt;11.5 m) they will not unreasonably overshadow the road or adjoining properties. They will not overshadow public places taking account of the frontage setback and because the adjoining properties are privately owned.</p>
A3	<p><i>Buildings must be setback a minimum distance of 5.5m from a frontage.</i></p> <p><b>Complies</b></p> <p>The main office building will be setback 14 m from the frontage.</p>
A4	<p><i>Buildings can be built up to the side and rear boundaries</i></p> <p><b>Complies</b></p> <p>The proposed buildings will be setback from the side and rear boundaries.</p>



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A5	<p><i>Where the subject site is located on the boundary of a residential zone, new buildings or alterations to existing buildings must:</i></p> <ul style="list-style-type: none"> <li><i>a) be setback a minimum distance of 3.0m from the zone boundary; and</i></li> <li><i>b) have solid fencing at least 1.8m on all boundaries with residential properties.</i></li> </ul>
	<p><b>Not applicable</b> The subject site does not adjoin a residential zone.</p>
23.4.2	<p><i>Streetscape</i> <i>To ensure that buildings have an acceptable impact on streetscape.</i></p>
	<p><b>Consistent</b> The proposed development complies with the majority of the acceptable solution requirements relevant to streetscape appearance. A dedicated pedestrian pathway from the road to the entrance of the main office building will not be provided. This is not considered necessary because there is currently no footpath provided on the southern side of Gleadow Street and the surrounding area is characterised by commercial and industrial uses dependent on vehicular traffic.</p>

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A1	<p><i>Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must:</i></p> <ul style="list-style-type: none"> <li><i>a) have external walls constructed of a minimum of 50% brick, concrete, masonry or glass. Unless brick or glass, external walls must be painted or finished with a texture coat;</i></li> <li><i>b) have a minimum of 50% glazing to the external walls of offices component of the buildings; and</i></li> <li><i>c) be designed and orientated to ensure the main pedestrian entrance into the primary building is visible from the road; and</i></li> <li><i>d) incorporate a protected (by curb, landscaping, bollards or similar device) pedestrian pathway must be provided from the road to the main entrance to the building.</i></li> </ul> <p><b>Does not comply</b></p> <p>The proposed development does not incorporate a dedicated pedestrian pathway from the road to the entrance of the main office building and therefore does not satisfy A1 (d). The building will otherwise be constructed of brick, masonry and glass. The offices will be located within the northern side of the building which will include a minimum of 50% glazing on the façade. The main entrance will be orientated to face Gleadow Street. The application therefore satisfies A1 (a)-(c).</p>
P1	<p><i>New buildings or extensions to existing buildings must be designed to ensure that:</i></p> <ul style="list-style-type: none"> <li><i>a) the building materials complement the building material evident in the immediate vicinity; and</i></li> <li><i>b) the entrance to a building must be clearly visible or the location identifiable from the road; and</i></li> <li><i>c) a safe and accessible access for pedestrians is provided from the road to the main entrance to the building; and</i></li> <li><i>d) buildings built on corner lots must be designed to address both frontages.</i></li> </ul> <p><b>Complies</b></p> <p>The requirement in P1 (c) is the same as Clause 23.4.1 P1. The comments made earlier to the latter therefore apply equally. The proposed development complies with P1 (a)-(c) because the corresponding acceptable solution requirements have been satisfied.</p>

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A2.1	<i>Where employee car parking is proposed it must be located behind or to the side of the principal buildings on the site; and</i>
A2.2	<i>Car parking spaces for visitors and people with a disability must be located as close as practicable to the main entrance to the building.</i>
	<b>Complies</b> The car parking area to the front of the office building where the main entrance is located will be for visitors and persons with a disability.
23.4.3	<i>Turning and Access</i> <i>To ensure that service vehicles can safely and effectively deliver to the site.</i>
	<b>Consistent</b> The application satisfies the relevant acceptable solution below.
A1	<i>It must be demonstrated that a standard rigid truck of 8.8m can enter, turn, unload and exit the site in a forward direction without impact or conflicting with areas set aside for parking or landscaping.</i>
	<b>Complies</b> The swept path drawings included with the application demonstrate that vehicles larger than 8.8 m standard rigid trucks can enter, turn, unload and exit the site in a forward direction without impacting on car parking or landscaped areas.
23.4.4	<i>Site Landscaping</i> <i>To ensure that new development provides acceptable levels of site landscaping.</i>
	<b>Consistent</b> The proposed development will provide an acceptable level of landscaping in the context of the surrounding industrial streetscape.

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A1.1	<i>Unless a building is built to the boundary of the lot, a landscaped area with a minimum width of 3.0m must be provided along the frontage of the property (excluding vehicle crossover); or</i>
A1.2	<i>A minimum of 50% of the area within the frontage setback is to be landscaped; and</i>
A1.3	<i>A minimum of 1 tree (capable of growing to a minimum of 10.0m in height) per 250m<sup>2</sup> of lot area must be provided. Trees must be located within a minimum 3.0m diameter landscaped area; and</i>
A1.4	<i>All security fencing over 1.5m high must be located a minimum of 1.0m back from the frontage and the space between the fence and the boundary must be landscaped.</i>
	<p><b>Does not comply</b></p> <p>The proposed landscaped area along the frontage will have a minimum width of approximately 1 m and will comprise less than 50% of the area within the frontage setback. The proposed landscaping does not satisfy the planting ratio specified in A1.3. The 2 m security fence to the front of the site will be constructed along the frontage.</p>

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P1	<p><i>Landscaping must be provided at a level that enhances the appearance of the site, softens and screens the views of commercial buildings and provides shade for occupants of the site and car parking areas.</i></p> <p><b>Complies</b></p> <p>The proposed landscaping is appropriate in the context of the surrounding streetscape. The wide Gleadow Street road reserve to the north includes a grassed nature strip and small number of tree plantings. The industrial buildings to the north are located close to the frontage and therefore most are not softened or screened by landscaping on-site. A number of plantings are located within the adjoining concrete batching plant site. Six (6) tree plantings are located in the nature strip at the eastern end of Gleadow Street on the southern side of the road which screens adjacent building development. The application includes two (2) <i>Acer negundo</i> 'Sensation' trees in the nature strip to the north of the site which are intended to replicate the existing street trees. The species have been selected in consultation with Council's Manager of Parks and Recreation. Additional low plantings are proposed within the 1 m wide landscaped area along the frontage. The proposed landscaping will enhance the appearance of the site and soften and partly screen the views of the proposed buildings. Two (2) additional <i>Acer negundo</i> 'Sensation' trees and one (1) additional <i>Betula populifolia</i> tree are proposed within the site at the eastern end of the office and laboratory buildings which, along with the street plantings, will provide some shade for occupants of the site and car parking areas.</p>
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### 3.4 Overlays and Codes

#### 3.4.1 Road and Railway Assets Code

<i>E4.1</i>	<i>Purpose of Code</i>
<i>E4.1.1</i>	<p>a) <i>ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and.</i></p> <p>b) <i>maintain opportunities for future development of road and rail infrastructure; and.</i></p> <p>c) <i>reduce amenity conflicts between roads and railways and other use or development.</i></p>
	<p><b>Consistent</b></p> <p>The Traffic Impact Assessment demonstrates compliance with the relevant performance criteria for this standard. The proposed use and development is unlikely to have a significant adverse impact on road safety in Gleadow Street or the wider road network.</p>

### Use Standards

<i>E4.6.1</i>	<p><i>Use of road or rail infrastructure</i></p> <p><i>Objective: To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</i></p>
	<p><b>Consistent</b></p> <p>The Traffic Impact Assessment demonstrates that the proposed use will have minimal impact on the current and future operation of surrounding intersections. The safety and efficiency of road infrastructure is therefore unlikely to be reduced.</p>
<i>A1</i>	<p><i>Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</i></p>
	<p><b>Not applicable</b></p> <p>The site is not within 50 m of a Category 1 or 2 road.</p>

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A2	<i>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</i>
	<p><b>Does not comply</b></p> <p>The figures presented in the Traffic Impact Assessment (Pitt &amp; Sherry, LN14092L001 TIA 31P Rev. 02) indicate that the proposed use will generate approximately 200 vehicle entry and exit movements per week day (trucks and cars). This includes 26 movements during the AM Peak and 55 during the PM Peak.</p>
P2	<p><i>For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</i></p> <p><b>Complies</b></p> <p>The TIA indicates that the predicted traffic generation has been allocated to the network and assessed using SIDRA traffic modelling software. This indicates that the proposed use is likely to have minimal impact on the current and future operation of surrounding intersections. Future capacity issues related to the Goderich Street – Forster Street signalised intersection which is predominantly due to future traffic growth in the wider network.</p>
A3	<p><i>For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</i></p> <p><b>Not applicable</b></p> <p>The speed limit in the area is not greater than 60 km/h.</p>

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### Development Standards

E4.7.1	<p><i>Development on and adjacent to Existing and Future Arterial Roads and Railways</i></p> <p><i>Objective: To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</i></p> <ul style="list-style-type: none"> <li><i>a) ensure the safe and efficient operation of roads and railways; and</i></li> <li><i>b) allow for future road and rail widening, realignment and upgrading; and</i></li> <li><i>c) avoid undesirable interaction between roads and railways and other use or development.</i></li> </ul>
	<p><b>Not applicable.</b></p> <p>The proposed development will not be located within 50 m of a railway, a future road or railway, or a Category 1 or 2 road.</p>
E4.7.2	<p><i>Management of Road Accesses and Junctions</i></p> <p><i>Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>
A1	<p><i>For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</i></p> <p><b>Complies</b></p> <p>The proposed development has two vehicular access providing separate entry and exit. The western access will be provided for one-way vehicle ingress whilst the eastern access will provide one-way vehicle egress.</p>
A2	<p><i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i></p> <p><b>Not applicable</b></p> <p>The speed limit in the area is not greater than 60 km/h.</p>



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E4.7.3	<p><i>Management of Rail Level Crossings</i></p> <p><i>Objective: To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</i></p>
	<p><b>Not applicable</b></p> <p>The proposed development does not involve or affect a rail level crossing.</p>
E4.7.4	<p><i>Sight Distance at Accesses, Junctions and Level Crossings</i></p> <p><i>Objective: To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>
A1	<p><i>Sight distances at:</i></p> <ul style="list-style-type: none"> <li><i>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i></li> <li><i>b) rail level crossings must comply with AS 1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or</i></li> <li><i>c) if the access is a temporary access, the written consent of the relevant authority has been obtained.</i></li> </ul>
	<p><b>Complies</b></p> <p>The TIA includes an assessment of sight distances against the requirements in AUSTROADS <i>Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections</i>. The SISD requirement relevant to the proposed accesses is greater than Table E4.7.4. The proposed accesses satisfy the more onerous requirement. They also satisfy the other requirements in the AUSTROADS document (Approach Sight Distance and Minimum Gap Sight Distance).</p>

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### 3.4.2 Car Parking and Sustainable Transport Code

E6.1	<i>Purpose of Code</i>
E6.1.1	<p><i>The purpose of this provision is to:</i></p> <ul style="list-style-type: none"> <li><i>a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and</i></li> <li><i>i. ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and</i></li> <li><i>ii. ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and</i></li> <li><i>iii. ensure that parking does not adversely impact on the amenity of a locality and achieves a high level of urban design; and</i></li> <li><i>iv. ensure that the design of car and bicycle parking spaces and access meet appropriate design standards; and</i></li> <li><i>v. provide for the implementation of parking precinct plans.</i></li> </ul>
	<p><b>Consistent</b></p> <p>The proposed use and development will comply with the acceptable solution requirements relevant to the provision of parking for cars, persons with disabilities and bicycles. The layout of the parking areas will comply with appropriate design standards, including Australian Standards requirements where the relevant acceptable solution standards in the scheme are not satisfied.</p>

### Use Standards

E6.6.1	<p><i>Car Parking Numbers</i></p> <p><i>Objective: To ensure that an appropriate level of car parking is provided to service use.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>

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A1	<p><i>The number of car parking spaces:</i></p> <ul style="list-style-type: none"> <li>a) <i>will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</i></li> <li>b) <i>will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or</i></li> <li>c) <i>will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings within the General Residential Zone); or</i></li> <li>d) <i>if for dwellings within the General Residential Zone, not less than 100% of the requirements of Table E6.1.</i></li> </ul> <p><b>Complies</b></p> <p>The combined requirement in Table E6.1 for each use class is 46 car spaces. The acceptable range under the terms of A1 (a) and (b) is for 42-49 spaces. 47 car spaces are proposed, plus additional provision for service vehicles and trucks. The formal car parking supply will be reduced to 45 spaces to satisfy the requirements for a taxi drop-off and pickup space (Clause E6.6.3 A1) and a motorbike space (Clause E6.6.4 A1). The requirements of A1 (c) and (d) do not apply.</p>
E6.6.2	<p><i>Bicycle Parking Numbers</i></p> <p><i>Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>
A1.1	<p><i>Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1.</i></p> <p><b>Complies</b></p> <p>The combined requirement in Table E6.1 for each use class is 8 bicycle spaces. 8 car spaces are proposed.</p>
E6.6.3	<p><i>Taxi Drop-off and Pickup</i></p> <p><i>Objective: To ensure that taxis can adequately access developments.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied (by condition).</p>

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A1	<p><i>One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).</i></p> <p><b>Complies</b> One (1) dedicated taxi drop-off and pickup space is required in accordance with the acceptable solution. No spaces are proposed. The requirement is mandatory because there is no associated performance criteria. A permit condition is recommended to require the provision of a taxi space.</p>
E6.6.4	<p><i>Motorbike Parking Provisions</i> <i>Objective: To ensure that motorbikes are adequately provided for in parking considerations.</i></p>
	<p><b>Consistent</b> The relevant acceptable solution is satisfied (by condition).</p>
A1	<p><i>One motorbike parking space must be provided for every 50 car spaces required by Table E6.1 or part thereof.</i></p> <p><b>Complies</b> One (1) motorbike parking space is required in accordance with the acceptable solution. No spaces are proposed. The requirement is mandatory because there is no associated performance criteria. A permit condition is recommended to require the provision of a motorbike space.</p>

## Development Standards

E6.7.1	<p><i>Construction of Car Parking Spaces and Access Strips</i> <i>Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i></p>
	<p><b>Consistent</b> The acceptable solution can be satisfied by way of a permit condition.</p>

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A1	<p><i>All car parking, access strips, manoeuvring and circulation spaces must be:</i></p> <ul style="list-style-type: none"> <li><i>a) formed to an adequate level and drained; and</i></li> <li><i>b) except for a single dwelling, provided with an impervious all weather seal; and</i></li> <li><i>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i></li> </ul> <p><b>Complies</b> A permit condition is recommended to ensure that all parking, accesses, manoeuvring and circulation spaces will be constructed to a standard that meets the acceptable solution.</p>
E6.7.2	<p><i>Design and Layout of Car Parking</i> <i>Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i></p>
	<p><b>Consistent</b> The layout of proposed car spaces and access ways complies with the relevant requirements of AS 2890.1 – 2004 in the instances where the acceptable solution standards in the scheme are not satisfied. Therefore, they have been designed to an appropriate standard.</p>
A1.1	<p><i>Where providing for 4 or more spaces, parking areas (other than for dwellings in the General Residential Zone) must be located behind the building line; and</i></p> <p><b>Does not comply</b> The application includes the provision of 18 car spaces in front of the building line.</p>
A1.2	<p><i>Within the General Residential Zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i></p> <p><b>Not applicable</b> The site is not located in the General Residential Zone.</p>

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P1	<p><i>The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas having regard to:</i></p> <ul style="list-style-type: none"> <li><i>a) the layout of the site and the location of existing buildings; and</i></li> <li><i>b) views into the site from the road and adjoining public spaces; and</i></li> <li><i>c) the ability to access the site and the rear of buildings; and</i></li> <li><i>d) the layout of car parking in the vicinity; and</i></li> <li><i>e) the level of landscaping proposed for the car parking.</i></li> </ul> <p><b>Complies</b></p> <p>The location of the parking area in front of the building line is considered appropriate in the context of the streetscape and surrounding area taking account of the following:</p> <ul style="list-style-type: none"> <li><i>a) The parking area in front of the building line of the main office is intended for visitors to that building.</i></li> <li><i>b) The parking area will be visible from the road however will be partly screened by the proposed landscaping (see (e) below). There are no adjoining public spaces</i></li> <li><i>c) There is adequate provision to access the site and the rear of buildings however the parking area is proposed to the front of the main office to be directly accessible to the main entrance.</i></li> <li><i>d) The predominantly industrial streetscape in Gleadow Street includes other instances where parking is located forward of the building line. The adjoining Bunnings development to the south east includes a substantial amount of car parking forward of the building line.</i></li> <li><i>e) The views into the site from the road will be softened and partly screened by the proposed landscaping along the frontage.</i></li> </ul>
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A2.1	<p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li><i>a) have a gradient of 10% or less;</i></li> <li><i>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i></li> <li><i>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</i></li> <li><i>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</i> <ul style="list-style-type: none"> <li><i>i. there are three or more car parking spaces; and</i></li> <li><i>ii. where parking is more than 30m driving distance from the road; or</i></li> <li><i>iii. where the sole vehicle access is to a category I, II, III or IV road; and</i></li> </ul> </li> </ul>
A2.2	<p><i>The layout of car spaces and access ways must be designed in accordance with Australian Standard AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.</i></p> <p><b>Does not comply</b></p> <p>The western access (ingress only) will be 8 m wide. The eastern access (egress only) will be 6 m wide. The maximum allowable under A2.1 c) is 6.05 m. The western access therefore does not comply within the minimum and maximum requirements. The manoeuvring space adjacent to the car parking spaces is 6 m whereas 6.4 m is required in Table E6.3. The application therefore also does not comply with A2.1 (d). The application otherwise complies with the acceptable solution requirements. The car parking area will be relatively level and provides the ability for vehicles to enter and exit in a forward direction. The layout of car spaces and access ways satisfies the relevant requirements of AS 2890.1 – 2004.</p>

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P2	<p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li>a) <i>be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</i></li> <li>b) <i>provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</i></li> </ul> <p><b>Complies</b></p> <p>The width of the western access (ingress only) exceeds the maximum allowable under A2.1 c) because it provides access for both the heavy vehicles and the parking area. It narrows to 3.5 m beyond the left-turn into the parking area which satisfies the relevant requirement in AS 2890.1 – 2004. Limiting light vehicle access to the northern part of the site where the main office, amenities and laboratory are located is considered to provide for the safe and efficient use of the site.</p> <p>The reduced manoeuvring space adjacent to the car parking spaces nevertheless satisfies the relevant requirement in AS2890.1 – 2004; which is 5.8 m for User Class 1A (includes residential parking). The development therefore provides adequate space for cars to turn and exit in a forward direction</p>
E6.7.3	<p><i>Car Parking Access, Safety and Security</i></p> <p><i>Objective: To ensure adequate access, safety and security for car parking and for deliveries.</i></p>
	<p><b>Consistent</b></p> <p>The safety and security of the car parking area will be ensured by the proposed fencing around the site and swinging gates which will be provided across the accesses.</p>
A1	<p><i>Car parking areas with greater than 20 parking spaces must be:</i></p> <ul style="list-style-type: none"> <li>a) <i>secured and lit so that unauthorised persons cannot enter; or</i></li> <li>b) <i>lit and visible from buildings on or adjacent to the site during the times when parking occurs.</i></li> </ul> <p><b>Does not comply</b></p> <p>The car parking areas will not be provided with dedicated lighting and therefore does not satisfy the acceptable solution. The site will be secured by fencing and manual swinging gates across the accesses.</p>



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P1	<p><i>Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</i></p> <ul style="list-style-type: none"> <li><i>a) levels of activity within the vicinity; and</i></li> <li><i>b) opportunities for passive surveillance for users of adjacent buildings and public spaces adjoining the site.</i></li> </ul>
	<p><b>Complies</b></p> <p>The use will operate mainly during daylight hours and will be capable of being secured out of hours by the proposed fencing and entry gates. The car parking will therefore be provided with adequate security and safety for users.</p>
E6.7.4	<p><i>Parking for Persons with a Disability</i></p> <p><i>Objective: To ensure adequate parking for persons with a disability.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solutions are satisfied.</p>
A1	<p><i>All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</i></p>
	<p><b>Complies</b></p> <p>The spaces designated for use by persons with disabilities are located directly adjacent to the main entrance.</p>
A2	<p><i>One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standard AS/NZ 2890.6 – 2009.</i></p>
	<p><b>Complies</b></p> <p>As 47 car spaces are proposed, two (2) spaces are required to be designated for use by persons with disabilities and are proposed.</p>
E6.7.6	<p><i>Loading and Unloading of Vehicles, Drop-off and Pickup</i></p> <p><i>Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>

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A1	<p><i>For retail, commercial, industrial, service industry, service industry or warehouse or storage uses:</i></p> <ul style="list-style-type: none"> <li>a) <i>at least one loading bay must be provided in accordance with Table E6.4; and</i></li> <li>b) <i>loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 – 2002 for the type of vehicles that will use the site.</i></li> </ul> <p><b>Complies</b> The provision for the loading and unloading of goods and materials exceeds the requirements of Table E6.4.</p>
E6.8.1	<p><i>Bicycle End of Trip Facilities</i> <i>Objective: To ensure that cyclists are provided with adequate end of trip facilities.</i></p>
	<p><b>Consistent</b> The relevant acceptable solution is satisfied.</p>
A1	<p><i>For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles thereafter.</i></p> <p><b>Complies</b> Shower and change room facilities will be provided within the main office building and satisfy A1.</p>
E6.8.2	<p><i>Bicycle End of Trip Facilities</i> <i>Objective: To ensure that cyclists are provided with adequate end of trip facilities.</i></p>
	<p><b>Consistent</b> Compliance with the relevant Australian Standard requirements will be required which is considered to ensure that adequate end of trip facilities will be provided.</p>

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A1.1	<p><i>Bicycle parking spaces for customers and visitors must:</i></p> <ul style="list-style-type: none"> <li>a) <i>be accessible from a road, footpath or cycle track; and</i></li> <li>b) <i>include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 – 1993; and</i></li> <li>c) <i>be located within 50m and visible or signposted from the entrance to the activity they serve; and</i></li> <li>d) <i>be available and adequately lit in accordance with Australian Standard AS/NZS 1158 – 2005 Lighting Category C2 during the times they will be used; and</i></li> </ul> <p><b>Complies (by permit condition)</b> The proposed bicycle parking spaces will be accessible from the road and will comprise storage racks located underneath the awning of the main office building. It is recommended that the requirements of A1.1 (b) be included as a permit condition to ensure compliance. The area will be lit by low level lighting positioned on the building.</p>
A1.2	<p><i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i></p> <p><b>Complies</b> The proposed bicycle parking spaces will be located under the awning at the front of the main office building.</p>
A2	<p><i>Bicycle parking spaces must have:</i></p> <ul style="list-style-type: none"> <li>a) <i>minimum dimensions of:</i> <ul style="list-style-type: none"> <li>i. <i>1.7m in length; and</i></li> <li>ii. <i>1.2m in height; and</i></li> <li>iii. <i>0.7m in width at the handlebars; and</i></li> </ul> </li> <li>b) <i>Unobstructed access with a width of at least 2m and a gradient of no more than 5% from a public area where cycling is allowed.</i></li> </ul> <p><b>Does not comply</b> The drawings provided do not demonstrate compliance with the dimension requirements.</p>

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P2	<i>Bicycle parking spaces and access, must be of dimensions that provide for their convenient, safe and efficient use.</i>
	<b>Complies</b> It is recommended that the permit be conditioned to require that the layout of the bicycle parking area complies with AS2890.3 – 1993. There is sufficient space in the area under the awning along the front of the main office building to satisfy the Australian Standard.
E6.8.2	<i>Pedestrian Walkways</i> <i>Objective: To ensure pedestrian safety is considered in development.</i>
	<b>Consistent</b> The relevant acceptable solution is satisfied.
A1	<i>Pedestrian access must be provided for in accordance with Table E6.5.</i>
	<b>Complies</b> Concrete footpaths will be located adjacent to the the car parking area along the proposed buildings. The footpath in the front parking area will be separated from the driveway by a raised kerb. Persons with a disability will cross the driveway directly to the building entrance from the designated parking spaces.
E6.6.4	<i>Local Area Provisions</i> <i>Objective: To remove the need for new use or development to provide onsite car parking within the exemption area.</i>  <i>To establish parking maximums within the exemption area.</i>
	<b>Not applicable</b> The site is not located with the parking exemption area.

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### 3.4.3 Environmental Impacts and Attenuation Code

E11.1	<i>Purpose of Code</i>
E11.1.1	<p><i>The purpose of this provision is to:</i></p> <ul style="list-style-type: none"> <li><i>a) ensure appropriate consideration of the potential for environmental harm or environmental nuisance in the location of new sensitive land uses; or</i></li> <li><i>b) ensure the environmental impacts of new development are considered to eliminate, reduce or mitigate potential for environmental harm or environmental nuisance.</i></li> </ul>
	<p><b>Consistent</b></p> <p>The application satisfies the relevant acceptable solution in the Code because there are no sensitive uses or residences located within 100 m of the proposal site.</p>

### Use Standards

E11.6.1	<p><i>Attenuation Distances</i></p> <p><i>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</i></p>
	<p><b>Consistent</b></p> <p>The application satisfies the relevant acceptable solution below.</p>
A1	<p><i>No acceptable solution.</i></p> <p><b>Not applicable</b></p>

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P1	<p><i>Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:</i></p> <ul style="list-style-type: none"> <li><i>a) degree of encroachment; and</i></li> <li><i>b) nature of the emitting operation being protected by the attenuation area; and</i></li> <li><i>c) degree of hazard or pollution that may emanate from the emitting operation; and</i></li> <li><i>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</i></li> </ul>
	<p><b>Not applicable</b> The application does not include a sensitive use or subdivision for a sensitive use.</p>
A2	<p><i>Uses listed in Tables E11.1 and E11.2 must be setback from any existing sensitive use, or boundary to the General Residential, Low Density Residential, Rural Living, Major Tourism, Inner Residential, Environmental Living, Urban Mixed Use, Village, Local Business, General Business, Central Business, Commercial zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.</i></p> <p><b>Complies</b> A concrete batching plant is a use listed in Table E11.1. The minimum attenuation distance listed for the use is 100 m. There are no existing sensitive uses within 100 m of the proposed use. There is also no boundary to a General Residential, Low Density Residential, Rural Living, Major Tourism, Inner Residential, Environmental Living, Urban Mixed Use, Village, Local Business, General Business or Central Business zone within 100 m. The proposed use will be located within a Commercial zone and the relevant emissions standards for that zone (Clause 23.3.1) have been satisfied.</p> <p>The other uses proposed in the application are not listed in Table E11.1 or E11.2.</p>

Given that the proposed use and development satisfies Clause 11.6.1 A2, a site specific study which examines the environmental issues relevant to concrete batching plants identified in Table E11.1 (noise, dust) has not been required. Notwithstanding, these issues have been discussed in the application, including:

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- Dust - Provision of concept details for a dust suppression management regime, including provision for the sealing of the site, shielding or enclosure of storage areas and equipment, filters to be provided to the cement silos and cement weigher and water sprays provided at the agitator load point. The application indicates that these measures will be further detailed in an Environmental Management Plan.
  - A Noise Assessment (Pitt & Sherry, Report No. LN14092L004 NoiseRep 31P Rev. 1) which indicates that noise levels associated with the normal plant operating hours will be within acceptable levels and below ambient background levels. It recommends that Boral should consult with occupiers of nearby residences in advance of any pre-6 am start and that noise levels should be kept to a minimum at that time. The application indicates that these measures are consistent with Boral's management approach of their urban sites and will form part of the eventual Environmental Management Plan.

**3.4.4 Invermay/Inveresk Flood Inundation Area Code**

<i>E16.1</i>	<i>Purpose of Code</i>
<i>E16.1.1</i>	<p><i>The purpose of this provision is to reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area and in particular:</i></p> <ul style="list-style-type: none"> <li><i>a) to limit development that increases the potential flood damage to residential property subject to inundation;</i></li> <li><i>b) to limit land uses that create unacceptable levels of risk for residents in the event of inundation; and</i></li> <li><i>c) to ensure that consideration is given to community, infrastructure and environmental impacts of development on land subject to flood inundation.</i></li> </ul>
	<p><b>Consistent</b></p> <p>The Flood Report &amp; Response Plan submitted with the application indicates that constructed levees have significantly reduced the risk of flooding to the proposal and that the land within the site is generally high enough to be free of local flooding within Invermay.</p>

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### Use standards

E16.6.1	<i>To prevent inappropriate use</i> <i>Objective: To prevent inappropriate uses from establishing in areas subject to, or seriously affected by, flood inundation.</i>
	<b>Consistent</b> The relevant acceptable solutions are satisfied.
A1	<i>Must not be:</i> a) <i>Educational and occasional care; or</i> b) <i>Emergency services; or</i> c) <i>Hospital services.</i>
	<b>Complies</b> The proposed use is not within the any of the above use classes.
A2	<i>Must not be Residential unless:</i> a) <i>Single dwelling in the Invermay Residential or Inveresk Residential Precincts; or</i> b) <i>Multiple dwelling in the Invermay Residential Precinct; or</i> c) <i>Residential associated with and supporting the educational activities within the Inveresk Cultural Precincts.</i>
	<b>Complies</b> The proposed use is not within the 'residential' use class.
A3	<i>Must not be community meeting and entertainment in the Riverside Industrial or Inveresk Residential Precincts.</i>
	<b>Complies</b> The proposed use is not within the 'community meeting and entertainment' use class and is outside the two precincts identified.

### Development standards

E16.7.1	<i>Intensification of Residential Development</i> <i>Objective: To limit the intensification of residential development in areas subject to, or seriously affected by, flood inundation.</i>
	<b>Not applicable</b> The application does not involve residential development.



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E16.7.2	<p><i>Flood Impact</i></p> <p><i>Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</i></p>
	<p><b>Consistent</b></p> <p>The Flood Report &amp; Response Plan (Pitt &amp; Sherry, Report No. LN14092L002 FloodRept 31P Rev. 2) submitted with the application demonstrates that the proposed development has been sited and designed to avoid the risk and to minimise the impact of flooding.</p>
A1	<p>a) <i>Floor levels of all habitable rooms within the residential use class must be at least 3.7m AHD.</i></p> <p><b>Not applicable</b></p> <p>The proposed development is not within the 'residential' use class.</p>
A2	<p><i>No acceptable solution</i></p> <p><b>Not applicable</b></p>
P2	<p><i>Buildings for residential purposes within the Inveresk Cultural Precinct must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer.</i></p> <p><i>The report and plan must detail the risks and likely impacts of a 1:20 year, 1:50 year and 1:100 year annual exceedance probability flood event on the site, the building and its occupant and how the development will be designed and how the use will be managed to avoid, mitigate or remedy the impacts to take account of:</i></p> <ul style="list-style-type: none"> <li><i>b) the risk of levee failure in the vicinity of the site;</i></li> <li><i>c) the likely velocity of flood waters and depth of inundation;</i></li> <li><i>d) the need to locate electrical equipment and other fittings above 1:100 year annual exceedance probability flood level; the likely affect of the use or development on flood characteristics;</i></li> <li><i>e) the safety of the occupants of the development, potential evacuation routes and whether there is a flood free access to the land; and</i></li> <li><i>f) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development.</i></li> </ul> <p><b>Not applicable</b></p> <p>The proposed development is not within the 'residential' use class.</p>

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A3	<p><i>Floor levels for all buildings not in the residential use class must be at least 3.4m AHD.</i></p> <p><b>Does not comply</b> The floor level for the proposed buildings will be less than 3.4 m AHD.</p>
P3	<p><i>Buildings not in the residential use class must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer.</i></p> <p><i>The report and plan must detail the risks and likely impacts of a 1:20 year, 1:50 year, and 1:100 year annual exceedance probability flood event on the site, the building and its occupants and how the development will be designed and how the use will be managed to avoid, mitigate or remedy the impacts to take account of:</i></p> <ul style="list-style-type: none"> <li><i>a) the risk of levee failure in the vicinity of the site;</i></li> <li><i>b) the likely velocity of flood waters and depth of inundation;</i></li> <li><i>c) the need to locate electrical equipment and other fittings above 1:100 year annual exceedance probability flood level;</i></li> <li><i>d) the likely affect of the use or development on flood characteristics;</i></li> <li><i>e) safety of the occupants of the development, potential evacuation routes and whether there is a flood free access to the land; and</i></li> <li><i>f) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development.</i></li> </ul>
	<p>The Flood Report &amp; Response Plan (Pitt &amp; Sherry, Report No. LN14092L002 FloodRept 31P Rev. 2) constitutes the report required by the performance criteria.</p> <p>The report indicates that the land within the site is generally high enough to be free of local flooding within Invermay. The separate Concept Stormwater Design (Pitt &amp; Sherry, Report No. LN14092L001 SW Report 31P Rev. 0) demonstrates that the site can be adequately drained to the required standards for a 1:20 year ARI for minor drainage system (underground) and 1:100 year ARI for major drainage (overland).</p>

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### 3.4.4 Signs Code

E18.1	<i>Purpose of Code</i>
E16.1.1	<p><i>The purpose of this provision is to:</i></p> <ul style="list-style-type: none"> <li><i>a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;</i></li> <li><i>i) promote the use of well designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality;</i></li> <li><i>ii) ensure signs on places of cultural significance are responsive to the cultural heritage values and the significance of the building or place, both in terms of impact and by means of attachment, by protecting and enhancing those values; and</i></li> <li><i>iii) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</i></li> </ul>
	<p><b>Consistent</b></p> <p>The proposed signage scheme is appropriate for the size and industrial nature of the site, and will not involve the unreasonable repetition of messages or information.</p>

### Development Standards

E18.5.1	<p><i>Inappropriate signage</i></p> <p><i>Objective: To prevent inappropriate signage.</i></p>
	<p><b>Consistent</b></p> <p>The relevant acceptable solution is satisfied.</p>
A1	<p><i>Must not be a:</i></p> <ul style="list-style-type: none"> <li><i>a) Third Party Sign</i></li> <li><i>b) Roof Sign</i></li> <li><i>c) Sky Sign</i></li> <li><i>d) Bunting (Flag and Decorative Elements)</i></li> <li><i>e) Flashing Lights</i></li> </ul>
	<p><b>Complies</b></p> <p>The proposed signs are is not within the any of the above sign types.</p>

## COUNCIL AGENDA

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- 7.1 80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction...(Cont'd)

E18.5.2	<p><i>Design and siting of signage</i></p> <p><i>Objective: To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.</i></p>
	<p><b>Consistent</b></p> <p>The proposed silo signage has been assessed against the relevant performance criteria and is considered to be in keeping with the size and industrial nature of the site.</p>
A1	<p><i>A sign must:</i></p> <ul style="list-style-type: none"> <li><i>a) meet the requirements for the relevant sign type set out in E.18.6;</i></li> <li><i>and</i></li> <li><i>b) be located within the applicable zone set out in E18.6</i></li> </ul> <p><b>Does not comply</b></p> <p>The relevant requirements for Clause E18.6 for each proposed sign type are addressed below.</p> <p><u>'Pylon sign' (Sign No. 1 – Site entry sign)</u></p> <p>The proposed sign will be located adjacent to the western vehicular access (ingress only). It satisfies the relevant requirements in Clause E18.6. It has a height of 5 m, clearance of 3.3 m above the ground, advertising area of 3.6 m<sup>2</sup> (both sides), length of 2.2 m, depth of 300 mm and is shown within the site boundaries. It is an allowable sign type within the zone.</p> <p><u>'Window sign' (Sign No. 2 – Building entry sign)</u></p> <p>The sign will be affixed to the main entry (glazed) doors and is exempt in accordance with Clause 18.4.1.</p> <p><u>'Wall sign' (Sign No. 3 – Main office building sign)</u></p> <p>The proposed sign will be fixed to the eastern wall of the main office building. It satisfies the relevant requirements in Clause E18.6. It will have an advertising area of 2.8 m<sup>2</sup>, will not extend laterally beyond or above the wall and will occupy less than 25% of the wall area. It is an allowable sign type within the zone.</p>

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- 7.1 80 Lindsay Street, Invermay - Manufacturing and processing - concrete batching plant, Business and Professional Services - office and testing laboratory; Transport Depot and Distribution - transport depot; associated development including construction...(Cont'd)

	<p><u>'Painted wall signs' (Sign No. 4 – Silo signage)</u></p> <p>The application includes a logo and business name (two separate signs) which will be painted on each silo. The silos themselves will be painted in a muted green colour which will soften the visual impact of the structure. The signs do not satisfy the relevant requirement in Clause E18.6 which limits the sign type to two (2) signs per site. Four (4) are proposed. The signs otherwise satisfy the requirements of Clause E18.6. They will have an area of 4.8 m<sup>2</sup> (logo) and 10.6 m<sup>2</sup> (business name) and will occupy less than 25% of the wall (silo and associated building) area. It is an allowable sign type within the zone.</p>
P2	<p><i>A sign must:</i></p> <ul style="list-style-type: none"> <li><i>a) be within an applicable zone for the sign type as set out in table E18.6;</i></li> <li><i>b) be sympathetic to the architectural character and detailing of the building;</i></li> <li><i>c) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i></li> <li><i>d) not result in loss of amenity to neighbouring properties;</i></li> <li><i>e) not involve the repetition of messages or information on the same frontage;</i></li> <li><i>f) not contribute to or exacerbate visual clutter; and</i></li> <li><i>g) not cause a safety hazard or obstruct movement of pedestrians on a footpath.</i></li> </ul> <p><b>Complies</b></p> <p>The proposed 'painted wall signs' (Sign No. 4 – Silo signage) require assessment against the performance criteria. This is undertaken as follows:</p> <ul style="list-style-type: none"> <li>a) The proposed signs will be within an applicable zone for the sign type as set out in table E18.6;</li> <li>b) The proposed signs are of an appropriate type for the proposed industrial structure (i.e. cement silos).</li> <li>c) The proposed signs will occupy approximately 25% of the external surface of each silo and will be setback 110 m from the frontage. Therefore they will not dominant the premises when viewed from the street.</li> </ul>

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	<p>d) The adjoining land is zoned Commercial and does not contain a sensitive use. It will therefore not result in a loss of amenity to neighbouring properties.</p> <p>e) The signage scheme generally is considered to be appropriate for the size of the site and will not involve the unreasonable repetition of messages or information.</p> <p>f) For the same reasons as above, the proposed signs will not contribute to or exacerbate visual clutter.</p> <p>g) The proposed signs will be painted on the silos near the rear of the site and are therefore unlikely to cause a safety hazard or obstruct movement of pedestrians on a footpath.</p>
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## 4.0 REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
<b>Environmental Health</b>	<p>Conditional consent provided. Conditions recommended in relation to:</p> <ul style="list-style-type: none"> <li>• Amenity during construction</li> <li>• Notification of environmentally relevant incident</li> <li>• Control of nuisance</li> <li>• Environmental Management Plan</li> </ul>
<b>Infrastructure Assets</b>	<p>Conditional consent provided. Conditions recommended in relation to:</p> <ul style="list-style-type: none"> <li>• Vehicular crossing - industrial</li> <li>• Road crossings for service connections</li> <li>• Trench reinstatement for new/altered connections</li> <li>• Works within/occupation of the road reserve</li> <li>• Damage to Council infrastructure</li> <li>• Car parking construction</li> <li>• Construction of works</li> <li>• Submission and approval of plans</li> </ul>

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EXTERNAL	
TasWater	Conditional consent granted (TWDA 2014/01277-LCC).

## 5.0 REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 1 November 2014 and 17 November 2014. No representations were received.

## 6.0 CONCLUSION

Subject to the recommended conditions it is considered that the proposal complies with the Launceston Interim Planning Scheme 2012 and is recommended for approval.

### ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

### ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

### SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

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### STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2012

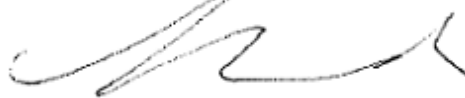
### BUDGET & FINANCIAL ASPECTS:

N/A

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

### ATTACHMENTS:

1. Locality map
  2. Plans for approval (circulated separately)
  3. Detailed Locality Map (circulated separately)
-



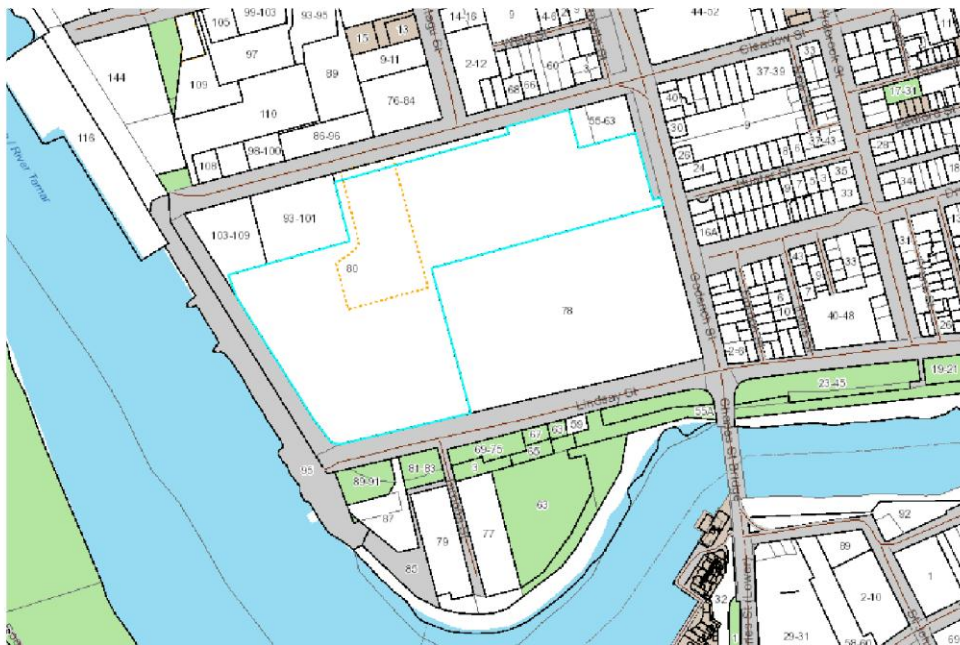
Attachment 1 - 80 Lindsay Street, Invermay



Launceston City Council  
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## LOCALITY MAP - DA0452/2014 80 Lindsay Street, Invermay



### Locality Map

Scale: This Map Is Not to Scale

## COUNCIL AGENDA

Monday 8 December 2014

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling**

**FILE NO:** DA0445/2014

**AUTHOR:** Julia Allen (Development Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

#### **PLANNING APPLICATION INFORMATION:**

Applicant:	G & T Developments Pty Ltd
Property:	8 Camira Street, Newnham
Zoning:	General Residential
Receipt Date:	26/09/2014
Validity Date:	2/10/2014
Further Information Request:	15/10/2014
Further Information Received:	17/10/2014
Deemed Approval:	20/12/2014
Representations:	3

#### **PREVIOUS COUNCIL CONSIDERATION:**

Previous applications recorded on the property are:

- DA0357/2000 - Planning application to construct two multiple dwellings. Application was withdrawn.
- DA0113/2001 - Planning application to construct house and carport. Planning permit issued. BA0124/2001 - Building permit issued and construction was completed in 2004.

#### **RECOMMENDATION:**

It is recommended that in accordance with Section 51 and Section 57 of the Land Use Planning and Approvals Act 1993 and the Launceston Interim Planning Scheme 2012, a permit be granted from Council, for Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling in accordance with the endorsed plans and subject to the following conditions.

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## COUNCIL AGENDA

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

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#### 1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a. Site Plan, prepared by MV Consulting, drawing number KN0914-1/8, dated 7/11/2014.
- b. Proposed Floor Plan, prepared by MV Consulting, drawing number KN0914-2/8, dated 7/11/2014.
- c. Proposed North and East Elevations Plan, prepared by MV Consulting, drawing number KN0914-3/8, dated 7/11/2014.
- d. Proposed South and West Elevations Plan, prepared by MV Consulting, drawing number KN0914-4/8, dated 7/11/2014.
- e. Shadows 9am Plan, prepared by MV Consulting, drawing number KN0914-5/8, dated 7/11/2014.
- f. Shadows midday Plan, prepared by MV Consulting, drawing number KN0914-6/8, dated 7/11/2014.
- g. Shadows 3pm Plan, prepared by MV Consulting, drawing number KN0914-7/8, dated 7/11/2014.
- h. View from Deck Plan, prepared by MV Consulting, drawing number KN0914-8/8, dated 7/11/2014.
- i. Bushfire Attack Level Assessment and Bushfire Hazard Management Plan, prepared by Risden Knightley, dated 17/09/2014.

#### 2. AMENDED PLANS REQUIRED

Prior to the issue of the building permit, amended plans must be submitted to the satisfaction of the Council to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- a. The minimum setback from the south western boundary must be 2m.
  - b. The north western pane (identified in red on the plan) of the bay window on the south western elevation is to be screened for half its height.
  - c. The Bushfire Hazard Management Plan is to be amended to show:
    - i) all details to scale, accurately marked and identified;
    - ii) the location of the accesses into the property and minimum standards specified; and
    - iii) maintenance requirements to establish and manage the hazard management area; and
    - iv) any applicable building standards for the dwelling or other applicable requirements that must be met to meet bushfire safety standards.
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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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#### **3. CAR PARKING**

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

#### **4. AMENITY**

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

#### **5. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

#### **6. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

#### **7. WASTE DISPOSAL BINS - DOMESTIC**

An area on the subject land must be set aside for the purpose of a waste disposal/collection bin and must meet the following:

- a. Exterior individual storage areas must be screened so they are not visible from any public road or thoroughfare.
- b. Be located in a convenient position that allows ease of access from the building and moving the bin to the kerbside on collection days.
- c. Be provided prior to the commencement of the use, maintained and used for the duration of the use.

#### **8. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2014 -01005-LCC) (attached).

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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#### **9. DEMOLITION**

- a. All demolition works must ensure the protection of property and services which are to either remain on or adjacent to the site from interference or damage.
- b. Burning of waste materials must not be undertaken on site.
- c. All rubbish/debris must be removed from the site for disposal at a licensed refuse disposal site.

#### **10. HOURS OF CONSTRUCTION**

Construction works must only be carried out between the hours of:

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

#### **11. SITE LANDSCAPING**

The landscaping must be:

- a. Installed generally in accordance with the endorsed plan;
- b. Be provided with convenient taps;
- c. Completed prior to the use commencing/Completed within 3 months of the use commencing or completed before the creation of any strata title (whichever occurs sooner); and
- d. Maintained as part of the development.

#### **12. FENCING**

Prior to the commencement of the use, fencing to provide full privacy between each dwelling and adjoining neighbours is required. The fence must be constructed to the following specifications at the developer's cost:

- a. A 1.8m solid fence is required on all side and rear boundaries when measured from the highest finished level on either side of the common boundaries; and
  - b. If a fence is constructed within 4.5m of the frontage (excluding the fence shown on the plan that screens private open space areas) it is to be not more than 1.2m if the fence is solid, or if 1.8m, the fence has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights); and
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## COUNCIL AGENDA

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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#### **13. MULTIPLE DWELLINGS - SERVICE FACILITIES**

Prior to the commencement of the use, the following site facilities for multiple dwellings must be installed:

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. External clothes drying facility is to be provided for each dwelling to the satisfaction of the Council. Those facilities are to be provided with an all weather access from the dwelling.

#### **14. BUSHFIRE SAFETY**

Prior to commencement of the use, a certificate of compliance by an accredited person, must be submitted confirming all measures required under the approved bushfire management plan are completed.

#### **15. DAMAGE TO COUNCIL INFRASTRUCTURE**

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

#### **16. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE**

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742.

The explicit permission of Council's Roads & Hydraulics Department is required prior to undertaking works where the works:

- a. requires a road or lane closure;
- b. are in nominated high traffic locations;
- c. involve opening or breaking trafficable surfaces; or
- d. require occupation of the road reserve for more than one week at a particular location.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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All works that involve the opening or breaking of trafficable surfaces within the road reserve must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with Council as a "Registered Contractor".

#### **17. SINGLE STORMWATER CONNECTIONS**

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to Council's stormwater mains.

#### **18. SOIL AND WATER MANAGEMENT PLAN**

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites.

No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

#### **19. AMENITY**

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

#### **20. DEMOLITION**

The Developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary.
- b. not undertake any burning of waste materials on site.
- c. remove all rubbish from the site for disposal at a licensed refuse disposal site.

Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos'.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

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#### Notes

##### Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

##### Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.

##### Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

##### General

This permit was issued based on the proposal documents submitted for (DA0445/2014). You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).

This permit takes effect after:

- a. The 14 day appeal period expires; or
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or
- d. Any other required approvals under this or any other Act are granted.

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

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#### Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.*

*For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au) <<http://www.rmpat.tas.gov.au>>*

#### Permit Commencement.

*If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.*

#### Strata Title Approval

*The proposal may be Strata titled. If this is to be staged the Strata plan must be accompanied by a Disclosure Statement for a Staged Development Scheme.*

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## REPORT:

### 1. THE PROPOSAL

The proposal is for the demolition of the existing outbuilding located near the Mount Stuart Drive frontage and south eastern side boundary and to construct a 238m<sup>2</sup>, three bedroom dwelling in that area.

The proposed dwelling will have a garage located in the same position as the present outbuilding and will utilise the existing access and driveway off Mount Stuart Drive. The dwelling will be setback between 1.97m to 2.4m from the south eastern side boundary and between 1.52m and 4m from the south western side boundary. The dwelling will be located at ground level next to the frontage and be elevated 2.4m above ground level on the south eastern side.

A dedicated private open space area for the proposed dwelling is proposed on the northern side and will incorporate the existing gazebo as well as new site facilities.

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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The design of the proposed dwelling has been amended and readvertised. It is the amended version of the proposal that is being assessed in this report.

The existing dwelling is proposed to have a private yard area on the southern side of that dwelling. It is proposed to remain unchanged and will utilise the existing carport and driveway access off Camira Street.

## **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject land consists of a single 1173m<sup>2</sup> title with frontage to Camira Street and Mount Stuart Drive. There is an existing single storey dwelling fronting Camira Street, single carport with driveway access to Camira Street and outbuilding with an existing driveway access to Mount Stuart Drive.

The land slopes down less than 10% towards the south west. The land is landscaped with an existing embankment running between the outbuilding and gazebo.

The property adjoins existing residential development on all sides. These are single storey single dwellings with similar styling and characteristics to the subject land.

To the south about 15m away there is rural land covered in pasture.

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- 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### 3. PLANNING SCHEME REQUIREMENTS

#### 3.1 Zone Purpose

##### 10.0 - General Residential Zone

##### 10.1.1 Zone Purpose Statements

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

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

10.1.1.3 Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.

10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

##### **Consistent**

10.1.1.1 The proposal is for the construction of an additional dwelling onsite within a fully serviced area.

10.1.1.2 N/A

10.1.1.3 N/A

10.1.1.14 The proposed dwelling has a large footprint which is similar to dwellings within the area. The dwelling is elevated at the south western end which affects the amenity of an adjoining neighbour. Assessment against the relevant standards pertaining to these amenity issues have concluded that these can be adequately resolved by permit conditions.

**Local Area Objectives - There are no local area objectives**

**Desired Future Character Statements - There are no desired future character statements**

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### 10.3 Use Standards

#### 10.3.1 Amenity

Objective: To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.

#### **Not Applicable**

The proposal is for a residential use.

A1 If for permitted or no permit required uses.

#### **Not Applicable**

The proposal is for a permitted use.

P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.

#### **Not Applicable**

A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.

#### **Not Applicable**

The proposal is for a residential use.

P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

#### **Not Applicable**

A3 If for permitted or no permit required uses.

#### **Not Applicable**

The proposal is for a permitted use.

P3 External lighting must demonstrate that:

- a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and
- b) all direct light will be contained within the boundaries of the site.

#### **Not Applicable**

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### 10.3.2 Residential Character – Discretionary Uses

Objective: To ensure that discretionary uses support:

- a) the visual character of the area; and
- b) the local area objectives, if any.

#### **Not Applicable**

The proposal is for a residential use - multiple dwellings which is a permitted use.

A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.

#### **Not Applicable**

The proposal is for a residential use - multiple dwellings which is a permitted use.

P1 No performance criteria.

#### **Not Applicable**

A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.

#### **Not Applicable**

The proposal is for a residential use - multiple dwellings which is a permitted use.

P2 No performance criteria.

#### **Not Applicable**

A3 Waste material storage for discretionary uses must:

- a) not visible from the road to which the lot has frontage; and
- b) use self-contained receptacle designed to ensure waste does not escape to the environment.

#### **Not Applicable**

The proposal is for a residential use - multiple dwellings which is a permitted use.

P3 No performance criteria.

#### **Not Applicable**

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### 10.4 Development Standards

#### 10.4.1 Residential Density for Multiple Dwellings

Objective: To provide for suburban densities for multiple dwellings that:

- (a) make efficient use of suburban land for housing; and
- (b) optimise the use of infrastructure and community services.

#### **Consistent**

Compliance with the acceptable solution implies compliance with the objective to the standard.

A1 Multiple dwellings must have a site area per dwelling of not less than:

- (a) 325 m<sup>2</sup>; or
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.

#### **Complies**

The site is 1173m<sup>2</sup>. The site area per dwelling is 586.5m<sup>2</sup>.

P1 Multiple dwellings must only have a site area per dwelling that is less than 325m<sup>2</sup>, or that specified for the applicable density in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:

- (a) is compatible with the density of the surrounding area; or
- (b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:
  - (i) the site is wholly or partially within 400 m walking distance of a public transport stop;
  - (ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.

#### **Not Applicable**

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### 10.4.2 Setbacks and Building Envelope for all Dwellings

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

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

#### **Consistent**

The proposal is generally consistent with the objective. The main concern is the apparent scale of the building and its visual impact on 6 Camira Street.

A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:

- (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or
- (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or
- (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
- (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.

#### **Not Applicable**

The proposed dwelling has a garage and carport element is located near the frontage.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

<p>P1 A dwelling must:</p> <ul style="list-style-type: none"> <li>(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and</li> <li>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.</li> </ul>
<p><b>Not Applicable</b></p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>
<p><b>Does Not Comply</b></p> <p>The garage/carport element of the proposed dwelling is located forwards of the dwelling facade and less than 5.5m from the frontage on a relatively level site. Assessment against the performance criteria is required.</p>
<p>P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p>
<p><b>Complies</b></p> <p>The proposed dwelling will have a garage/carport element constructed at the same frontage setback as the existing garage. The primary frontage remains unchanged.</p> <p>There are no topographical constraints. The proposal is located forward of adjacent development however there is a large separation between adjacent houses, typically greater than 12m. The road curves in the vicinity which affects the views of the houses in the street. The existing garage does not look out of place and it's anticipated the new garage and carport will too.</p> <p>There are several examples of the garage element being located forwards of the main house such as 127 Mount Stuart Drive (next door), 7 Camira Place, and 120 Mount Stuart Drive.</p>



## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:

- (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:
  - (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and
  - (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and
- (b) only have a setback within 1.5 m of a side boundary if the dwelling:
  - (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or
  - (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).

### Does Not Comply

The dwelling proposed extends beyond the building envelope for part of the south western elevation. Assessment against the performance criteria is required.

P3 The siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:
  - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
  - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
  - (iii) overshadowing of an adjoining vacant lot; or
  - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

**7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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**Complies**

The south western elevation is setback between 1.5m and 4m from the south western boundary. The height varies along that elevation from about 5.3m to 6.6m. The proposal extends beyond the building envelope between about 1.2m to nothing along about a 7.6m length of that elevation (see attachment). The maximum variation is at the northern end of that elevation.

- i) Shadow diagrams for the proposal have been submitted to show the full extent of shadows cast on the shortest day of the year. A reduction in direct sunlight to the habitable rooms of that adjacent dwelling will be experienced by the proposal will occur before 9am. Access to sunlight will be unaffected by the proposed dwelling for the majority of the day, therefore the impact on access to sunlight on the habitable rooms of 6 Camira Street is considered reasonable.
- ii) Shadow diagrams submitted show that overshadowing will occur to the rear private open space area of 6 Camira Street during the morning to midday period. Due to the position of the existing house and outbuildings on 6 Camira Street, this area is shadowed to some extent all day.

The impact of overshadowing on the parts of the building outside the building envelope is marginal impacting mostly on the driveway and rear south western corner of 6 Camira Street. Those areas will retain the capacity to receive sunlight during the afternoon.

The shadows cast by the proposal largely fall over the garage and barbecue shelter adding to the shadows cast already by those buildings on 6 Camira Street.

Whilst a decrease in direct sunlight to that rear private open space area is not desirable the impact of the variation is considered reasonable.

- iii) The proposal will partially overshadow 33-35 Mount Stuart Drive. This property is located to the south of the subject site and is a large rural land title. The extent of overshadowing is negligible and is considered reasonable.
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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

- iv) The proposed dwelling will be two storey in height and a minimum of 1.52m from the side boundary to 6 Camira Street. The proposed dwelling (excluding the deck) is sited opposite the barbecue shelter and garage located at 6 Camira Street.

The visual impact of the proposed dwelling on 6 Camira Street is minimised by the separation created between the viewer and the proposed dwelling by the existing outbuildings on that property.

The main visual impact experienced on that property will be from the space between the rear of the house and the barbecue shelter at 6 Camira Street. The corner of the proposed dwelling closest to that area is also where the greatest variation is being sort by the proposal. The impact is not desirable since it does affect a part of the neighbour's yard that appears to be used regularly albeit a small area of the total yard that neighbour has.

It is recommended that the extent of the discretion be reduced at the corner where the impact is greatest on the neighbour. Increasing the minimum setback to 2m from that side boundary will reduce the impact on the neighbour without requiring a substantial redesign of the proposal. For instance, the increased setback can be achieved by tapering the living room wall. A condition to that effect is recommended. An increased setback will also reduce overshadowing.

- b) The proposed dwelling is separated from adjacent dwellings by approximately:
- 5.4m from 8 Camira Street
  - 4.7m from 6 Camira Street
  - 10.5m from 127 Mount Stuart Drive

These separation distances between dwellings are within the range that is considered typical for the area.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### 10.4.3 Site coverage and private open space for all dwellings

Objective: To provide:

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

#### **Consistent**

Compliance with the acceptable solution implies compliance with the objective.

A1 Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and
- (b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and
- (c) a site area of which at least 25% of the site area is free from impervious surfaces.

#### **Complies**

- a) The site is 1173m<sup>2</sup>. The existing and proposed buildings cover approximately 458m<sup>2</sup>, giving a site coverage of about 39%.
- b) Both dwellings will have private open space areas that exceed 60m<sup>2</sup>.
- c) The site does not exceed 25% of the site covered by impervious surfaces.

P1 Dwellings must have:

- (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:
  - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and
  - (ii) operational needs, such as clothes drying and storage; and
- (b) reasonable space for the planting of gardens and landscaping.

#### **Not Applicable**

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A2 A dwelling must have an area of private open space that:

- (a) is in one location and is at least:
  - (i) 24 m<sup>2</sup>; or
  - (ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and
- (b) has a minimum horizontal dimension of:
  - (i) 4 m; or
  - (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and
- (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and
- (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and
- (e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; and
- (f) has a gradient not steeper than 1 in 10; and
- (g) is not used for vehicle access or parking.

### Complies

- a)
  - i) Both dwellings have private open space areas that exceed 60m<sup>2</sup> in area.
  - ii) N/A.
- b)
  - i) Of that area, the majority exceeds the minimum 4m dimension (including the deck and gazebo) for the proposed dwelling. The existing dwelling also has an area that exceeds 24m<sup>2</sup> with minimum dimensions that exceeds 4m.
  - ii) N/A
- c) Both dwellings provide a direct access from a habitable room other than a bedroom to a deck which has an access to ground level providing convenient access to the remainder or the private open space area.
- d) The private open space proposed for the new dwelling is located entirely on the northern side of that dwelling.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

The existing dwelling proposes a private open space area on the southern side of that dwelling. It is unclear from the plans whether this area would sufficient direct sunlight in winter to be compliant with the standard.

The existing dwelling however has an area between that dwelling and the frontage with a northern orientation which satisfies the area, minimum dimension and access requirements of the standard.

- e) The gradient is not steeper than 1 in 10 across for a private open space area that conforms with the other requirements specified in the standard for both dwellings.
- f) The areas considered above for both dwellings are not used for parking or vehicle access.

P2 A dwelling must have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:
  - (i) conveniently located in relation to a living area of the dwelling; and
  - (ii) orientated to take advantage of sunlight.

**Not Applicable**

#### 10.4.4 Sunlight and overshadowing for all dwelling

Objective: To provide:

- (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and
- (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

**Consistent**

The proposal provides sufficient opportunity for sunlight and daylight to enter habitable rooms and private open space areas.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p><b>Complies</b> The existing dwelling has a lounge, sitting and bedroom that faces north. The proposed dwelling a living area and bedroom that faces north.</p>
<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p><b>Not Applicable</b></p>
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>
<p><b>Complies</b></p> <p>a) i) The deck of the existing house is located greater than 3m from the north facing habitable windows of the proposed dwelling.</p> <p>ii) The existing dwelling fits within the building envelope described.</p> <p>b) The proposed dwelling is located to the south of the existing dwelling. The proposed dwelling has habitable room windows facing north. These are separated from the existing dwelling onsite by more than 9 metres. The sill heights of those windows are located over 2.4m from ground level. Those windows will receive at least 3 hours of sunlight on the shortest day of the year, mainly during the morning period.</p> <p>c) A garden shed is proposed for both dwellings.</p>

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P2 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).

#### **Not Applicable**

A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):
  - (i) at a distance of 3 m from the northern edge of the private open space; and
  - (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.
- (c) That part, of a multiple dwelling, consisting of:
  - (i) an outbuilding with a building height no more than 2.4 m; or
  - (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.

#### **Does Not Comply**

- a) i) The deck of the existing dwelling is located about 2m from the private open space area of the proposed dwelling. Assessment against the performance criteria is required.

P3 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.

#### **Complies**

The proposed dwelling's private open space area exceeds the minimum area and dimension criteria of clause 10.4.3 and is therefore assessed as being compliant with the performance criteria. At least 24m<sup>2</sup> of the total private open space area will receive sunlight for most of the day.

The deck proposed is elevated and will receive an extended period of direct sunlight relative to the area at ground level.



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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### 10.1.5 Width of openings for garages and carports for all dwellings

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

#### **Consistent**

The proposal does not have dominant garage openings on the primary frontage.

A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).

#### **Complies**

The existing single carport is located within 12m of the primary frontage and has an opening that is less than 6m.

P1 A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

#### **Not Applicable**

#### 10.1.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.

#### **Consistent**

The proposal has capacity to affect the privacy of adjacent dwellings, however this issue can be resolved.

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:

- (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and
- (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and
- (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:
  - (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or
  - (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.

### Does Not Comply

- a) The proposed dwelling has a deck with a floor level of about 2.4m. It is setback 3m from the nearest side boundary.
- b) N/A. The site has no rear boundary being a corner lot.
- c)
  - i) There is at least a 9m separation from the deck to habitable room window on the existing dwelling on the same site.
  - ii) The deck is proposed to be 5.5m from the existing house deck and 2.7m from the private open area of the existing dwelling. Assessment against the performance criteria is required.

P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining lot or its private open space; or
- (b) another dwelling on the same site or its private open space; or
- (c) an adjoining vacant residential lot.

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### Complies

The discretion being considered only applies to the separation of the deck from the private open space of the dwelling on the same site.

The degree of overlooking is considered reasonable for the following reasons:

- The private open space area that is compliant with all the criteria in A2, clause 10.4.3 for private open space is located on the northern side of the existing dwelling where the proposed deck will have no impact;
- Screening is proposed along half the length of the deck facing the existing house which will also screen the access from the living area;
- A 3m separation off a side boundary would be considered satisfactory if it were a single dwelling. This proposal is 0.3m short of that distance. Whilst this proposal is not a single dwelling, this lot is large enough that it could be subdivided and a single dwelling built instead;
- The existing gazebo provides screening opportunities for a large area to the east of the rear private open space area proposed; and
- There is sufficient opportunity for screen planting to occur within the private open space area of either dwelling on the site.

A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):

- (a) The window or glazed door:
  - (i) is to have a setback of at least 3 m from a side boundary; and
  - (ii) is to have a setback of at least 4 m from a rear boundary; and
  - (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and
  - (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.
- (c) The window or glazed door:
  - (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

- (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or
- (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.

#### **Does Not Comply**

- a)
  - i) The proposed dwelling has windows to habitable rooms with a floor level of greater than 1m. Those windows are located within 3m on the side south western and side south eastern boundaries.

The existing house has windows above 1m on the south western side. This side is setback at least 3m from the side boundary.

  - ii) The site has no rear boundary being a corner lot.
  - iii) There is greater than a 6m separation between windows and doors for the dwellings on the same site.
  - iv) The proposed dwelling has windows facing the southern area of the existing dwelling. Those windows are greater than 6m from the private open space area of the existing house at complies with A2 of clause 10.4.3.
- b)
  - i) Not shown on the plans.
  - ii) Highlight windows are proposed along the south eastern elevation. The south western elevation contains a bay window.
  - iii) Not shown on the plans.

Assessment against the performance criteria is required.

P2 A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- (a) window or glazed door, to a habitable room of another dwelling; and
- (b) the private open space of another dwelling; and
- (c) an adjoining vacant residential lot.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### Complies

- a) N/A.
- b) The proposal has a large bay window within 3m of the south western boundary. The window is located above 2.4m from ground level where the boundary fence will not provide any screening.

The window is located opposite the barbecue shelter and garage on 6 Camira Street.

The barbecue shelter is walled on the side facing the common boundary.

The garage and barbecue shelter provides a sufficient separation distance to provide adequate privacy when looking out of the south western and southern panes.

There is capacity for overlooking for part of the backyard of 6 Camira Street out of the north western pane of the bay window. This will affect only a small area of the yard, since the barbecue shelter will otherwise provide sufficient separation to achieve an adequate level of privacy.

This is an issue for the immediate area affected though and can be resolved with screening vegetation or screening that pane for part of its height. A condition to that effect is recommended.

- c) The vacant lot to the south is rural land and will not be adversely affected by the proposal.

A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:

- (a) 2.5 m; or
- (b) 1 m if:
  - (i) it is separated by a screen of at least 1.7 m in height; or
  - (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.

#### Not Applicable

No shared driveway is proposed.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

**Not Applicable**

#### 10.4.7 Frontage fences for all dwellings

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

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

**Consistent**

Appropriate fencing for the proposal can be provided.

A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:

- (a) 1.2 m if the fence is solid; or
- (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).

**Does Not Comply**

A fence to screen the yard area of both dwellings will encroach into the frontage setback. This is taken to be a 1.8m fence to provide privacy and security to the rear of the dwellings. Assessment against the performance criteria is required.

P1 A fence (including a free-standing wall) within 4.5 m of a frontage must:

- (a) provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and
- (b) be compatible with the height and transparency of fences in the street, taking into account the:
  - (i) topography of the site; and
  - (ii) traffic volumes on the adjoining road.

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### Complies

No fencing is proposed along the frontage other than for a section between the existing dwelling to the driveway of the proposed dwelling on the secondary frontage. That fence line is shown to extend along that driveway as well to provide privacy to the yards of both dwellings.

Tall front fences are uncommon within the area. Some corner lots fence their secondary frontage although it is not common for the full secondary frontage to be fenced.

The area proposed to be fenced is reasonable.

### 10.4.8 Waste storage for multiple dwellings

Objective: To provide for the storage of waste and recycling bins for multiple dwellings.

### Consistent

Both dwellings have the capacity to provide waste storage.

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:

- (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or
- (b) in a communal storage area with an impervious surface that:
  - (i) has a setback of at least 4.5 m from a frontage; and
  - (ii) is at least 5.5 m from any dwelling; and
  - (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.

### Complies

- a) Bin storage is proposed within the garage of the proposed dwelling and behind the existing carport for the existing dwelling. Those areas exclusive to each dwelling, are not located in front of the building.
- b) N/A.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is:

- (a) capable of storing the number of bins required for the site; and
- (b) screened from the frontage and dwellings; and
- (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.

**Not Applicable**

#### 10.4.9 Storage for Multiple Dwellings

Objective: To provide adequate storage facilities for each multiple dwelling.

**Consistent**

Both dwellings are provided with adequate storage.

A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.

**Complies**

A garden shed is proposed for each dwelling.

P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.

**Not Applicable**

#### 10.4.10 Common Property for Multiple Dwellings

Objective: To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.

**Consistent**

The site is a corner lot and has been designed so that edge dwelling can function independently of the other.

A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as:

- a) driveways; and
- b) site services and any waste collection points.



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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### Complies

The design of the proposal enables clear delineation of each space. The main area where this may not be clear is the area between the driveway on the secondary frontage and the existing house. This issue is addressed by fencing.

P1 No performance criteria.

#### Not Applicable

### 10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Objective: To ensure:

- a) that outbuildings do not detract from the amenity or established neighbourhood character; and
- b) that the dwellings remain the dominant built form within an area; and
- c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.

#### Not Applicable

The outbuildings proposed are either exempt or already established within a position that does not detract from the neighbourhood character. No swimming pools are proposed and no major earthworks are proposed.

A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m<sup>2</sup>.

#### Complies

The garden sheds proposed can satisfy the exemptions. The existing carport is 18m<sup>2</sup>.

P1 Outbuildings for each multiple dwelling must be designed and located having regard to:

- a) visual impact on the streetscape; and
- b) compatibility with the size and location of outbuildings in the neighbourhood.

#### Not Applicable

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

<p>A2 A swimming pool for private use must be located:</p> <ul style="list-style-type: none"> <li>a) behind the setback from a primary frontage; or</li> <li>b) in the rear yard.</li> </ul>
<p><b>Not Applicable</b> No swimming pools are proposed.</p>
<p>P2 A swimming pool for private use must designed and located to:</p> <ul style="list-style-type: none"> <li>a) minimise any visual impact on the streetscape; and</li> <li>b) not unreasonably overlook or overshadow adjoining properties; and</li> <li>c) be compatible with the size and location of approved outbuildings in the neighbourhood.</li> </ul>
<p><b>Not Applicable</b></p>
<p>A3 Earthworks and retaining walls (other than for a single dwelling) must:</p> <ul style="list-style-type: none"> <li>a) be located at least 900mm from each lot boundary, and</li> <li>b) if a retaining wall: <ul style="list-style-type: none"> <li>i) be not higher than 600mm (including the height of any batters) above existing ground level, and</li> <li>ii) if it is on a sloping site and stepped to accommodate the fall in the land—be not higher than 800mm above existing ground level at each step, and</li> <li>iii) not require cut or fill more than 600mm below or above existing ground level, and</li> <li>iv) not redirect the flow of surface water onto an adjoining property, and</li> <li>v) be located at least 1.0m from any registered easement, sewer main or water main.</li> </ul> </li> </ul>
<p><b>Does Not Comply</b> There is an existing embankment running along the south western side of the existing garage to the north eastern side of the gazebo. That embankment is over 1m in height.</p>

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P3 Earthworks and retaining walls associated with residential buildings and multiple dwellings must be designed and located to ensure that:

- a) no structural issues are caused for adjoining structures; and
- b) groundwater and stormwater are dealt with appropriately to eliminate any nuisance for adjoining properties; and
- c) the potential for loss of topsoil or soil erosion are adequately dealt with; and
- d) the potential visual impact on neighbouring properties including any increased potential for overlooking or overshadowing are adequately addressed.

#### **Complies**

The embankment is pre-existing. No alters to that embankment is proposed.

#### 10.4.12 Site services for dwellings

Objective: To ensure that:

- a) site services for dwellings can be installed and easily maintained; and
- b) site facilities for dwellings are accessible, adequate and attractive.

#### **Consistent**

Adequate site services can be provided.

A1.1 Provision for mailboxes must be made at the frontage.

#### **Complies**

The existing dwelling contains a mail box on the Camira Street frontage. The proposed dwelling is proposed to have one adjacent to the driveway off Mount Stuart Drive.

P1 Sufficient space (including easements where required) for mail services must be provided for each dwelling.

#### **Not Applicable**

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### 10.4.13 Location of Car Parking

Objective:

- a) To provide convenient parking for resident and visitor vehicles; and
- b) To avoid parking and traffic difficulties in the development and the neighbourhood; and
- c) To protect residents from vehicular noise within developments.

#### **Consistent**

Adequate parking arrangements are proposed.

A1 Shared driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms.

#### **Not Applicable**

The proposal is for multiple dwellings and does not have a shared driveway.

P1 Shared driveways or car parking spaces (other than for dwellings) must be designed to protect the amenity of the adjoining habitable rooms having regard to the:

- a) width of the driveway; and
- b) location of the existing dwellings; and
- c) number of car spaces served by the driveway; and
- d) need for physical screening and/or landscaping.

#### **Not Applicable**

A2.1 The layout of car parking for residential development must provide the ability for cars to enter and leave the site in a forward direction, except that a car may reverse onto a road if it has a dedicated direct access or driveway no greater than 10m from the parking space to the road; and

#### **Complies**

Both dwellings have their own dedicated driveways that are no longer than 10m in length.

A2.2 A tandem car space may be provided in a driveway within the setback from the frontage; and

#### **Complies**

There is the capacity for tandem parking is required within the driveways of both dwellings.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A2.3 Provision for turning must not be located within the front setback.
<b>Complies</b> No provision for onsite turning has been provided for within the front setback.
P2 The layout of car parking must be demonstrated to be safe for user of the development and pedestrians on adjacent footpaths.
<b>Not Applicable</b>
A3 A garage or carport (other than for dwellings) must be located at least 5.5m from a frontage.
<b>Not Applicable</b> The proposal is for multiple dwellings.
P3 Car parking facilities (other than for dwellings) must be:  a) reasonably close and convenient to the use it serves; and b) located to minimise visual impact to the streetscape; and c) be sited to allow safe movement onto and off the road or internal driveway.
<b>Not Applicable</b>
A4 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must:  a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the frontage.
<b>Not Applicable</b> The proposal is for multiple dwellings.
P4 The width of garage doors facing a road (other than for dwellings) should not be a visually dominant element in the streetscape and must be designed having regard to the:  a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site; and c) be sited to allow safe movement onto and off the road or internal driveway.
<b>Not Applicable</b>

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### E1 - Bushfire Prone Area Codes

E1.1.1 The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

#### **Consistent**

The proposal is sited within 100 metres of bushfire prone vegetation located to the south west of the site. A bushfire assessment report and bushfire hazard management plan has been submitted.

### E1.5 Use Standards

#### E1.5.1.1 Standards for vulnerable use

##### Objective

Vulnerable uses, other than visitor accommodation, should only be in exceptional circumstances located on land which is in bushfire-prone areas. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:

- a) protect themselves and defend property from bushfire attack;
- b) evacuate in an emergency; and
- c) understand and respond to instructions in the event of a bushfire.

Bushfire protection measures must also reduce the risk to fire fighters.

#### **Not Applicable**

The proposal is not defined as a vulnerable use.

#### A1 No acceptable solution

#### **Not Applicable**

The proposal is not defined as a vulnerable use.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P1 Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.
<b>Not Applicable</b>
<p>A2 Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for:</p> <ul style="list-style-type: none"> <li>a) emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and</li> <li>b) information to staff, occupants and visitors on bushfire safety and evacuation procedures.</li> </ul>
<p><b>Not Applicable</b> The proposal is not defined as a vulnerable use.</p>
P2 No performance criteria
<b>Not Applicable</b>

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### E1.5.2.1 Standards for hazardous use

##### Objective

Hazardous uses should only be located in bushfire-prone areas in exceptional circumstances. Where a hazardous use is to be located in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and take into consideration the characteristics, nature and scale of the use to:

- a) prevent the hazardous use from contributing to the spread or intensification of bushfire;
- b) limit the potential for bushfire to be ignited on the site;
- c) prevent the exposure of people and the environment to dangerous substances as a consequence of bushfire; and
- d) reduce the risk to fire fighters.

##### **Not Applicable**

The proposal is not defined as a hazardous use.

##### A1 No acceptable solution

##### **Not Applicable**

The proposal is not defined as a hazardous use.

P1 Hazardous uses must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.

##### **Not Applicable**

A2 Hazardous uses must demonstrate bushfire protection measures, addressing the characteristics, nature and scale of the hazardous use and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, taking into consideration:

- a) exposure to dangerous substances; and
- b) ignition potential from the site; and
- c) flammable material contributing to the intensification of a fire.

##### **Not Applicable**

The proposal is not defined as a hazardous use.



## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P2 No performance criteria

**Not Applicable**

### E1.6 Development Standards

#### E1.6.3 Development Standards for new habitable buildings on pre-existing lots

E1.6.3.1 Pre-existing lots: Provision of hazard management areas for habitable buildings

Objective

Hazard management areas, as appropriate, for new habitable buildings on pre-existing lots:

- a) provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the hazard;
- b) reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire;
- c) provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and
- d) are maintained in a minimum fuel condition.

#### **Consistent**

A bushfire attack level assessment report and bushfire hazard management plan prepared by Ridsen Knightly has been submitted with the proposal. The report concludes that appropriate hazard management areas can be provided.

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

- |   |   |
|---|---|
| <p>A1 a)</p> <p>b)</p> <p>c)</p> <p>i)</p> <p>ii)</p> | <p>The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or</p> <p>Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>There are, in relation to habitable buildings, hazard management areas that-</p> <p>have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas ; and</p> <p>will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective.</p> |
|---|---|

### Complies

The report submitted concludes that the threat is low from immediately adjacent residential lots. The report identifies a potential threat from a large rural lot to the south of the site

A bushfire hazard management plan has been submitted showing the area to be managed to maintain the risk at BAL 19. A condition is recommended to improve the quality of that plan and to outline what is required to maintain that area in a minimum fuel condition.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P1 There must be, in relation to habitable buildings, hazard management areas that provide adequate separation from the bushfire-prone vegetation. In determining the dimension of hazard management areas, it must be demonstrated that the nature of the hazard has been considered, including:

- i) vegetation type, structure and flammability;
- ii) other potential forms of fuel and ignition sources;
- iii) slope;
- iv) any fire shielding structures or features

and that the dimensions, given the nature of the construction, provide adequate protection for the building and to fire fighters and occupants defending property from bushfire.

**Not Applicable**

A2 If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.

**Not Applicable**

There is a residential property in between the subject land and the bushfire prone vegetation.

P2 Applications must demonstrate how hazard management areas will be maintained in a minimum fuel condition.

**Not Applicable**

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### E1.6.3.2 Pre-existing lots: Private access

##### Objective

Private access on pre-existing lots:

- a) allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel;
- b) provides access to ensure that fire fighting equipment can reach all parts of habitable buildings;
- c) is designed and constructed to allow for fire fighting vehicles to be manoeuvred; and
- d) provides access to water supply points, including hardstand areas for fire fighting vehicles.

##### Consistent

Safe access is available from the road and access is possible for fire fighting.

A1 It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings:

- a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or
- b) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or
- c) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.

##### Not Applicable

The bushfire assessment report submitted indicates compliance is possible with part c).

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

<p>P1 Private access to habitable buildings must demonstrate that:</p> <ul style="list-style-type: none"> <li>i) private access will enable firefighting vehicles to access the buildings safely and efficiently (including by providing access to through roads or alternative access), and to be manoeuvred safely and efficiently; and,</li> <li>ii) private access is in close proximity to habitable buildings to allow access by fire fighting equipment to all parts of the building.</li> </ul>
<p><b>Not Applicable</b></p>
<p>Private access to all static water supply points must be provided:</p> <ul style="list-style-type: none"> <li>a) as included in a bushfire hazard management plan certified by the TFS or an accredited person as being in accordance with the objective of the standard; or</li> <li>b) to a hardstand area within 3m of the static water supply point.</li> </ul>
<p><b>Not Applicable</b> The property is located where reticulated water is available.</p>
<p>P2 No performance criteria</p>
<p><b>Not Applicable</b></p>
<p>A3 Construction of private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E3 as follows:</p> <ul style="list-style-type: none"> <li>a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;</li> <li>b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;</li> <li>c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;</li> <li>d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway</li> </ul>
<p><b>Not Applicable</b> The access on the property is existing and suitable.</p>

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P3 Construction of private access required to access habitable buildings and any water supply point must be an all weather road sufficient to carry fully loaded fire fighting vehicles, including consideration of:

- a) slope, gradient and cross-fall;
- b) geometry and alignment;
- c) culverts and bridges;
- d) height and width of any vegetation clearance;
- e) travel speed, sight lines and passing bays;
- f) turning areas.

**Not Applicable**

### E1.6.3.3 Pre-existing lots: Provision of water supply for fire fighting purposes

#### Objective

Adequate, accessible and reliable water supply for fire fighting purposes on pre-existing lots is available to allow for the protection of life and property from the risks associated with bushfire.

#### Consistent

The property is located in an area with reticulated water.

A1 It must be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided:

- a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or
- b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or
- c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or
- d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.

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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### Complies

There is a fire plug located at the corner of the lot and all parts of the property are within 120m of that fire plug.

P1 There must be, in relation to habitable buildings, a water supply for fire fighting purposes that:

- a) may be accessed by fire fighting equipment, fire fighters and occupants of the habitable buildings; and
- b) contains water that may be delivered in a quantity, and at a pressure, sufficient to manage the risk of bushfire, depending on the nature of the surrounding bushfire-prone vegetation; and;
- c) stores water in a manner that ensures adequate and reliable quantities may be provided for fire-fighting purposes if there is a bushfire; and
- d) enables effective delivery of water if there is a bushfire.

#### Not Applicable

### E6 - Car Parking and Sustainable Transport Code

E6.1.1 The purpose of this provision is to:

- a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
  - i) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
  - ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
  - iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
  - iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
  - v) provide for the implementation of parking precinct plans.

#### Consistent

The proposal provides car parking that is consistent with a residential character.

## 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

### E6.6 Use Standards

#### E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

#### **Consistent**

Adequate parking is provided.

A1 The number of car parking spaces:

- a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or
- c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or
- d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1.

#### **Does Not Comply**

Table 6.1 requires 2 spaces per dwelling plus 1 dedicated visitor space per for dwellings, therefore 5 spaces are required to be compliant.

The proposed dwelling contains a carport that is large enough to house two dwellings. The driveway is capable of parking another dwelling.

The existing dwelling has a single carport and sufficient room to park another in tandem behind.

There is no dedicated visitor parking space. Assessment against the performance criteria is required.



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### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P1 The number of car parking spaces provided must have regard to:

- a) the provisions of any relevant location specific car parking plan; and
- b) the availability of public car parking spaces within reasonable walking distance; and
- c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
- d) the availability and frequency of public transport within reasonable walking distance of the site; and
- e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
- f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
- g) an empirical assessment of the car parking demand; and
- h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
- i) the recommendations of a traffic impact assessment prepared for the proposal; and
- j) any heritage values of the site; and
- k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
  - i) the size of the dwelling and the number of bedrooms; and
  - ii) the pattern of parking in the locality; and
  - iii) any existing structure on the land; and
- l) The performance criteria contained within a relevant parking precinct plan.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### Complies

- a) There is no specific parking plan for the area.
- b) There are no public car parks but there is on street parking readily available on both Camira Street and Mount Stuart Drive .
- c) The development is designed so that each dwelling can operate independently of each other. The parking provided for onsite is typical for the size of those dwellings.
- d) Metro Bus Services are available on Alanvale Road, about half a kilometre from the subject site.
- e) There are no site constraints.
- f) On road parking is readily available.
- g) Parking demand anticipated to be typical for a dwelling.
- h) No adverse impact on streetscape is anticipated
- i) No traffic impact assessment supplied.
- j) The site has no heritage values.
- k)i) Both dwellings are of a typical size for the area. The parking provided for onsite is typical for the size of those dwellings.
  - ii) Onsite parking of at least 2 spaces is provided on most residential properties in the area. This site is consistent with that character.
  - iii) The proposal is utilising existing parking arrangements on the site, which appear to have functioned adequately.
- l) N/A.

#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

#### Consistent

Adequate provision for bicycle parking can be provided.

A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or

A1.2 The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### **Complies**

Table 6.1 requires 1 space per unit, therefore the proposal requires 2 spaces. Whilst not shown on the plans there is adequate opportunity to park bikes within the storage areas proposed for each dwelling.

P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:

- a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
  - b) location of the site and the distance a cyclist would need to travel to reach the site; and
- availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

#### **Complies**

#### E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

#### **Not Applicable**

Not needed for multiple dwellings.

A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).

#### **Not Applicable**

Not needed for multiple dwellings.

P1 No performance criteria.

#### **Not Applicable**

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.

#### **Not Applicable**

Not needed for multiple dwellings.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.
<b>Not Applicable</b> Not needed for multiple dwellings.
P1 No performance criteria.
<b>Not Applicable</b>

## E6.7 Development Standards

### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.
<b>Consistent</b> Adequate parking and access has been provided for a multiple dwelling development.
A1 All car parking, access strips manoeuvring and circulation spaces must be: <ul style="list-style-type: none"> <li>a) formed to an adequate level and drained; and</li> <li>b) except for a single dwelling, provided with an impervious all weather seal; and</li> <li>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</li> </ul>
<b>Complies</b> The proposal intends to utilise the existing driveways on the site. The existing dwelling has an existing carport. These are adequately formed and sealed.
P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
<b>Not Applicable</b>

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

#### **Consistent**

The layout of car parking and access is appropriate for multiple dwellings.

A1.1 Where providing for 4 or more spaces, parking areas (other than for dwellings in the General Residential Zone) must be located behind the building line; and

#### **Does Not Comply**

The parking proposed is located behind the building line other than the tandem space for the existing dwelling. No provision for onsite turning has been proposed. Assessment against the performance criteria is required.

A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.

#### **Complies**

No provision for onsite turning has been proposed.

P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:

- a) the layout of the site and the location of existing buildings; and
- b) views into the site from the road and adjoining public spaces; and
- c) the ability to access the site and the rear of buildings; and
- d) the layout of car parking in the vicinity; and
- e) the level of landscaping proposed for the car parking.

#### **Complies**

The proposal varies the location of one parking space, being the tandem space located in front of the carport of the existing single dwelling. The location of that space is typical for a residential property and will not be detrimental to the streetscape.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A2.1 Car parking and manoeuvring space must:

- a) have a gradient of 10% or less; and
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and
- c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and
- d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:
  - i) there are three or more car parking spaces; and
  - ii) where parking is more than 30m driving distance from the road; or
  - iii) where the sole vehicle access is to a category I, II, III or IV road; and

A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

#### **Complies**

The parking and access areas that exist or are proposed conform with the requirements of the standard.

P2 Car parking and manoeuvring space must:

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

#### **Not Applicable**

### E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.

#### **Not Applicable**

Not required for multiple dwellings.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A1 Car parking areas with greater than 20 parking spaces must be:
<ul style="list-style-type: none"> <li>a) secured and lit so that unauthorised persons cannot enter or;</li> <li>b) lit and visible from buildings on or adjacent to the site during the times when parking occurs.</li> </ul>
<b>Not Applicable</b> Not required for multiple dwellings.
P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
<ul style="list-style-type: none"> <li>a) levels of activity within the vicinity; and</li> <li>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</li> </ul>
<b>Not Applicable</b>

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.
<b>Not Applicable</b> Not required for multiple dwellings.
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.
<b>Not Applicable</b> Not required for multiple dwellings.
P1 No performance criteria.
<b>Not Applicable</b>
A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.
<b>Not Applicable</b> Not required for multiple dwellings.
P2 No performance criteria.
<b>Not Applicable</b>

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

#### **Not Applicable**

Not required for multiple dwellings.

A1 For retail, commercial, industrial, service industry or warehouse or storage uses:

- a) at least one loading bay must be provided in accordance with Table E6.4; and
- b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.

#### **Not Applicable**

Not required for multiple dwellings.

P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.

#### **Not Applicable**

### E6.8 Provisions for Sustainable Transport

#### E6.8.1 Bicycle End of Trip Facilities

Objective: To ensure that cyclists are provided with adequate end of trip facilities.

#### **Not Applicable**

Over 5 spaces are not required.

A1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.



## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

<p><b>Not Applicable</b> Over 5 spaces are not required.</p>
<p>P1 For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, end of trip facilities must be provided at adequate level to cater for the reasonable needs of employees having regard to:</p> <ul style="list-style-type: none"> <li>a) the location of the proposed use and the distance a cyclist would need to travel to reach the site; and</li> <li>b) the users of the site and their likely desire to travel by bicycle; and</li> <li>c) whether there are facilities on the site for other reasons that could be used by cyclists; and</li> <li>d) the opportunity for sharing bicycle facilities by multiple users.</li> </ul>
<p><b>Not Applicable</b></p>

#### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

#### **Consistent**

Parking and storage for bicycle facilities are not shown however there is adequate opportunity to provide those facilities.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

A1.1 Bicycle parking spaces for customers and visitors must:

- a) be accessible from a road, footpath or cycle track; and
- b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and
- c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and
- d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and

A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.

#### **Does Not Comply**

Not provided. Assessment against the performance criteria is required.

P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.

#### **Complies**

A hoop or dedicated parking space is not considered necessary for a residential development. Typically bikes are stored within garages or garden sheds on residential properties. There is adequate opportunity for this type of storage to accommodate bicycle parking for both dwellings.

A2 Bicycle parking spaces must have:

- a) minimum dimensions of:
  - i) 1.7m in length; and
  - ii) 1.2m in height; and
  - iii) 0.7m in width at the handlebars; and
- b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.

#### **Does Not Comply**

A dedicated bicycle parking area is not provided.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.

#### **Complies**

Typically bikes are stored within garages or garden sheds on residential properties. There is adequate opportunity for the secure storage proposed to accommodate bicycle parking for both dwellings.

#### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

#### **Not Applicable**

Not required for the proposal.

A1 Pedestrian access must be provided for in accordance with Table E6.5.

#### **Not Applicable**

Not required for the proposal.

P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.

#### **Not Applicable**

#### E6.6.4 Local Area Provisions

Objective: To remove the need for new use or development to provide onsite car parking within the exemption area.

To establish parking maximums within the exemption area.

#### **Not Applicable**

Not located within a specific area plan.

A1 No onsite parking provision.

#### **Not Applicable**

Not located within a specific area plan.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

P1 Onsite car parking must demonstrate:

- a) that it will not be visible from a frontage; and
- b) that it will be constructed within the structure of a building; and
- c) that it is necessary for the operation of a use and development on that particular lot; and
- d) parking must not exceed the minimum provision required by table E6.1.

**Not Applicable**

## 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	<p>Most of the Infrastructure concerns with this development can be covered with standard conditions, although there are a few minor points that should be noted.</p> <p>Firstly, the stormwater from the new dwelling will need to be connected into the existing internal drainage, so that there is only a single connection from the property to Council stormwater infrastructure. There may be an issue with getting sufficient fall to drain the whole property to the existing connection.</p> <p>Greater than 30% of the site is covered by impervious surfaces, which would usually require onsite stormwater detention (OSD). However, the property is located at the lower end of the catchment and less than 100m from where the Council pipeline discharges to the natural watercourse. Therefore OSD is not required for this development</p>

## COUNCIL AGENDA

Monday 8 December 2014

### 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)

	<p>.Also, there is no turning area for the driveway of the new dwelling, which means that vehicles will have to reverse around a bend to exit the driveway. This is not a major concern, as it is an existing driveway and each dwelling has a separate driveway.</p> <p>Standard conditions are recommended.</p> <ul style="list-style-type: none"> <li>• Damage to Council infrastructure</li> <li>• Works within/occupation of the road reserve</li> <li>• Single stormwater connections.</li> <li>• Basic - soil and water management plan</li> </ul>
Environmental Health	<p>N/A</p> <ul style="list-style-type: none"> <li>• Amenity</li> <li>• Demolition</li> </ul>
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	Building and plumbing permits are required.
<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2014-01005-LCC.
DIER	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

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**7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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**5. REPRESENTATIONS**

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the application was re-advertised for a 14 day period from the 15 November 2014 to the 28 November 2014. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

ISSUE	COMMENTS
Height of the dwelling.	The proposed dwelling complies with the building envelope standard other than for the north western corner of the dwelling. An increased setback for this portion of the building is recommended to address this issue.
Overlooking into adjacent properties.	Highlight windows are proposed for the south eastern elevation which will provide adequate privacy from that elevation. The south eastern elevation has adequate separation to address overlooking into adjacent dwellings. There is a concern with the north western pane of the bay window given the height of the dwelling above ground level. This has the capacity to overlook a small area of what appears to be a frequently used area of the adjacent neighbour's yard. Screening of that pane is recommended. Otherwise there is adequate separation provided to private open space areas from that elevation.
Overshadowing of adjacent properties.	The proposed dwelling will overshadow adjacent properties however the degree of overshadowing has been assessed as being reasonable.

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## COUNCIL AGENDA

Monday 8 December 2014

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### **7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**

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## **6. CONCLUSION**

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

### **ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

### **ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

### **SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

### **STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2012

### **BUDGET & FINANCIAL ASPECTS:**

N/A

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## COUNCIL AGENDA

Monday 8 December 2014

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- 7.2 8 Camira Street, Newnham; Residential - multiple dwellings; demolition of existing outbuilding; construction of multiple dwelling...(Cont'd)**
- 

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

### ATTACHMENTS:

1. Locality Map
  2. Marked Up Site Map
  3. Amended Plans
  4. Building Envelope Variation
  5. TasWater Approval
  6. Bushfire Assessment Report (circulated separately)
  7. Representations
-



Attachment 1 - Locality Map - 8 Camira Street, Newnham (Pages = 1)



**Launceston City Council**  
*A Leader in Community & Government*



## **LOCALITY MAP - DA0445/2014 8 CAMIRA STREET, NEWNHAM**



### **Locality Map**

**Scale:** This Map Is Not to Scale



Attachment 3 - Amended Plans - 8 Camira Street, Newnham (Pages = 9)



**LEGEND**  
 PAGE 1# SITE PLAN  
 PAGE 2# PROPOSED FLOOR PLAN  
 PAGE 3# PROPOSED ELEVATIONS  
 PAGE 4# PROPOSED ELEVATIONS  
 PAGE 5# 9AM WINTER SOLSTICE SHADOW PLAN  
 PAGE 6# 12PM WINTER SOLSTICE SHADOW PLAN  
 PAGE 7# 3PM WINTER SOLSTICE SHADOW PLAN  
 PAGE 8# NORTH ELEVATION VIEW FROM DECK

COUNCIL - LAUNCESTON CITY COUNCIL  
 ZONE - GENERAL RESIDENTIAL

TITLE REF. = 106249/82

EXISTING DWELLING FLOOR AREA = 180 sq/m  
 EXISTING SHED AREA = 55 sq/m  
 PROPOSED NEW DWELLING FLOOR AREA = 154 sq/m  
 PROPOSED CARPORT AREA = 22 sq/m  
 PROPOSED DECK AREA = 19 sq/m  
 PROPOSED GARAGE AREA = 39 sq/m  
 PROPOSED LOWER TOILET = 4 sq/m

WIND CLASSIFICATION N2  
 DESIGN GUST SPEED (VU) 40M/S

SITE CLASS P AS PER RK CONSULTING ENGINEERS  
 REPORT NO. 14/15 TAS 043

CLIMATE ZONE FOR THERMAL DESIGN = 7

BUSHFIRE-PRONE AREA BAL RATING 19  
 AS PER RK CONSULTING ENGINEERS  
 REPORT NO. 14/15 TAS 043

ALL DIMENSIONS SHOWN ARE TO OUTSIDE CLADDING  
 UNLESS NOTES OTHERWISE

CONFIRM ALL DIMENSIONS AND SERVICES ON SITE  
 PRIOR TO COMMENCEMENT OF WORKS

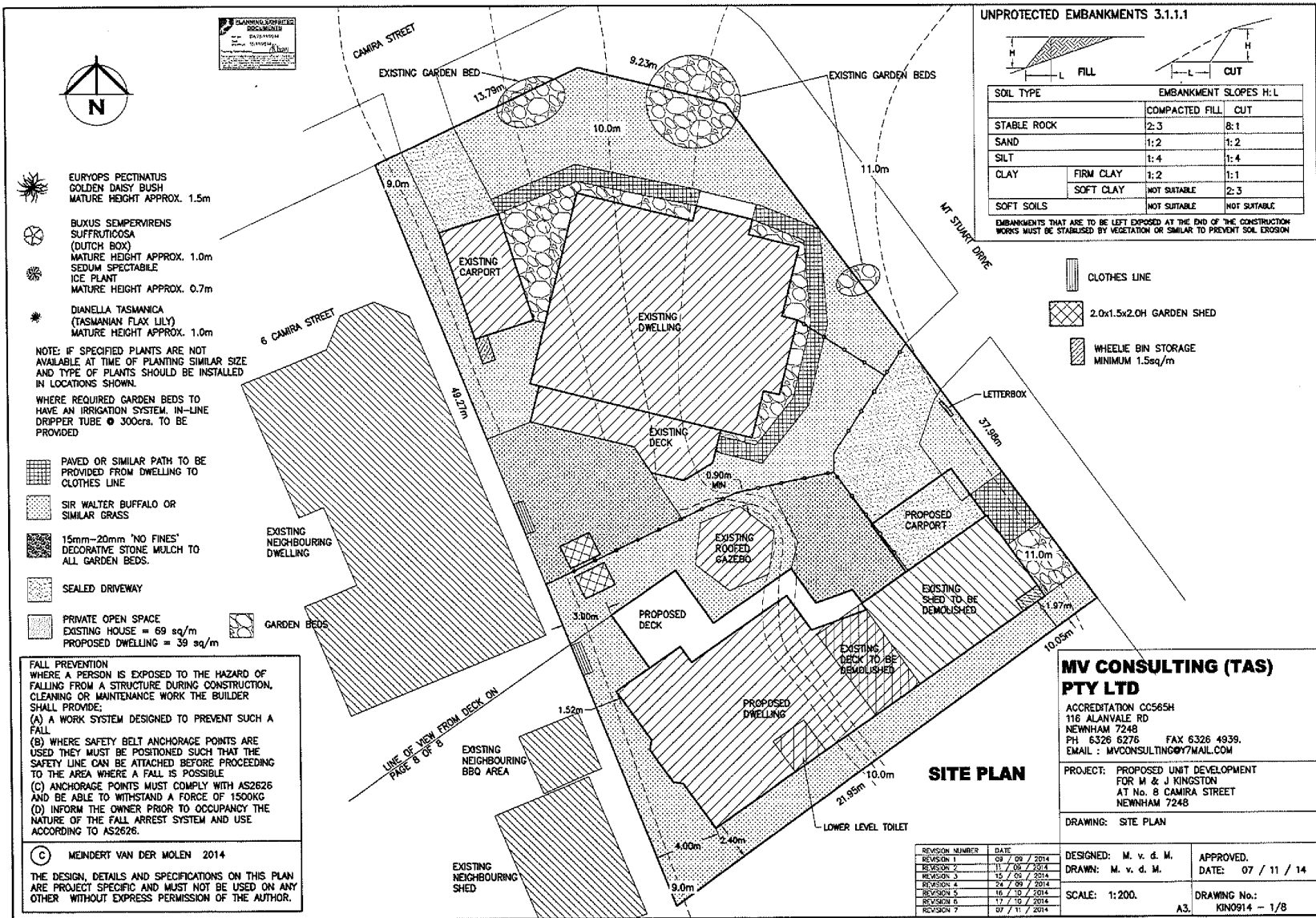
IF IN ANY DOUBT ABOUT BEARING AND BOUNDARIES  
 SHOWN THEN THESE MUST BE CONFIRMED ONSITE  
 BY A SURVEYOR PRIOR TO SETOUT

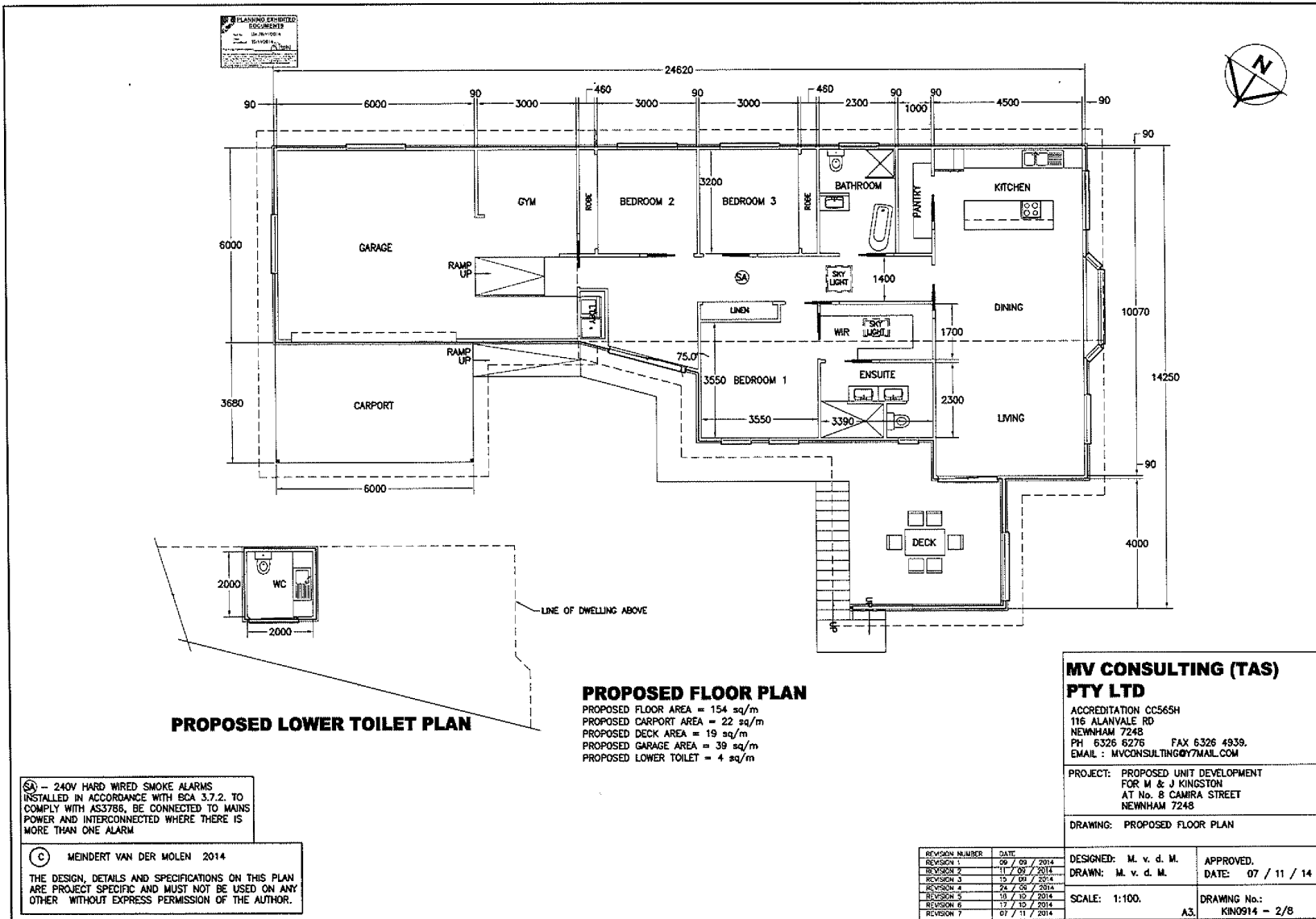
## PROPOSED UNIT DEVELOPMENT FOR M & J KINGSTON AT 8 CAMIRA STREET NEWNHAM 7248

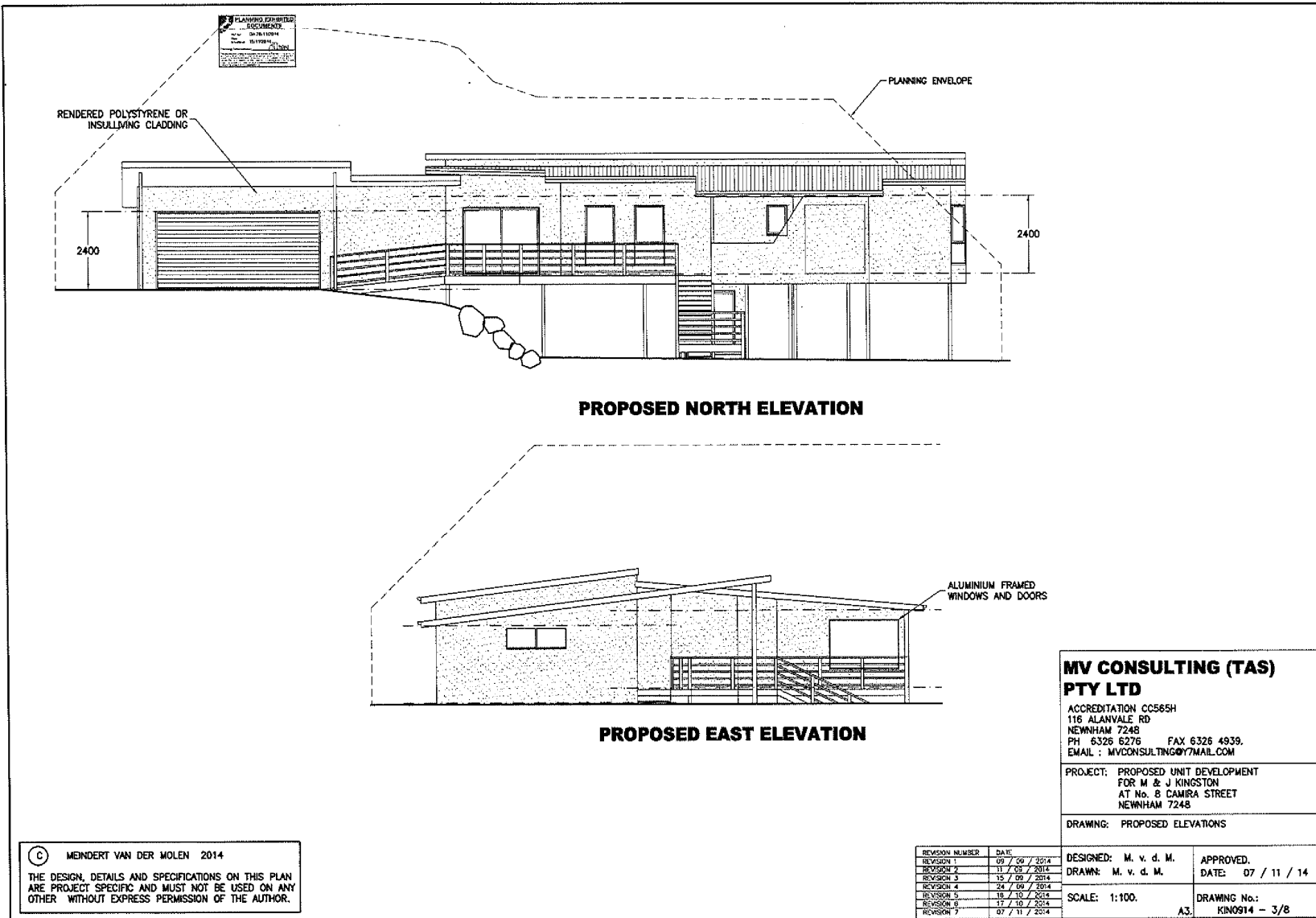
(C) MEINDERT VAN DER MOLEN 2014  
 THE DESIGN, DETAILS AND SPECIFICATIONS ON THIS PLAN  
 ARE PROJECT SPECIFIC AND MUST NOT BE USED ON ANY  
 OTHER WITHOUT EXPRESS PERMISSION OF THE AUTHOR.

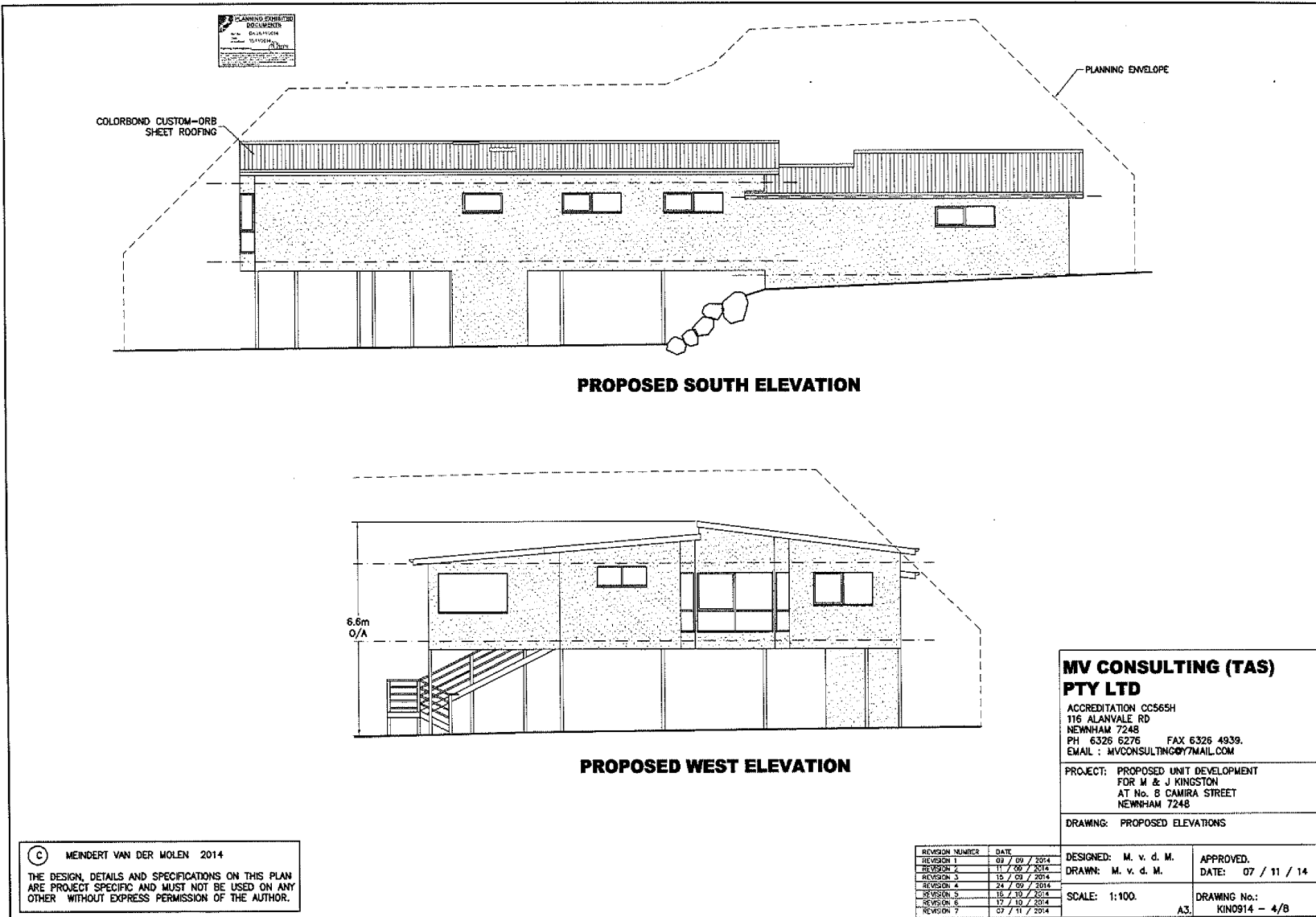


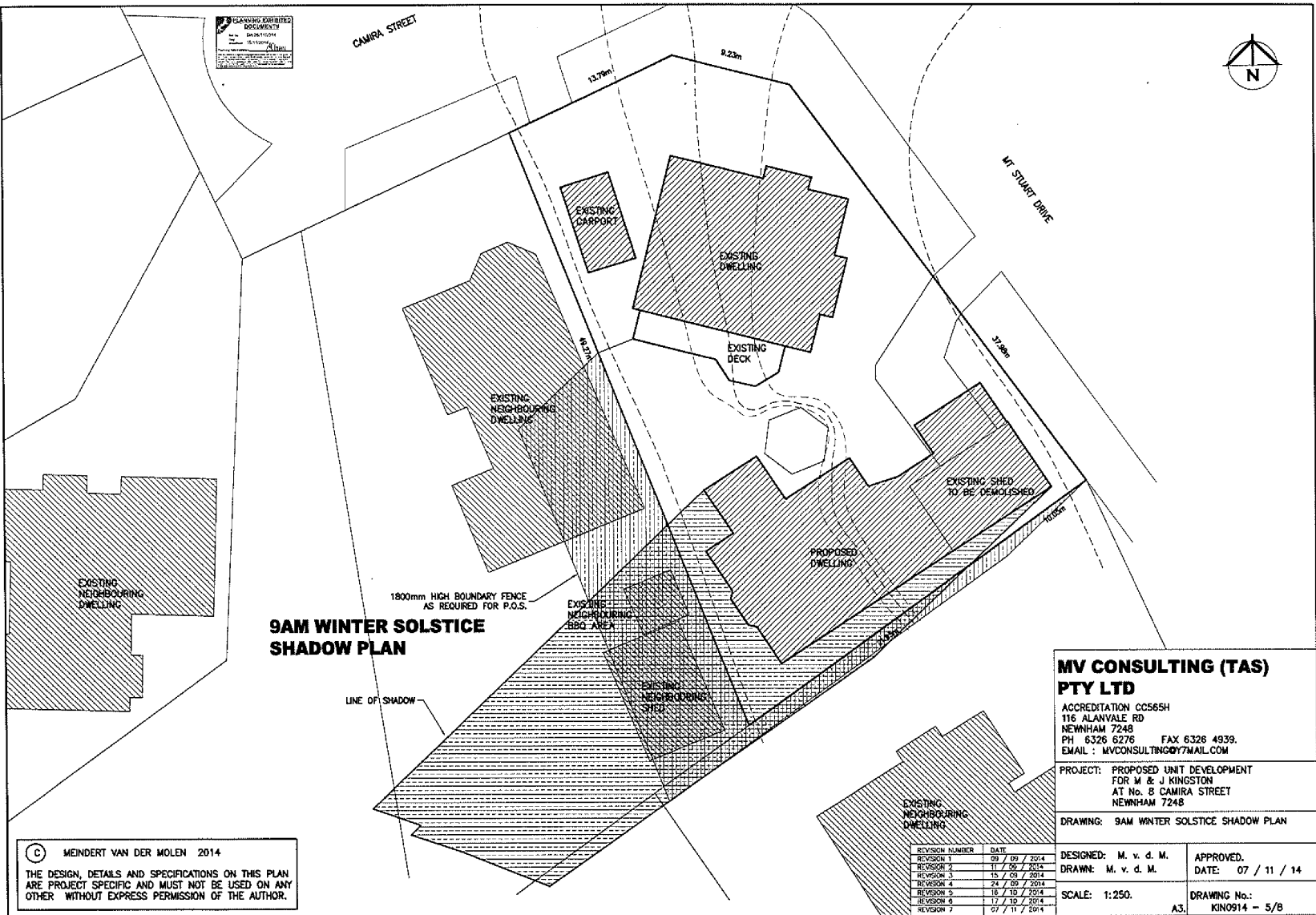
FOR ALL YOUR DESIGN, DRAFTING  
 AND ENGINEERING NEEDS  
 ACCREDITATION CC565H  
 MEINDERT VAN DER MOLEN  
 116 ALANVALE RD  
 NEWNHAM 7248  
 PH 6326 6276 FAX 6326 4939.  
 EMAIL : MVCONSULTING@Y7MAIL.COM



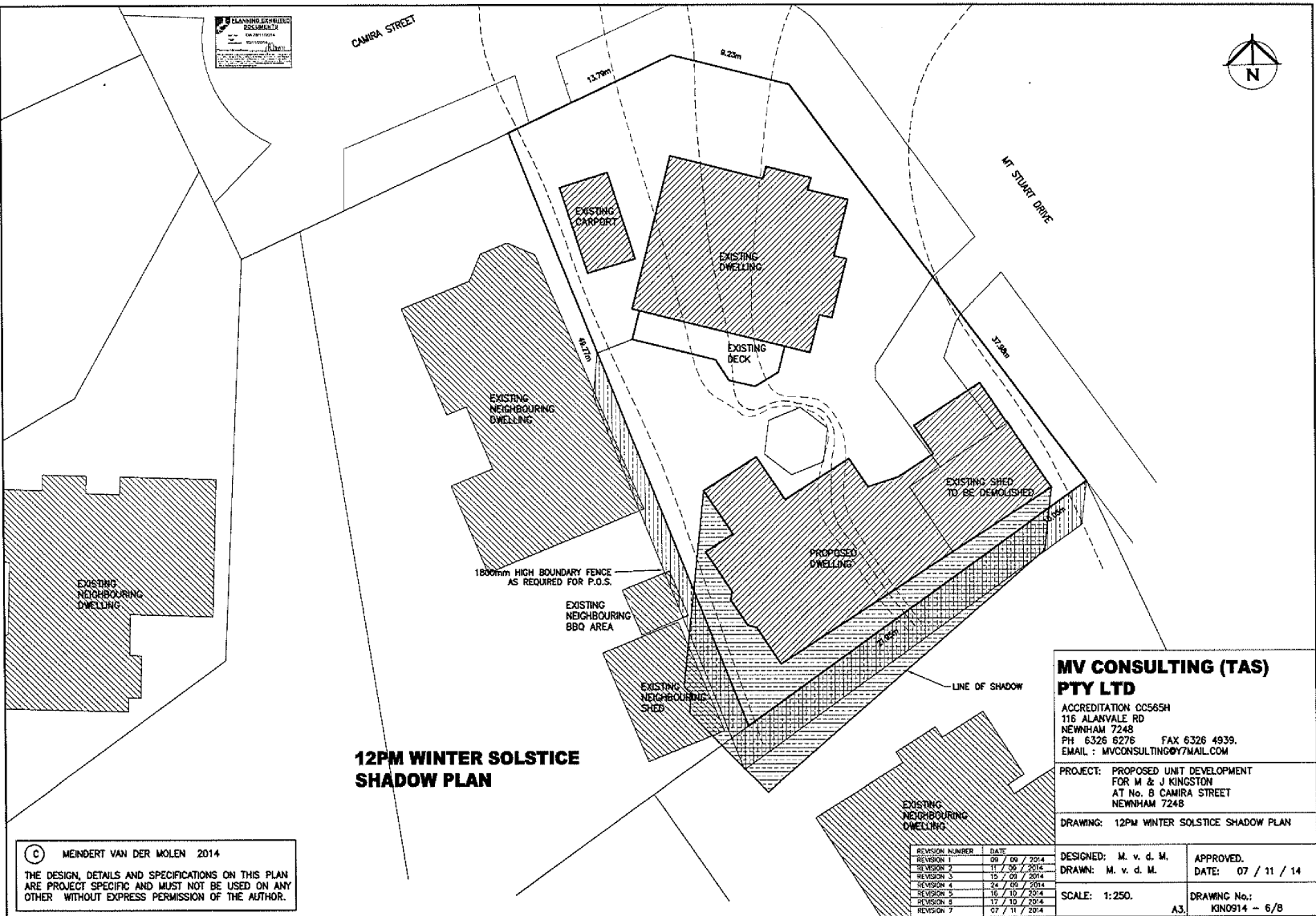


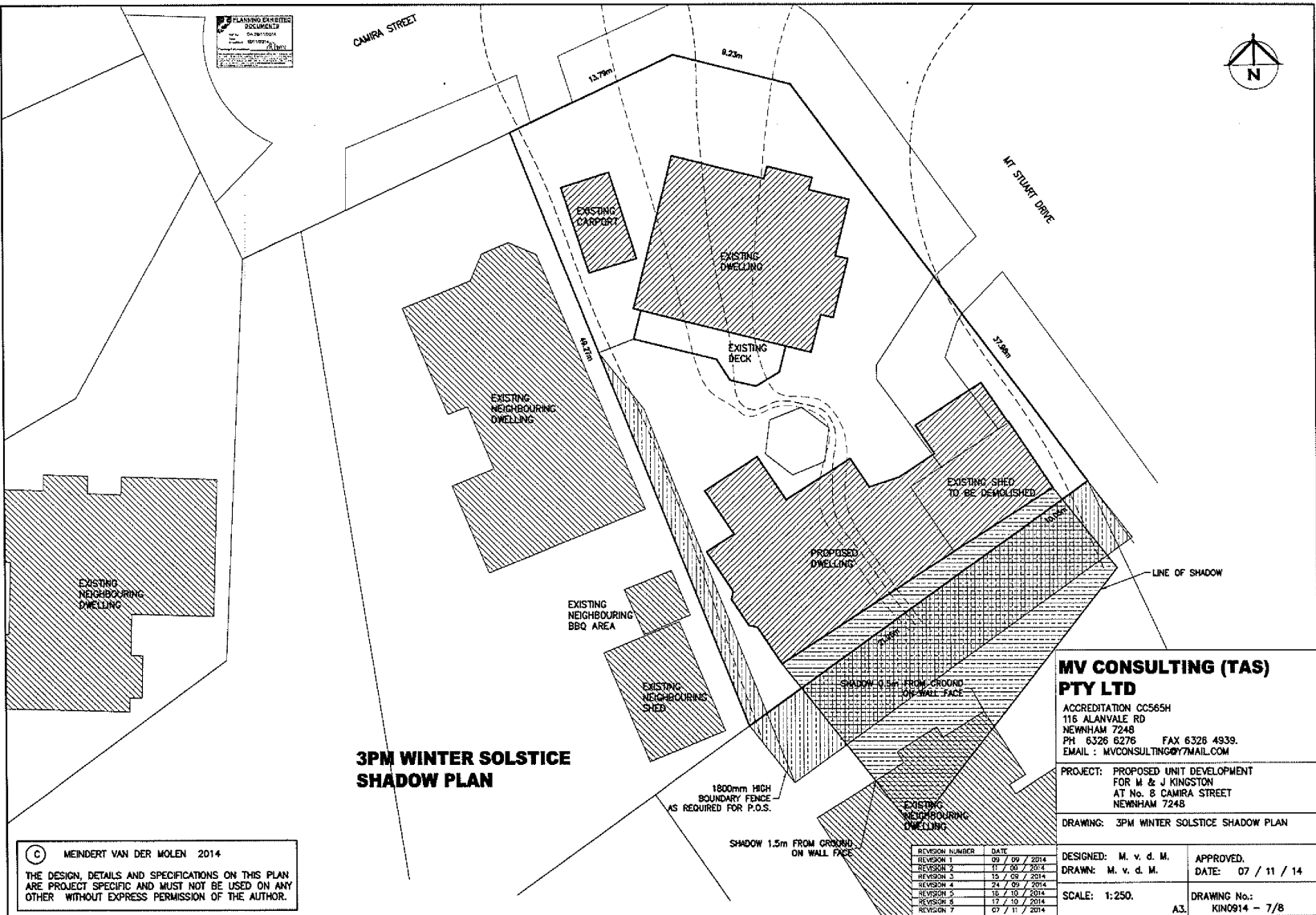


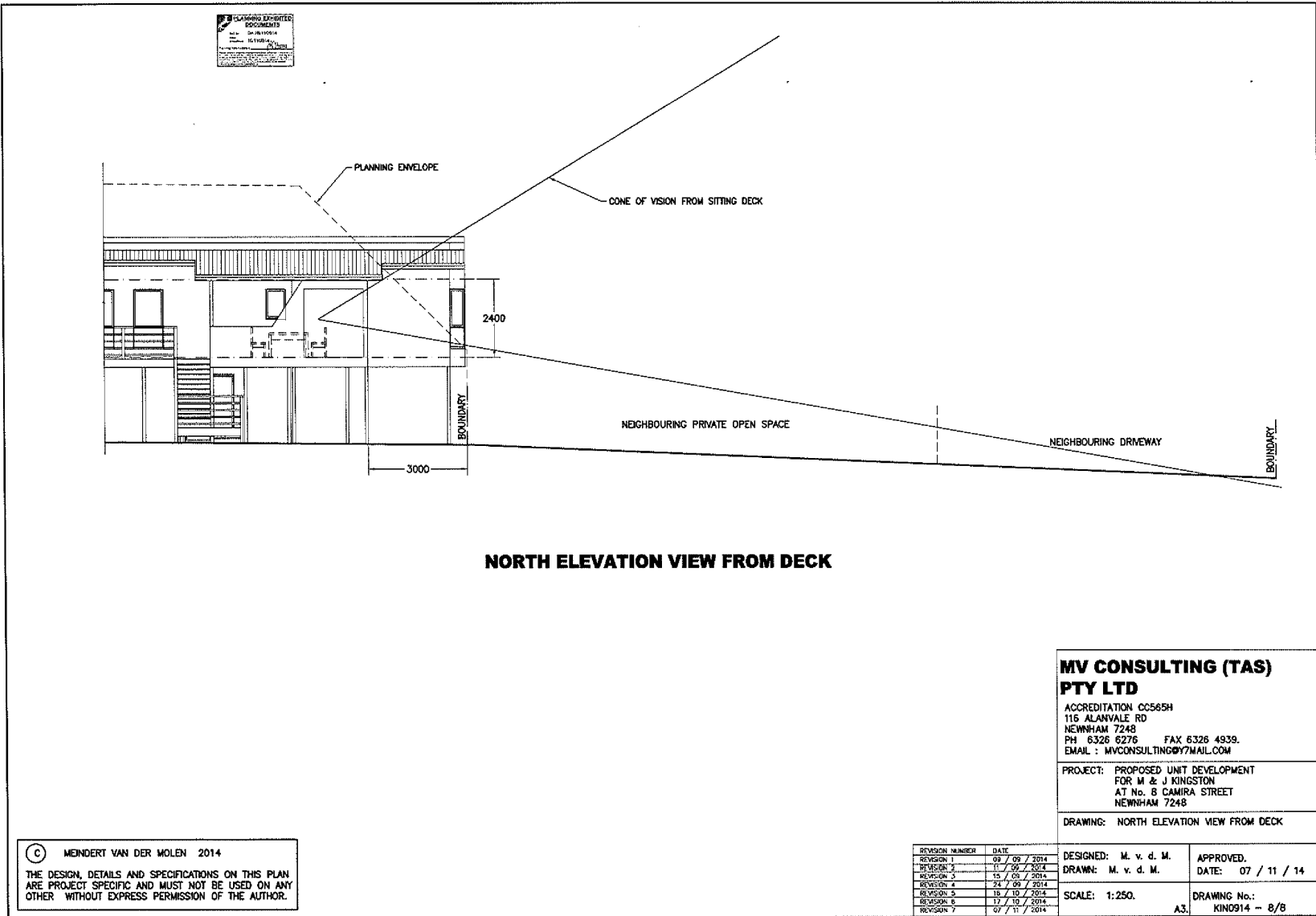




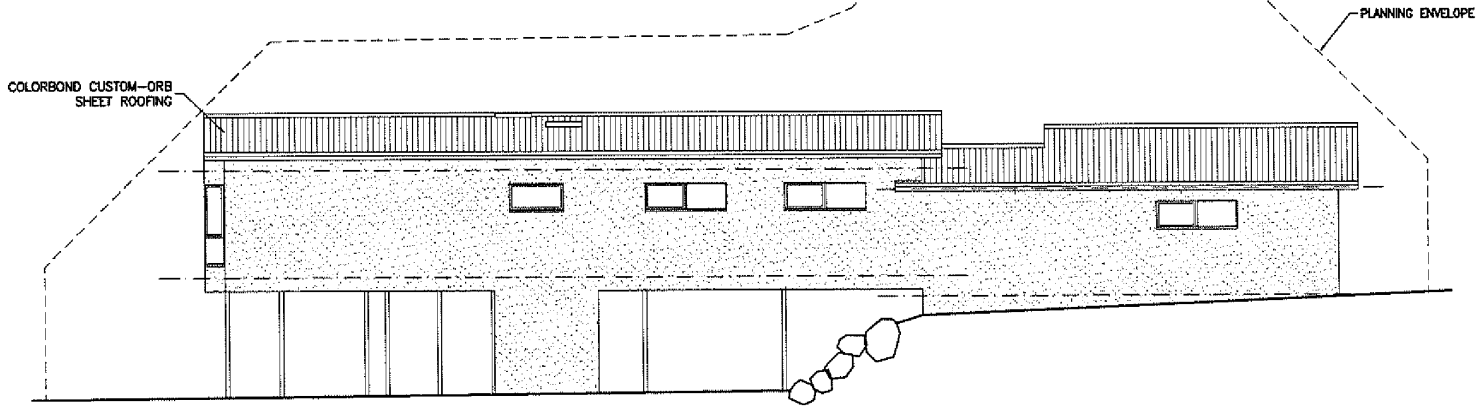




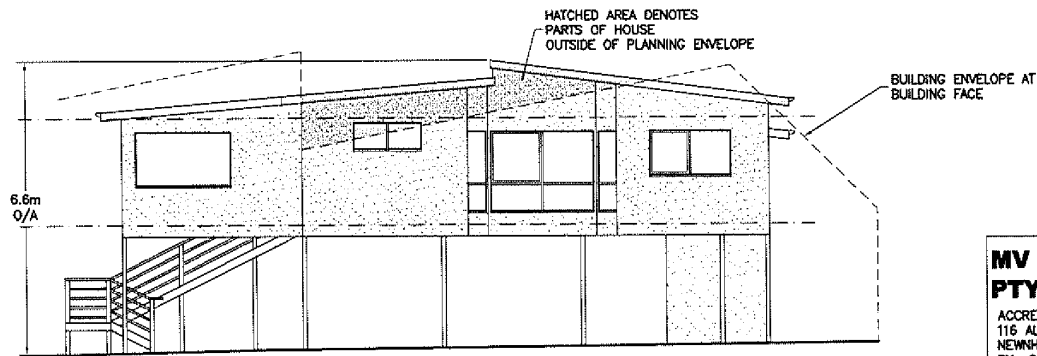




Attachment 4 - Building Envelope Variation - 8 Camira Street, Newnham (Pages = 1)



**PROPOSED SOUTH ELEVATION**



**PROPOSED WEST ELEVATION**

### MV CONSULTING (TAS) PTY LTD

ACCREDITATION CC565H  
116 ALANVALE RD  
NEWNHAM 7248  
PH: 6326 6276 FAX 6326 4939  
EMAIL: MVCONSULTING@Y7MAIL.COM

PROJECT: PROPOSED UNIT DEVELOPMENT  
FOR M & J KINGSTON  
AT No. 8 CAMIRA STREET  
NEWNHAM 7248

DRAWING: PROPOSED ELEVATIONS

DESIGNED: M. v. d. M.  
DRAWN: M. v. d. M.

APPROVED.  
DATE: 07 / 11 / 14

SCALE: 1:100.

DRAWING No.:  
A3. KIN0914 - 4/8

REVISION NUMBER	DATE
REVISION 1	09 / 06 / 2014
REVISION 2	11 / 03 / 2014
REVISION 3	15 / 09 / 2014
REVISION 4	24 / 09 / 2014
REVISION 5	18 / 10 / 2014
REVISION 6	17 / 10 / 2014
REVISION 7	07 / 11 / 2014

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THE DESIGN, DETAILS AND SPECIFICATIONS ON THIS PLAN  
ARE PROJECT SPECIFIC AND MUST NOT BE USED ON ANY  
OTHER WITHOUT EXPRESS PERMISSION OF THE AUTHOR.

Attachment 5 - TasWater Approval - 8 Camira Street, Newnham (Pages = 3)

Phone: 13 6992  
 Fax: 1300 862 066  
 Web: www.taswater.com.au

# TasWater

## Submission to Planning Authority Notice

Council Planning Permit No.	DA0445/2014	Council notice date	2/10/2014
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### TasWater details

TasWater Reference No.	TWDA 2014/01005-LCC	Date of response	8/10/2014
TasWater Contact	Colin Skinner	Phone No.	6345 6334

### Response issued to

Council name	LAUNCESTON CITY COUNCIL
Contact details	planning.admin@launceston.tas.gov.au

### Development details

Address	8 CAMIRA STREET, Newnham	Property ID (PID)	1699423
Description of development	Residential - multiple dwellings		

### Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
MV Consulting (Tas) Pty Ltd	KIN 0914 - 1/4		24/9/2014

### Conditions

#### SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

#### CONNECTIONS, METERING & BACKFLOW

##### ADVICE

TasWater requires a NB25mm (ID 25mm) water service for a 2 multiple dwelling development

TasWater may provide a number of water metering options for this development depending upon whether the development is a strata or non-strata development.

The Developer is advised to familiarise themselves with TasWater's metering options and show the preferred water meter arrangement on plans submitted to TasWater for a Certificate for Certifiable Works

##### CONDITIONS

1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.

Phone: 13 6992  
Fax: 1300 862 066  
Web: [www.taswater.com.au](http://www.taswater.com.au)

## TasWater

### HEADWORKS CHARGES

#### ADVICE

If the Certificate for Certifiable Works is applied for in the period 1 April 2014 to 31 March 2016, the headworks amount(s) will be waived in line with the prevailing State Government Policy. Please visit [www.development.tas.gov.au](http://www.development.tas.gov.au) for further information.

#### CONDITION

3. Prior to TasWater issuing a Certificate for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a headworks charge of \$1836.80 to TasWater for water infrastructure for 0.80 additional Equivalent Tenements, indexed as approved by the Economic Regulator from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater
4. Prior to TasWater issuing a Certificate for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a headworks charge of \$3578.04 to TasWater for sewerage infrastructure for 1.00 additional Equivalent Tenements, indexed as approved by the Economic Regulator from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater

#### DEVELOPMENT ASSESSMENT FEES

5. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater for this proposal of:
  - a. \$233.90 for development assessment as approved by the Economic RegulatorThe fee will be indexed as approved by the Economic Regulator from the date of the Submission to Planning Authority Notice for the development assessment fee  
Payment is required within 30 days from the date of the invoice.

#### Advice

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit <http://www.taswater.com.au/Development/Fees---Charges>

For detailed information on how headworks have been calculated for this development please contact the TasWater contact as listed above.

For application forms please visit <http://www.taswater.com.au/Development/Forms>

The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

Phone: 13 6992  
Fax: 1300 862 066  
Web: [www.taswater.com.au](http://www.taswater.com.au)

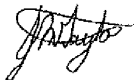
# TasWater

## Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

If you need any clarification in relation to this document, please contact TasWater. Please quote the TasWater reference number. Phone: 13 6992, Email: [development@taswater.com.au](mailto:development@taswater.com.au)

## Authorised by



Jason Taylor

Development Assessment Manager

## COUNCIL AGENDA

Monday 8 December 2014

## Attachment 7 - Representations - 8 Camira Street, Newnham (Pages = 4)

Graeme &amp; Gretchen Bowkett

24<sup>th</sup> November, 2014

RE: Proposed development at 8 Camira Street, Newnham

Application DA no: DA0445/2014

Applicant: G &amp; T Developments Pty Ltd

To whom it may concern,

We are again writing to you to express our various concerns over the proposed dwelling at 8 Camira Street, Newnham. After we expressed our concerns to you last time, we understand that the plans have been slightly altered from the first original plan. However, can you please explain to us how the plans have been changed as we fail to see any major differences?

Our first concern is the height of this proposed dwelling as it is practically 2 stories high and located very close to our shared fence. We are highly concerned over the height from the ground to the floor of this dwelling as it will be sitting on very high steel posts. Obviously to gain some sort of a view. This is unacceptable because we understand that the council outlines that no property specifically owns a view. Therefore, due to the height of these steel posts, the new dwelling will be looking straight into the back of our house and backyard leaving us with no privacy whatsoever. Our home and backyard has purposefully been built for my wife who has a severe disability. With this dwelling looking straight into our backyard, she will have no privacy to access our backyard without the neighbours looking directly at her. This will mean that she will not be able to spend any time in our backyard. This dwelling will also be looking directly into the back of our house where we have 2 bedrooms and a second lounge room. This means that we will also have no privacy when we are inside our home as well.

Our second concern is that as this proposed dwelling is so high, our backyard and back of our house, which as I mentioned includes 2 bedrooms, will receive no sun. This will leave the back of our house very cold. All of our neighbours living in our cul-de-sac have also spoken to us about their concerns over this proposed dwelling. They have expressed their interest in attending a meeting at the council where we can discuss our concerns in person. If this dwelling is to be built as per the current plans, we will have absolutely no privacy and we would not be comfortable living here as we will be constantly on view to these neighbours.

Please contact us so that we can discuss our concerns more thoroughly.

Yours sincerely,



Graeme and Gretchen Bowkett

FILE No.	DA0445/2014		
EO	OD	Box	
RCVD 24 NOV 2014		LCC	
Doc No.			
Action Officer	Noted	Replied	
C. WILKINSON			
E. COY ref. Allen			
R. Samson			



## COUNCIL AGENDA

Monday 8 December 2014

Sally & Robert Pitt

24<sup>th</sup> November, 2014

RE: Proposed development at 8 Camira Street, Newnham

Application DA no: DA0445/2014

Applicant: G & T Developments Pty Ltd

To whom it may concern,

We are writing to you to express our concerns over the proposed dwelling at 8 Camira Street, Newnham. This is the second time that we have expressed our concerns to you and we fail to see how these new plans have been changed from our first letter.

We are concerned about the height of this proposed dwelling as the house will be sitting upon very high steel posts. This means that this dwelling will be looking straight into our backyard leaving us with no privacy. Our children will no longer be able to play in the backyard without being constantly watched. We also have a swimming pool in our backyard which means that we will not be able to have a swim without these neighbours looking directly at us.

This proposed dwelling will also look straight into the back of our house where we have 2 bedrooms and an en-suite. This means that we will also have no privacy when we are inside our house as well.

If this proposed dwelling is built as per the current plans, we will not feel comfortable to use our backyard as these neighbours will constantly be able to see what we are doing. This will leave us, and our children, with no privacy at all.

Please contact us so that we can discuss our concerns more thoroughly.

Yours sincerely,

Sally and Robert Pitt



FILE No.	DA0445/2014			
EO		OD	✓	Box
RCVD		24 NOV 2014		LCC
Doc No.				
Action Officer		Noted	Replied	
C. WRANKIN				

**Julia Allen**

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**From:** Tony Walsh [REDACTED]  
**Sent:** Wednesday, 26 November 2014 12:25 PM  
**To:** Julia Allen  
**Subject:** Re: Planning application - DA0445/2014 - 8 Camira Street

Hi again Julia

Thanks for forwarding the revised proposal. After comparing the original proposal and the amended proposal, it would seem the amended proposal offers less visual impact from Mt Stewart drive, but in no way lessens the concerns I have for my nearby neighbor at 8 Camira Street.

Therefore, could you consider my response to the original proposal to apply to the revised proposal too please?

Regards

Tony Walsh

**From:** Tony Walsh [<mailto:bev.tony@southernphone.com.au>]  
**Sent:** Thursday, 6 November 2014 11:07 AM  
**To:** Julia Allen  
**Subject:** Re: Planning application - DA0445/2014 - 8 Camira Street

Hi Julia

Thanks for sending the information - fascinating reading indeed. [REDACTED]  
[REDACTED]  
[REDACTED]

What you sent me I think confirms my initial views. The development extends close to the rear boundary and is two stories high plus the roof. The rear, facing towards the river views are occupied by the living room and deck, quite logical for the developer, but less than fair I would think for the owners of No 6 Camira St, who will lose substantial amenity in the form of loss of sun and privacy into their well used back yard.

I feel sad for the owners of No 6 Camira St because one of them has a severe mobility condition that keeps her almost permanently home bound, and she will be the most affected.

Before the current owners of No 8 Camira St bought the land, it was the subject of a proposal for three (I think) modest floor area and low set villa units. After the surrounding owners (including me) objected, the proposal was withdrawn. The current proposal will create higher site density than the one withdrawn. The owners of No 8 Camira St surely must have known its history when they bought the lot. If the development were to be changed in line with my previous ideas, then maybe my concerns would be lessened somewhat.

Having typed all this, obviously my property is not adversely affected and I do not wish to get too heavily involved. It is probably not necessary for me to have direct contact with the developer, but I would still like to attend any mediation meeting that may be called.

Regards

Tony Walsh Grad. Dip. Arch.  
[REDACTED]

## COUNCIL AGENDA

Monday 8 December 2014

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- 7.3      575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and**

**FILE NO:** DA0442/2014

**AUTHOR:** George Walker (Development Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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### **DECISION STATEMENT:**

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

### **PLANNING APPLICATION INFORMATION:**

Applicant:	Artas Architects
Property:	575 Windermere Road and 623-659 Windermere Road, Windermere
Zoning:	Rural Resource
Receipt Date:	26/09/2014
Validity Date:	7/10/2014
Further Information Request:	10/10/2014
Further Information Received:	28/10/2014
Deemed Approval:	5/12/2014
Representations:	10

### **PREVIOUS COUNCIL CONSIDERATION:**

The following development applications have been approved by Council:

- DA0571/2002 - Subdivision - one lot into two (Scenic Protection);
  - DA0377/2004 - Construct a barn/machinery Shed (Scenic Protection);
  - DA0378/2005 - Subdivision - Subdivide land into two lots (Partly Scenic Protection);
  - DA0634/2009 - Subdivision - one lot into two (Scenic Protection).
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## COUNCIL AGENDA

Monday 8 December 2014

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**7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

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### RECOMMENDATION:

It is recommended that in accordance with Section 51 and Section 57 of the Land Use Planning and Approvals Act 1993 and the Launceston Interim Planning Scheme 2012, a permit be granted for DA0442/2014 Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and landscaping works and boundary adjustment on land located at 575 and 623-659 Windermere Road, Windermere in accordance with the endorsed plans and subject to the following conditions:

#### 1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a) Planning Submission prepared by Planning Development Services dated 24 September 2014;
  - b) Bushfire Management Report prepared by AK Consultants dated 23 October 2014;
  - c) Bushfire Emergency Plan prepared by AK Consultants;
  - d) Agricultural and Environmental Report prepared by AK Consultants dated 20 August 2014;
  - e) Traffic Assessment (Rev 1) prepared by Terry Eaton dated September 2014;
  - f) Overall Site Plan, Site Landscape Plan and Site Location Plan Project No. 131019 Drawing No. A6001/A1 prepared by ARTAS Architects dated 16 September 2014;
  - g) Pari Site Plan Project No. 131019 Drawing No. A6002/A1 prepared by ARTAS Architects dated 16 September 2014;
  - h) Concept Plan - Windermere Retreat Project No. 131019 Drawing No. A6003/A1 prepared by ARTAS Architects dated 16 September 2014;
  - i) Overall Site Plan, Site Landscape Plan and Site Location Plan Project No. 131019 Drawing No. A6001/A1 prepared by ARTAS Architects dated 16 September 2014;
  - j) Typical Unit Plan Project No. 131019 Drawing No. A6004/A1 prepared by ARTAS Architects dated 16 September 2014;
  - k) Managers Residence Project No. 131019 Drawing No. A6005/A1 prepared by ARTAS Architects dated 16 September 2014;
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## COUNCIL AGENDA

Monday 8 December 2014

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**
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### **2. BOUNDARY ADJUSTMENT**

Prior to a building permit being issued, the boundary adjustment must be undertaken and sealed in accordance with the endorsed plan Plan Project No. 131019 Drawing No. A6001/A1.

### **3. NO PERMANENT ACCOMMODATION**

The maximum stay per visitor for the accommodation use is to be 3 months.

### **4. TRAFFIC IMPACT ASSESSMENT**

Prior to the commencement of the use, the recommendations outlined within the Traffic Assessment prepared by Terry Eaton dated September 2014 are to be implemented and maintained for the duration of the use. This includes upgrading the driveway to comply with AustRoads Part 5 fig 6.62.

### **5. BUSHFIRE SAFETY**

- a) The owner, under Section 71 of the Land Use Planning and Approvals Act 1993, shall enter into an agreement with the Launceston City Council to the effect that the land owner of CT 159771/2 is responsible for the maintenance of the hazard management area required by Condition 5(b) of planning permit DA0442/2014 in accordance with the Bushfire Hazard Management Plan prepared by AK Consultants dated 23 October 2014.

All necessary plans and diagrams must be included in the agreement to ensure that the obligations for all land owners is clearly understandable. Such agreement shall be placed on the Certificate of Title in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*. All reasonable costs associated with the preparation and registration of the agreement must be met by the applicant;

- b) Prior to the commencement of the use, the approved Bushfire Hazard Management Plan (BHMP) prepared and certified by AK Consultants dated 23 October 2014 must be implemented and maintained in accordance with the recommendations. This includes maintaining the hazard management areas and constructing and maintaining the access roads as outlined for the proposed development;
- c) The Bushfire Emergency Plan prepared by AK Consultants is to be made available to all staff and occupants of the visitor accommodation facility and must be readily accessible in the event of a bushfire.
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## COUNCIL AGENDA

Monday 8 December 2014

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**
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### **6. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land except for the modification of the access required by this permit between Windermere Road and the property boundary.

### **7. TRAFFIC MANAGEMENT - SPECIAL EVENTS**

Special events involving guests not staying in the visitor accommodation, yet attending the site, are subject to assessment by Council's Road and Hydraulics Department in terms of traffic generation and may require the installation of temporary traffic management works for the duration of the event. If a special event is to be held on the site then Council is to be contacted to determine whether any further approvals are required.

### **8. SITE LANDSCAPING PLAN**

Prior to the issuance of an occupancy certificate under the *Building Act 2000*, a landscape plan must be submitted to the satisfaction of Council's Manager Planning. The plan must be drawn to scale and must include the following details:

- a) Major identifying site features such as building footprints, topography, contours existing vegetation and property boundaries;
- b) Show all proposed garden areas and plantings which should include local native species that occur within the area;
- c) Show all proposed garden beds, fences, screen planting, retaining walls, lawn, sealed surfaces and pathways.

Once approved by the Council, the plan will be endorsed and will form part of the permit. The landscaping must be installed in accordance with the endorsed plan and;

- a) Be provided with convenient taps or a fixed sprinkler system installed for the purpose of watering all lawns and landscaped areas. Redirection of down pipes, on site storage of overland flows and the like are encouraged. Grey water reuse can be used subject to compliance;
  - b) Be installed within 3 months from the completion of the building works;
-

## COUNCIL AGENDA

Monday 8 December 2014

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### **7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

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- c) Be maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Council.

### **9. CAR PARKING CONSTRUCTION**

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must;

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking, AS 2890.2 Off-street commercial vehicle facilities (*where applicable*), AS 2890.3 Bicycle parking facilities and AS 2890.6 Off-street parking for people with disabilities.
- b. Be properly constructed and to such levels that they can be used in accordance with the plans,
- c. Be drained to Councils requirements,
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes,
- e. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- f. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a time clock or sensor unit and shielded to prevent direct light being emitted outside the site,

Parking areas and access lanes must be kept available for these purposes at all times.

### **10. AMENITY**

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

### **11. NO BURNING OF WASTES**

No burning of solid wastes is to be carried out on the site in such a manner so as to become a proven environmental nuisance to the occupiers of properties nearby.

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## COUNCIL AGENDA

Monday 8 December 2014

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**
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### Notes

#### Building Permit Required

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

#### Occupancy Permit Required

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

#### Plumbing Permit Required

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

#### General

*This permit was issued based on the proposal documents submitted for DA0442/2014. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).*

*This permit takes effect after:*

- a. The 14 day appeal period expires; or*
- b. Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or.*
- c. The agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

*This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. A once only extension may be granted if a request is received at least 6 weeks prior to the expiration date.*

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## COUNCIL AGENDA

Monday 8 December 2014

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**
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### Restrictive Covenants

*The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.*

*If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.*

### Appeal Provisions

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal may be instituted within 14 days of the date the Planning Authority serves notice of the decision on the applicant.*

*For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au) <<http://www.rmpat.tas.gov.au>>*

### Permit Commencement.

*If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.*

### Food Business to Register

*Prior to the commencement of operation the applicant is required to register as a food business in accordance with section 86 of the Food Act 2003, if food will be for sale, as defined under the Food Act 2003.*

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## COUNCIL AGENDA

Monday 8 December 2014

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### **7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

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#### Design and Type of System

*A separate Special Plumbing Permit application detailing the design and type of onsite wastewater management system is required at the building application stage. Approval of a specific system will be subject to a site assessment by the Council's Environmental Health Officer. It is recommended that the applicant contact the Council's Environmental Health Officer prior to commencement of site or road works to ensure an adequate area remains for installation of a wastewater system.*

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## **REPORT:**

### **1. THE PROPOSAL**

The applicant is seeking approval for the construction and use of a tourist retreat on land located at 575 and 623-659 Windermere Road, Windermere (the subject site). The subject site is located within the Rural Resource zone and has a combined area of approximately 88.13ha. Specifically, the proposal comprises the following components:

#### **Accommodation Units:**

- Construction and use of 12 accommodation units that will contain conjoined bedrooms, ensuite and deck areas. Each unit will be approximately 90m<sup>2</sup> in area and 4.2m in height. Each of the units will have landscaping and screen planting around each of the elevations except for the elevation containing the deck areas. The accommodation units will provide separate facilities for visitors to reside during their stay.

#### **Communal Building:**

- Construction and use of a communal building that will contain a communal dining and lounge area, self-catering kitchen, amenities facilities, storage and cleaning facilities, external courtyard and deck area. The communal building will be approximately 250m<sup>2</sup> in area and 4m in height. Landscaping and screen planting will be located around the perimeter of the building. The communal building will provide for all of the occupants to gather for shared meals and other recreational activities;
-

## COUNCIL AGENDA

Monday 8 December 2014

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### **7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

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#### **Manager's Residence:**

- Construction and use of a manager's residence that will contain 4 bedrooms inclusive of separate ensuites, a communal living and kitchen area, laundry and storeroom area and outdoor courtyards. The manager's residence will be utilised for management and staff that will be employed to operate the farming and visitor accommodation facilities. The manager's residence is considered to be subservient to the primary visitor accommodation use;

#### **Conversion of a dwelling to visitor accommodation:**

- The existing residential dwelling will be converted to a visitor accommodation use that will provide for family accommodation. No additional works have been proposed for the building;

#### **Relocation of existing maintenance shed:**

- An existing outbuilding will be relocated from its current position, which is to the north-west of the existing dwelling, to a position further north of the subject site;

#### **Associated Car Parking and Landscaping:**

- Construction and use of a 13 bay car park inclusive of a disability space. The car parking area will be located to the main communal building and will provide one car parking space per unit. Car parking spaces for the manager's residence and the existing dwelling to be converted to an accommodation facility will be provided within close proximity of each building. Landscaping and screen planting will be located strategically around the site of the development to soften the development within the landscape setting;
-

## COUNCIL AGENDA

Monday 8 December 2014

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### **7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

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#### **Subdivision (Boundary Adjustment):**

- A boundary adjustment is required in order to site the footprint of the development on the one title. The boundary adjustment will result in a change of land size between the two adjoining titles of approximately 5% and is considered minor in extent.

The rationale of the development is to attract international tourists to Tasmania with the intention of showcasing Tasmania's environment and produce. During off peak periods it is anticipated that the retreat will be available to local (Tasmanian) and interstate visitors. The retreat has been designed for group bookings with guests being able to utilise the shared facilities. The balance area will continue to be utilised for agricultural purposes which predominately involves grazing.

The use of the proposed development has been classified as 'Visitor Accommodation' in accordance with Clause 8.2.1 of the *Launceston Interim Planning Scheme 2012* (the Scheme), which is 'Discretionary' within the Rural Resource zone.

## **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located on the western side of Windermere Road and comprises of two titles, specifically CT 159771/1 and CT 159771/2. The composition of each title is as follows:

### **CT 159771/1 - 575 Windermere Road, Windermere:**

- Approximately 40.30ha in area and comprises the existing residential dwelling, maintenance shed and the main entrance to the site and will contain the entire development footprint once the boundary adjustment has been executed. The highest topographical point of the subject site is located on this title which is located centrally and is approximately 55m AHD (Australian Height Datum). The balance area comprises managed pasture which is utilised for grazing purposes and is interspersed with mature trees;
-

## COUNCIL AGENDA

Monday 8 December 2014

### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

#### CT 159771/2 - 623-659 Windermere Road, Windermere:

- Approximately 47.83ha in area and is currently vacant comprising of an existing plantation of Radiata Pines (Pinus radiata) and managed pasture which is currently utilised for grazing purposes;

The subject site is located at the end of the Windermere rural living precinct which forms a 'ribbon development' pattern either side of Windermere Road between the junction of Windermere Road and John Lees Drive and the subject site. The subject site fronts onto Windermere Road to the east, the Tamar River riparian reserve to the south, the Native Point Reserve to the west and a freehold property to the north. The land falls away towards the north, south and west from the highest point which is located centrally on the site.

The footprint of the development will be located between 10 and 15m below the highest point of the site on the wester aspect away from Windermere Road which is expected to reduce the prominence of the development within the landscape when viewed from Windermere Road.

Overall, the surrounding area leading to the subject site and to the north of the subject site is predominately characterised by rural living use and development which is interspersed with grazing activities.

### 3. PLANNING SCHEME REQUIREMENTS

Part C - Special Provisions
9.3 Adjustment of a Boundary
9.3.1 An application for a boundary adjustment is permitted and a permit must be granted if:
a) no additional lots are created;
<b>Complies</b> In this situation, the proposed subdivision will not result in any additional lots being created.
b) there is only minor change to the relative size, shape and orientation of the existing lots;

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#### Complies

In this situation, the existing lots are of an irregular shape. The proposed boundary adjustment will not be dissimilar to the existing configuration and orientation of the lot boundaries. The boundary adjustment will transfer approximately 2ha of land between the two titles. Overall the proposed boundary adjustment will represent a change in lot size of approximately 4.5% between the two lots, which is considered to be minor in extent.

c) no setback from an existing building will be reduced below the applicable minimum setback requirement;

#### Complies

The proposed boundary adjustment will increase the setback from the existing buildings rather than reduce the existing setback.

### 3.1 Zone Purpose

#### 26 - Rural Resource Zone

26.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.

26.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

#### Consistent

The proposed development is considered to be consistent with the purpose of the Rural Resource zone insofar that:

It will provide for a tourism-related use where it has been demonstrated that it will be compatible with primary industry, environmental and landscape values of the area; and

It will not unduly compromise the sustainable development of existing and future rural resource activities.

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### Local Area Objectives

#### a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

#### **Consistent**

The proposed development is considered to be consistent with the Primary Industries Local Area Objective to the extent that the proposed visitor accommodation facility is not expected to unduly compromise the long-term sustainability of existing and future rural resource activities of the subject site on the premise that the facility will be integrated with the existing grazing operations currently conducted on the subject site. Furthermore, the agricultural assessment prepared by AK Consultants concluded that the proposed visitor accommodation facility is expected to have little consequence on the agricultural potential of the subject site due to the land capability and is unlikely to constrain agricultural uses on adjacent properties due to the significant separation distances between the facility and adjacent properties.

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**b) Tourism**

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

**Consistent**

The proposed development is considered to be consistent with the Tourism Local Area Objective on the premise that the visitor accommodation facility will be integrated with the established grazing operations currently conducted on the subject site, which will allow visitors to engage with the farm. Farm-stay visitor accommodation uses are typically associated with higher thresholds towards adverse impacts such as the use of equipment and machinery associated with agricultural activities. Subsequently, the proposed visitor accommodation facility is not expected to unduly compromise the long-term sustainability of existing and future rural resource uses of the subject site. Furthermore, the site has been selected for its inherent environmental and landscape values and for its proximity to established wine routes and primary producers within the surrounding area.

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### c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

#### **Not Applicable**

The Rural Communities Local Area Objective is not considered to be applicable to the development application on the basis that no home-based business or business and professional services uses have been proposed.

**Desired Future Character Statements - The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.**

### 26.3 Use Standards

#### 26.3.1 Discretionary Uses if not a single dwelling

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#### Objective

- a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
- b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
- c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
- d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
- e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
- f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

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**Consistent**

The proposed development is considered to be consistent with the objective of the standard on the following basis:

- The proposed visitor accommodation facility will add diversity to the established mix of land uses that are present within the area which include residential, agricultural, visitor accommodation and natural values management and passive recreation. The proposed use is not associated with a commercial or industrial use and will not compromise any identified nodes of settlement or purpose built precincts;
- The subject site does not contain any prime agricultural land;
- The agricultural assessment prepared by AK Consultants identified that the agricultural capacity of the subject site is constrained by the established residential use, poor land capability and limited natural and irrigated water resources;
- The agricultural assessment prepared by AK Consultants concluded that the loss and fragmentation of land as a result of the visitor accommodation facility is considered to be relatively minor on the basis that the land is identified as Class 5 and grazing will be the principal long-term land use which will surround the visitor accommodation facility;
- The agricultural assessment prepared by AK Consultants concluded that the proposed visitor accommodation facility unlikely to constrain agricultural uses on adjacent properties due to the significant separation distances between the facility and adjacent properties;
- The site of the visitor accommodation facility will be 10-15m below the highest contour of the subject site and will be located on the western aspect of the hill away from Windermere Road. The selected location is expected to minimise the visual impact of the facility when viewed from Windermere Road. Furthermore, the buildings have been designed to have a low profile in the landscape and will be finished with natural colours and tones the materiality of which is expected to be compatible with the surrounding landscape and sympathetic to the environment.

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A1 If for permitted or no permit required uses.
<p><b>Does Not Comply</b></p> <p>The proposed development is for a visitor accommodation use which is discretionary within the Rural Resource zone. Therefore assessment against the performance criteria is required.</p>
<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>
<p><b>Complies</b></p> <p>In this situation, the proposed development has been assessed as being consistent with the relevant Local Area Objectives of the Rural Resource zone (refer to the assessment against the Local Area Objectives in the previous section).</p> <p>No business and professional or general retail and hire uses have been proposed.</p> <p>Accordingly, it has been determined that the proposed development meets the performance criteria.</p>
A2 Use or development is not located on prime agricultural land.
<p><b>Complies</b></p> <p>The agricultural assessment prepared by AK Consultants determined the land capability of the subject site to be Class 4 and 5 which is not classified as Prime Agricultural Land. Therefore the acceptable solution has been met.</p>

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P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:

- i) amount of land alienated/converted is minimised; and
- ii) location is reasonably required for operational efficiency; and

P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.

**Not Applicable**

A3 Non-prime agricultural land is not converted from agricultural use.

Does Not Comply

The proposed development will result in the conversion non-prime agricultural land from agricultural use. Therefore assessment against the performance criteria is required.

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P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:

a) the amount of land converted is minimised having regard to:

i) existing use and development on the land; and

ii) surrounding use and development; and

iii) topographical constraints; or

b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:

i) limitations created by any existing use and/or development surrounding the site; and

ii) topographical features; and

iii) poor capability of the land for primary industry; or

c) the location of the use on the site is reasonably required for operational efficiency.

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**Complies**

It is considered that the proposed development complies with the performance criteria based on the following grounds:

- The subject site is currently utilised for agricultural use that predominately involves grazing activities. An existing residential dwelling and machinery shed is located on the subject site. The proposed visitor accommodation facility will be located to the north-west of the existing residential dwelling. Although the visitor accommodation facility will be outside of the curtilage of the existing residential dwelling, the facility will utilise the same site access and internal laneway which will minimise the conversion of additional non-prime agricultural land;
- The agricultural assessment prepared by AK Consultants determined that the subject site has limited potential to operate as a viable farming enterprise in its own right due to the poor capability of the land (Class 4 and 5) and lack of water resources for irrigation. Furthermore, the report concludes that the loss and fragmentation of land is considered to be relatively minor on the basis that the land is identified as Class 5 which has limited capability and grazing will be the principal long-term land use which will surround the visitor accommodation facility which is considered to be a low-scale use; and
- The location of the proposed visitor accommodation facility is not expected to reduce the operational efficiency of the established grazing activities.

A4 If for permitted or no permit required uses.

**Does Not Comply**

The proposed development is for a visitor accommodation use which is discretionary within the Rural Resource zone. Therefore assessment against the performance criteria is required.



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P4 It must demonstrated that:

- a) emissions are not likely to cause an environmental nuisance; and
- b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and
- c) the capacity of the local road network can accommodate the traffic generated by the use.

#### **Complies**

It is considered that the proposed development complies with the performance criteria based on the following grounds:

- The proposed visitor accommodation facility is not expected to create any significant emissions that have the capacity to result in an environmental nuisance in terms of noise, odour and pollution;
- It has been determined that the existing agricultural activities on the subject site and adjacent land will not be unreasonably confined or restrained by the presence of the proposed visitor accommodation facility; and
- A Traffic Impact Assessment (TIA) prepared by Terry Eaton has determined that there are no anticipated traffic safety issues or traffic service concerns with the proposed visitor accommodation facility. Furthermore, Council's Infrastructure Services have authorised the TIA, which indicated that the capacity of the local road network can accommodate the additional traffic that will be generated by the proposed visitor accommodation use.

A5 The use must:

- a) be permitted or no permit required; or
- b) be located in an existing building.

#### **Does Not Comply**

The proposed development is for a visitor accommodation use which is discretionary within the Rural Resource zone and will require the construction of new buildings. Therefore assessment against the performance criteria is required.

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P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:

- a) the impacts on skylines and ridgelines; and
- b) visibility from public roads; and
- c) the visual impacts of storage of materials or equipment; and
- d) the visual impacts of vegetation clearance or retention; and
- e) the desired future character statements.

**Complies**

It is considered that the proposed development complies with the performance criteria based on the following grounds:

- The location of the proposed visitor accommodation facility has been selected to take advantage of the outlook of the area whilst maintaining a low profile in the landscape. The facility has not been located on a locally or regionally significant skyline or ridgeline;
- The site of the visitor accommodation facility will be 10-15m below the highest contour of the subject site and will be located on the western aspect of the hill away from Windermere Road. The selected location is expected to minimise the visual impact of the facility when viewed travelling north along Windermere Road. Whilst the visitor accommodation facility will be visible when viewed travelling south along Windermere Road, the impact is expected to be minimised through site landscaping and screen planting in addition to the setback of the facility from Windermere Road which will be in excess of 600m;
- The buildings have been designed to have a low profile in the landscape and will be finished with natural colours and tones the materiality of which is expected to be compatible with the surrounding landscape and sympathetic to the environment.
- No vegetation is required to be removed for the construction of the visitor accommodation facility;
- Overall, the proposed facility is expected to be compatible with the local area which is characterised by low to medium density ribbon development.

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### 26.4 Development Standards

#### 26.4.1 Building Location and Appearance

##### Objective

To ensure that the:

- a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and

development of buildings is unobtrusive and complements the character of the landscape.

##### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

##### A1 Building height must not exceed:

- a) 8m for dwellings; or
- b) 12m for other purposes.

##### Complies

Each of the new accommodation units, the communal building and manager residence will be below 8m in height. Therefore the acceptable solutions have been met.

##### A2 Buildings must be set back a minimum of:

- a) 50m where a non sensitive use or extension to existing sensitive use buildings is proposed; or
- b) 200m where a sensitive use is proposed; or
- c) the same as existing for replacement of an existing dwelling.

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### **Does Not Comply**

In this case, the proposed new accommodation units, communal building and manager's residence will be within 200m of the adjoining property to the west which forms part of the subject site. Therefore assessment against the performance criteria is required.

P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

- a) the topography of the land; and
  - b) buffers created by natural or other features; and
  - c) the location of development on adjoining lots; and
  - d) the nature of existing and potential adjoining uses; and
  - e) the ability to accommodate a lesser setback to the road having regard to:
    - i) the design of the development and landscaping; and
    - ii) the potential for future upgrading of the road; and
    - iii) potential traffic safety hazards; and
    - iv) appropriate noise attenuation.
-

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#### **Complies**

It is considered that the proposed development complies with the performance criteria based on the following grounds:

- Overall, the proposed visitor accommodation facility will be located in excess of 600m from adjacent land. The agricultural assessment prepared by AK Consultants concluded that the proposed visitor accommodation facility unlikely to constrain agricultural uses on adjacent properties due to the significant separation distances between the facility and adjacent properties;
- The adjoining title to the west is in the same ownership and is included in the overall subject site. Whilst no development (other than the boundary adjustment) is proposed on the adjoining title, the property will continue to be utilised for grazing purposes;
- The agricultural assessment prepared by AK Consultants identified that the agricultural capacity of the subject site is constrained by the established residential use, poor land capability and limited natural and irrigated water resources. It concluded that the loss and fragmentation of land as a result of the visitor accommodation facility is considered to be relatively minor on the basis that the land is identified as Class 5 and grazing will be the principal long-term land use which will surround the visitor accommodation facility;
- The proposed visitor accommodation facility will not encroach on the frontage setback that has been established by the existing dwelling which is currently in excess of 250m.

#### E1 - Bushfire Prone Area Codes

E1.1.1 The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

#### **Consistent**

The proposed development has been assessed as being consistent with the purpose of the Code. Refer to the assessment against the specific provisions of the Code in the following section.

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#### E1.5 Use Standards

##### E1.5.1.1 Standards for vulnerable use

###### Objective

Vulnerable uses, other than visitor accommodation, should only be in exceptional circumstances located on land which is in bushfire-prone areas. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:

- a) protect themselves and defend property from bushfire attack;
- b) evacuate in an emergency; and
- c) understand and respond to instructions in the event of a bushfire.

Bushfire protection measures must also reduce the risk to fire fighters.

###### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

###### A1 No acceptable solution

###### Does Not Comply

P1 Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.

###### Not Applicable

The proposed development is for a visitor accommodation use. Therefore the provision does not apply.

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A2 Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for:

- a) emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and
- b) information to staff, occupants and visitors on bushfire safety and evacuation procedures.

#### **Complies**

A bushfire hazard management plan and an emergency evacuation plan prepared by Scott Livingston, who is an accredited person as defined by the *Land Use Planning and Approvals Act 1993* (the Act), accompanied the development application. This satisfies the requirements of the acceptable solution. It is recommended that appropriate conditions be applied to the permit to ensure the emergency evacuation plan is easily accessible to staff and occupants during the event of a bushfire.

E1.6.3 Development Standards for new habitable buildings on pre-existing lots

E1.6.3.1 Pre-existing lots: Provision of hazard management areas for habitable buildings

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#### Objective

Hazard management areas, as appropriate, for new habitable buildings on pre-existing lots:

- a) provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the hazard;
- b) reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire;
- c) provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and
- d) are maintained in a minimum fuel condition.

#### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1 a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or

b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or

c) There are, in relation to habitable buildings, hazard management areas that-

i) have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas ; and

ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective.



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### **Complies**

A bushfire management report and bushfire hazard management plan (BHMP) prepared by Scott Livingston, who is an accredited person as defined by the Act, accompanied the development application. The BHMP identifies that provisions for hazard management areas in accordance with BAL-19 can be achieved for the proposed development. This satisfies acceptable solution E1.6.3.1 (A1) (c) of the Code.

A2 If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.

### **Complies**

In this case a section of the hazard management area required by the nominated BAL will be external to the western property boundary. Notwithstanding the fact that the adjoining property is under the same ownership and has been included within the application, the acceptable solution requires written consent of the owner of the adjoining land to enter into a Part 5 agreement. Subsequently, written consent was provided by the adjoining land owner to enter into a Part 5 agreement. This satisfies the acceptable solution. It is recommended a condition be applied to the permit requiring the Part 5 agreement to be executed in accordance with the Act.

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### E1.6.3.2 Pre-existing lots: Private access

#### Objective

Private access on pre-existing lots:

- a) allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel;
- b) provides access to ensure that fire fighting equipment can reach all parts of habitable buildings;
- c) is designed and constructed to allow for fire fighting vehicles to be manoeuvred; and
- d) provides access to water supply points, including hardstand areas for fire fighting vehicles.

#### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

**A1** It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings:

- a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or
- b) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or
- c) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.

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**Complies**

A bushfire management report and bushfire hazard management plan (BHMP) prepared by Scott Livingston, who is an accredited person as defined by the Act, accompanied the development application. The BHMP identifies that the private access is consistent with the objective of the standard. This satisfies acceptable solution E1.6.3.2 (A1) (b) of the Code. It is recommended that a condition be applied to the permit requiring the recommendations of the BHMP to be implemented prior to the commencement of the proposed use.

A2 Private access to all static water supply points must be provided:

a) as included in a bushfire hazard management plan certified by the TFS or an accredited person as being in accordance with the objective of the standard; or

b) to a hardstand area within 3m of the static water supply point.

**Complies**

A bushfire management report and bushfire hazard management plan (BHMP) prepared by Scott Livingston, who is an accredited person as defined by the Act, accompanied the development application. The BHMP identifies that the private access to all static water supply points is consistent with the objective of the standard. This satisfies acceptable solution E1.6.3.1 (A2) of the Code. It is recommended that a condition be applied to the permit requiring the recommendations of the BHMP to be implemented prior to the commencement of the proposed use.

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A3 Construction of private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E3 as follows:

- a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;
- b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;
- c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;
- d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway

**Complies**

The private access that has been recommended within the bushfire management report meets the requirements of Table E3 of the Code. This satisfies the requirements of the acceptable solution. It is recommended that a condition be applied to the permit requiring the recommendations of the BHMP to be implemented prior to the commencement of the proposed use.

**E1.6.3.3 Pre-existing lots: Provision of water supply for fire fighting purposes**

**Objective**

Adequate, accessible and reliable water supply for fire fighting purposes on pre-existing lots is available to allow for the protection of life and property from the risks associated with bushfire.

**Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

**7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

A1 It must be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided:

a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or

b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or

c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or

d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.

**Complies**

A bushfire management report and bushfire hazard management plan (BHMP) prepared by Scott Livingston, who is an accredited person as defined by the Act, accompanied the development application. The BHMP identifies that the provision of water supply for fire fighting purposes is consistent with the objective of the standard. This satisfies acceptable solution E1.6.3.3 (A1) of the Code. It is recommended that a condition be applied to the permit requiring the recommendations of the BHMP to be implemented prior to the commencement of the proposed use.

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- 

### E1.6.5 Development Standards for vulnerable uses

#### E1.6.5.1 Vulnerable uses: Provision of hazard management areas for habitable buildings

##### Objective

Habitable buildings associated with vulnerable uses have, as appropriate, hazard management areas that:

- a) provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of both the hazard and the vulnerable use; and
- b) provide adequate space to reduce the impact of radiant heat exposure to occupants being evacuated, and those assisting them, in the event of a bushfire; and
- c) reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of the building.

##### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

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A1 a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to the habitable building to warrant the provision of hazard management areas; or

b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or

c) Habitable buildings have hazard management areas that:

i) have dimensions equal to, or greater than, the separation distances required for BAL 12.5 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and

ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective.

#### **Complies**

A bushfire management report and bushfire hazard management plan (BHMP) prepared by Scott Livingston, who is an accredited person as defined by the Act, accompanied the development application. The BHMP identify that provisions for hazard management areas in accordance with BAL-12.5 can be achieved for the proposed development. This satisfies acceptable solution E1.6.5.1 (A1) (c) of the Code.

A2 If hazard management areas in relation to a habitable building are to be located on land that is external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.

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### **Complies**

In this case a section of the hazard management area required by the nominated BAL will be external to the western property boundary. Notwithstanding the fact that the adjoining property is under the same ownership and has been included within the application, the acceptable solution requires written consent of the owner of the adjoining land to enter into a Part 5 agreement. Subsequently, written consent was provided by the adjoining land owner to enter into a Part 5 agreement. This satisfies the acceptable solution. It is recommended a condition be applied to the permit requiring the Part 5 agreement to be executed in accordance with the Act.

### **E 4 - Road and Railway Assets Code**

**E4.1.1** The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

### **Consistent**

The proposed development has been assessed as being consistent with the purpose of the Code. Refer to the assessment against specific provisions of the Code in the following section.



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### E4.6 Use Standards

#### E4.6.1 Use of road or rail infrastructure

##### Objective

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

##### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.

##### Does Not Comply

The subject site is within an area where the speed limit is greater than 60km/h. It has been determined that the proposed use will increase the annual average daily traffic (AADT) movements at the existing access by more than 10%. Therefore assessment against the performance criteria is required.

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P3 For limited access roads and roads with a speed limit of more than 60km/h:

- a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and
- b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and
- c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

#### **Complies**

It is considered that the proposed development complies with the performance criteria based on the following grounds:

- Windermere Road is not classified as a category 1 or limited access road;
- Windermere Road is not classified as a category 1,2 or 3 road; and
- A Traffic Impact Assessment (TIA) prepared by Terry Eaton has determined that there are no anticipated traffic safety issues or traffic service concerns with the proposed visitor accommodation facility. Furthermore, Council's Infrastructure Services have authorised the TIA, which indicated that the capacity of the local road network can accommodate the additional traffic that will be generated by the proposed visitor accommodation use. The TIA recommends that the driveway be upgraded to comply with the relevant Australian Standards. Accordingly it is recommended that a condition be applied to the permit requiring the recommendations of the TIA to be implemented

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### E4.7 Development Standards

#### E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

##### Objective

To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

- a) ensure the safe and efficient operation of roads and railways; and
- b) allow for future road and rail widening, realignment and upgrading; and
- c) avoid undesirable interaction between roads and railways and other use or development

##### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

#### E4.7.2 Management of Road Accesses and Junctions

##### Objective

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

##### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

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### E4.7.3 Management of Rail Level Crossings

#### Objective

To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.

#### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

### E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

#### Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

#### Consistent

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

#### A1 Sight distances at

- a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and
- b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or
- c) If the access is a temporary access, the written consent of the relevant authority has been obtained.

#### Complies

The TIA has determined that the existing access complies with Table E4.7.4 of the Code. Therefore the acceptable solution is met.

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#### E6 - Car Parking and Sustainable Transport Code

##### E6.1.1 The purpose of this provision is to:

- a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
- i) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- v) provide for the implementation of parking precinct plans.

#### **Consistent**

The proposed development has been assessed as being consistent with the purpose of the Code. Refer to the assessment against specific provisions of the Code in the following section.

#### E6.6 Use Standards

##### E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

A1 The number of car parking spaces:

a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or

b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or

c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or

d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1.

#### **Complies**

Table E6.1 require 1 space per unit or 1 space per 4 beds whichever is the greater. In this case there are 20 beds which are accommodated within 14 units. Therefore, 14 car parking spaces are required to be provided. In this instance, a total of 17 car parking spaces will be provided for the proposed development. Therefore the acceptable solution is met.

#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

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A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or

A1.2 The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.

#### **Complies**

Table E6.1 requires 1 space per 10 beds. In this case 20 beds will be provided therefore 2 bicycle parking spaces are required. In this case two bicycle parking spaces will be provided within the maintenance shed. Therefore the acceptable solution is met.

## E6.7 Development Standards

### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1 All car parking, access strips manoeuvring and circulation spaces must be:

- a) formed to an adequate level and drained; and
- b) except for a single dwelling, provided with an impervious all weather seal; and
- c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.

#### **Complies**

The proposed access and driveway will be constructed to Council requirements as required by a condition of Council's Infrastructure Services, which will ensure the driveway and parking area will be formed to an adequate level and will be drained to a legal point of discharge.

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### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1.1 Where providing for 4 or more spaces, parking areas (other than for dwellings in the General Residential Zone) must be located behind the building line; and

#### **Complies**

In this situation the proposed car parking areas will be located the building line that has been established by the existing residential dwelling. The proposed access and driveway and car park will be constructed to Council requirements as required by a condition of Council's Infrastructure Services, which will ensure the parking area will be formed to an adequate level and will be drained to a legal point of discharge and will be delineated in accordance with the Australian Standard.

A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.

#### **Complies**

The subject site is not located within the General Residential zone.



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A2.1 Car parking and manoeuvring space must:

- a) have a gradient of 10% or less; and
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and
- c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and
- d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:
  - i) there are three or more car parking spaces; and
  - ii) where parking is more than 30m driving distance from the road; or
  - iii) where the sole vehicle access is to a category I, II, III or IV road; and

A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

#### **Complies**

In this situation, the internal driveway and car parking area will run approximately parallel to the 45m contour which will result in a gradient of less than 1:10. The car parking area and internal driveway will need to be constructed to a width required to meet the bushfire prone areas code which will satisfy Table E6.3 and will be constructed to Council standards, which is considered to achieve the objective of the standard.

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### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.

#### **Complies**

A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.

#### **Complies**

In this situation 1 car parking space designated for persons with a disability is required to be provided. The car parking space is located within the main 13 bay car parking area and is located as close as practicable to the main building. A condition has been applied to the permit requiring the disability car parking space to be constructed to the Australian Standard.

### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

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### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

#### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1.1 Bicycle parking spaces for customers and visitors must:

- a) be accessible from a road, footpath or cycle track; and
- b) include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and
- c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and
- d) be available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and

A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.

#### **Complies**

The bicycle parking spaces can be located within the main communal building which will be accessible from the internal driveway. The spaces are capable of being secured.

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A2 Bicycle parking spaces must have:

a) minimum dimensions of:

i) 1.7m in length; and

ii) 1.2m in height; and

iii) 0.7m in width at the handlebars; and

b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.

### **Complies**

The bicycle parking spaces can be located within the main communal building which will be accessible from the internal driveway. The spaces are capable of meeting the dimensions that are required.

### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

### **Consistent**

The proposed development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the specific provisions of the standard in the following section.

A1 Pedestrian access must be provided for in accordance with Table E6.5.

### **Complies**

The proposed development will comply with this provision by way of condition.

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### E7 - Scenic Management Code

E7.1.1 The purpose of this provision is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

#### **Consistent**

From a whole of precinct perspective the proposed use and development is considered to be consistent with the purpose of the Code on the basis that the siting and design of the proposed visitor accommodation facility will be compatible with the established pattern of development within the surrounding area and will be unobtrusive within the landscape when viewed from significant public viewpoints.

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### E7.6 Development Standards

#### E7.6.1 Scenic Management – Tourist Road Corridor

##### Objective

- a) To enhance the visual amenity of the identified tourist road corridors through appropriate:
  - i) setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and
  - ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and
  - iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and
  - iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and
  - v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and
- b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).

##### Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

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A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.

#### **Complies**

The proposed development will not be visible from a tourist road corridor.

#### E7.6.2 Local Scenic Management Areas

##### Objective

a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and

b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.

#### **Consistent**

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

A1 Development (not including subdivision) must be in accordance with the scenic management criteria for a local scenic management area identified in Table 7.1 – local scenic management areas.

#### **Does Not Comply**

There are no local criteria set for the scenic management area. Therefore assessment against the performance criteria is required.

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P1 Development (not including subdivision) must have regard to the:

- a) character statement and scenic management objectives of the particular area set out in Table 7.1 – local scenic management areas; and
  - b) impact on skylines, ridgelines and prominent locations; and
  - c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and
  - d) design or treatment of development including:
    - i) the bulk and form of buildings including materials and finishes; and
    - ii) earthworks for cut or fill; and
    - iii) complementing the physical (built or natural) characteristics of the site or area.
-



**7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

**Complies**

It is considered that the proposed use and development complies the character statement and scenic management objectives based on the following grounds:

- the subject property is located within the northern end of the Rural Hills Precinct. This particular precinct encompasses the ridgeline that runs parallel to Windermere Road which commences just after the Windermere Road and John Lees Drive Junction and finishes at Native Point Reserve. The precinct is primarily characterised by residential development within a rural setting toward the coastal area and a treed skyline. The subject site is located at the north-western end of the precinct which primarily comprises managed pasture interspersed with residential development (except for the remnant vegetation within Native Point Reserve). As such, the proposed use and development will be consistent with the general character of the area;
- the subject property is not located along a significant ridgeline or skyline area of the precinct;
- a landscaping plan has been proposed to enhance the development once constructed. It is noted that the selection of plant species within the landscape plan are not necessarily consistent with the local vegetation and as such, if approval is granted, it is recommended that a condition be applied to the permit requiring plant species to be suitable for the locality;
- the scale, design and materiality of the proposed dwelling will be consistent with the established pattern of development located within the area. The external colours of the dwelling are largely natural in material and tone which will assist in reducing the overall visual impact of the dwelling within the landscape;
- The location of the proposed visitor accommodation facility has been selected to take advantage of the outlook of the area whilst maintaining a low profile in the landscape, and is expected to be inevent once established;

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With regard to the remaining performance criteria the following is observed:

- the subject property is not located within a skyline area or within close proximity to a significant landscape feature and is expected to be softened by the proposed landscaping when viewed from significant public viewpoints;
- the proposed earthworks are minimal in extent and scale and are not expected to create a visual impost within the locality;
- the visitor accommodation facility will be of a design, scale and materiality that is considered compatible with the established pattern of development within the area.

A3 No vegetation is proposed to be removed

#### **Complies**

No vegetation will be removed as a result of the proposed visitor accommodation facility.

## 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	<p>Conditional consent was provided by Council's Infrastructure Services. The following assessment was provided:</p> <p><i>The only issue of concern to ISD Roads and Hydraulics Department is the safety of the existing junction for the proposed use and this has been discussed in the TIA prepared in support of the application by Terry Eaton.</i></p>

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	<p><i>It is noted that concern has been raised by the LCC Engineering Officer - Traffic in relation to functions that may be held on the site over and above the proposed visitor accommodation. It is recommended that the permit be conditioned to ensure that special events on the site require either a separate permit or a traffic management plan to ensure that the access arrangements remain suitable. I recall there are conditions on the operation of Josef Chromy Wines to this effect.</i></p> <p><i>The proposed boundary adjustment will not have a significant impact on either lot however it is noted that the existing power line easement 12.00 wide shown on the Artas drawings would require amendment given the location of the proposed accommodation and communal facilities if the purpose of the easement (as it would seem) is to ensure power can be provided to the rear lot.</i></p>
Environmental Health	Conditional consent was provided by Council's Environmental Health Services.
Parks and Recreation	No referral required.
Heritage/Urban Design	No referral required.
Building and Plumbing	Notes have been applied to the permit notifying the permit holder of the requirement to obtain relevant building, plumbing and special plumbing permits.

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**

<b>EXTERNAL</b>	
TasWater	No objections to the proposal.
DIER	No referral required.
TasFire	No referral required.
Tas Heritage Council	No referral required.
Crown Land	No referral required.
TasRail	No referral required.
EPA	No referral required.
Aurora	No referral required.

## 5. REPRESENTATIONS

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the development application was initially advertised from 1 November 2014 until 17 November 2014. During this period approximately seven (7) representations were received. However, it was discovered that the development application was incorrectly advertised. Specifically, a site notice board was not placed on the frontage of 623-659 Windermere Road. Subsequently, the development application was re-advertised from 15 November 2014 until 28 November 2014 to ensure the properties were advertised correctly. The people who initially lodged a representation during the first advertising period were notified that the application was going to be re-advertised and advised to re-lodge their representations should they wish too. During this period a total of 10 representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

ISSUE	COMMENTS
<ul style="list-style-type: none"> <li>• Increase in traffic as a result of the proposed use and the ability for the local road network to cope with the proposed increase;</li> <li>• Impact on the aging infrastructure including water supply, electricity and sewage;</li> <li>• The long term plan to have more than 50 units at the property;</li> <li>• Reasoning behind allowing a multi dwelling tourist retreat development when the subdivision and construction of residential lot has not been allowed by Council.</li> </ul>	<ul style="list-style-type: none"> <li>• A Traffic Impact Assessment (TIA) prepared by Terry Eaton has determined that there are no anticipated traffic safety issues or traffic service concerns for the local road network with the proposed visitor accommodation facility. Furthermore, Council's Infrastructure Services have authorised the TIA and have conducted an assessment that has not identified any major issues with the proposed use. This suggests that the capacity of the local road network can accommodate the additional traffic that will be generated by the proposed visitor accommodation use;</li> <li>• In relation to the existing services, an onsite wastewater management system has been proposed for the visitor accommodation facility which will be subject to a special plumbing permit application;</li> <li>• The proposed use has been classified as visitor accommodation which is different to a multiple dwelling use which is classified as a residential use. No subdivision of land has been proposed for residential purposes.</li> </ul>

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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

ISSUE	COMMENTS
<ul style="list-style-type: none"> <li>Width of the road and number of additional vehicles that are expected as a result of the proposed use;</li> <li>Concern in relation to the local road network in particular to the safety of school children and pedestrians that utilise Windermere Road.</li> </ul>	<ul style="list-style-type: none"> <li>The TIA has determined that the safety and operational efficiency of Windermere Road will not be compromised.</li> </ul>
<ul style="list-style-type: none"> <li>The additional visitor accommodation use will not help existing accommodation uses that currently operate within the area;</li> <li>Concern in relation to the capacity of the local road network to accommodate the increase in traffic and use in particular given the narrow width of Windermere Road.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to response provided for representation No. 1.</li> </ul>
<ul style="list-style-type: none"> <li>Concern that the road should be upgraded in order to accommodate the proposed use.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road.</li> </ul>
<ul style="list-style-type: none"> <li>Are Council intending to make any improvements to Windermere Road prior to the commencement of the proposed use?</li> <li>Concern about road safety during the construction stage and operation stage of the proposed use particularly in areas where the road is currently deteriorated.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road;</li> <li>The TIA has determined that the safety and operational efficiency of Windermere Road including pedestrian safety will not be compromised.</li> </ul>

## COUNCIL AGENDA

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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

ISSUE	COMMENTS
<ul style="list-style-type: none"> <li>Concern in relation for the capacity of the infrastructure to accommodate the proposed use;</li> <li>Concern in relation to the capacity of the local road network to accommodate the increase in traffic and use in particular given the narrow width of Windermere Road.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road;</li> <li>The TIA has determined that the safety and operational efficiency of Windermere Road will not be compromised;</li> <li>In relation to the existing services, an onsite wastewater management system has been proposed for the visitor accommodation facility which will be subject to a special plumbing permit application.</li> </ul>
<p>This representation was from the same person who lodged representation No. 3 where the same issues were raised. The response provided for representation No.3 are considered to be satisfactory.</p>	

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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

ISSUE	COMMENTS
<ul style="list-style-type: none"> <li>The suggested traffic movements of 52 per day seem to be minimal when considering guests may go out for an evening meal;</li> <li>Concern in relation to the crash data, in particular the number of crashes that aren't formally recorded;</li> <li>• Concern in relation to the capacity of the local road network to accommodate the increase in traffic and use in particular given the narrow width of Windermere Road;</li> <li>Dispute in some correspondence between Mr Nigel Coates which occurred on 9 July 2014 in relation to the Width of Windermere Road;</li> <li>Concern that the road should be upgraded in order to accommodate the proposed use including the provision of pedestrian footpaths;</li> <li>The application does not indicate which section of the road is earmarked for upgrade in the next 3 years;</li> <li>Difficulty in believing that the capacity of the road can accommodate between 2500 and 3000 vehicle movements per day as indicated by the TIA.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment has been conducted by a qualified Traffic Engineer and by Council's Infrastructure Services Department. The traffic movements have been derived from the use of individual cars for each unit. The application anticipates that the facility will function with group bookings which will typically result in all visitors being transport by bus(s) which will reduce the number of vehicle movements substantially;</li> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road;</li> <li>The TIA has determined that the safety and operational efficiency of Windermere Road will not be compromised;</li> <li>The correspondence that occurred in July has no bearing on the development application;</li> <li>The TIA determined that the highest use section of the road has a traffic volume of approximately 650 vehicles per day. This volume has been determined to be well below the practical capacity for the existing road standard which has been assessed to be.</li> </ul>



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### 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)

ISSUE	COMMENTS
<ul style="list-style-type: none"> <li>Concern that the Traffic Assessment does not address the issue of pedestrian safety, nor does it acknowledge the heavy use of Windermere Road by pedestrians due to the absence of footpaths;</li> <li>Concern in relation to the capacity of the local road network to accommodate the increase in traffic and use in particular given the narrow width of Windermere Road and the broader road network.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road;</li> <li>The TIA has determined that the safety and operational efficiency of Windermere Road including pedestrian safety will not be compromised.</li> </ul>
<ul style="list-style-type: none"> <li>Concern in relation to the issue of pedestrian safety along Windermere Road;</li> <li>Concern in relation to the capacity of the local road network to accommodate the increase in traffic and use in particular given the narrow width and current state of Windermere Road.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment conducted by Council's Infrastructure Services has not identified any need to upgrade the road;</li> <li>The TIA has determined that the safety and operational efficiency of Windermere Road including pedestrian safety will not be compromised.</li> </ul>

## 6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme and it is appropriate to recommend for approval.

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- 7.3 575 Windermere Road and 623-659 Windermere Road, Windermere - Visitor Accommodation - tourist retreat; construction of twelve accommodation units, communal building, managers residence, relocation of maintenance shed, associated infrastructure and...(Cont'd)**
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### **ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

### **ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

### **SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

### **STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2012.

### **BUDGET & FINANCIAL ASPECTS:**

N/A

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## COUNCIL AGENDA

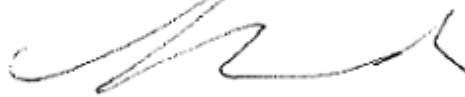
Monday 8 December 2014

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- 

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

### ATTACHMENTS:

1. Locality Map
  2. Endorsed Plans (circulated separately)
  3. Representations (circulated separately)
-

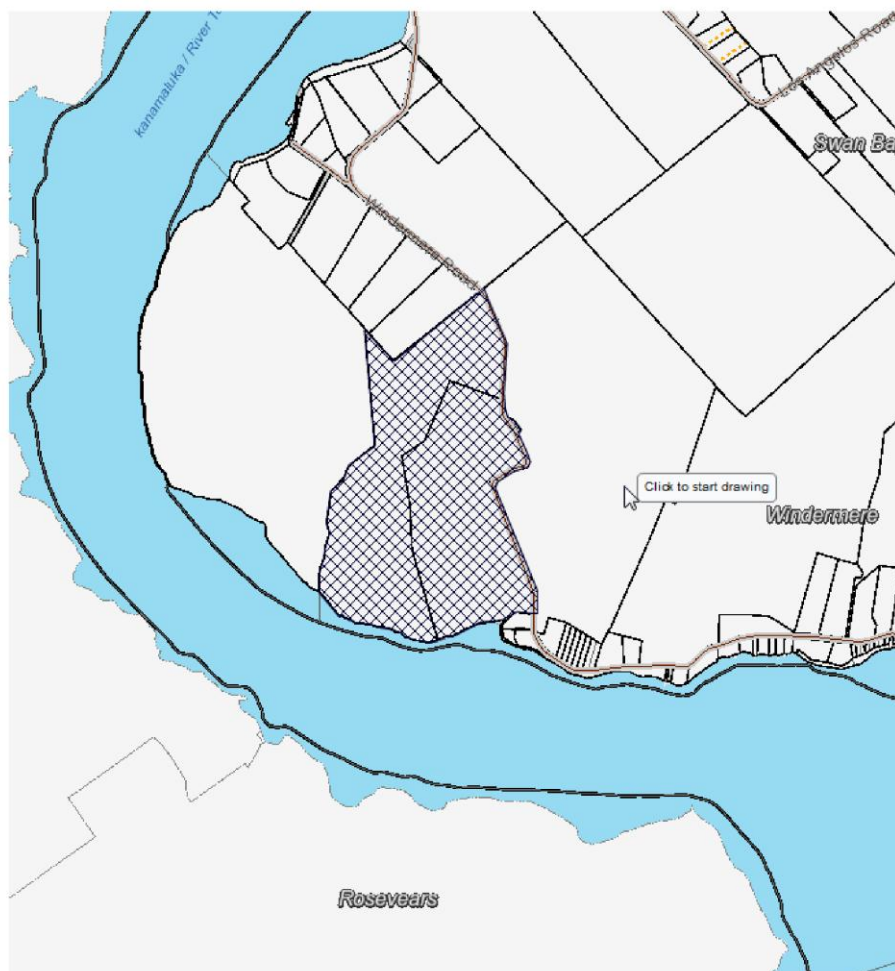
Attachment 1 - Locality Map - 575 and 623-659 Windermere Road,  
Windermere (Pages = 1)



**Launceston City Council**  
*A Leader in Community & Government*



**LOCALITY MAP - DA0442/2014**  
**575 AND 623-659 WINDERMERE ROAD,**  
**WINDEREMERE**



**Locality Map**

Scale: This Map Is Not to Scale

## COUNCIL AGENDA

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### **7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed**

**FILE NO:** DA0326/2014

**AUTHOR:** Jacqui Tyson (Town Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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### **DECISION STATEMENT:**

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

### **PLANNING APPLICATION INFORMATION:**

Applicant:	Mathinna Design Studio
Property:	21 West Street and 14 North Street, South Launceston
Zoning:	Inner Residential
Receipt Date:	1/08/2014
Validity Date:	1/08/2014
Further Information Request:	12/08/2014
Further Information Received:	30/09/2014
Deemed Approval Date:	10/11/2014
Representations:	3

### **PREVIOUS COUNCIL CONSIDERATION:**

Council has considered this matter on two previous occasions.

10 November 2014

DA0326/2014 was considered and the vote was tied 6-6.

24 November 2014

Council provided direction to officers in the event that an appeal was made after the deemed approval date had passed.

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### **7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**

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#### **RECOMMENDATION:**

That Council refuse DA0326/2014 for Residential - single dwelling; subdivision and adhesion of title and construction of a new outbuilding on land located at 21 West Street and 14 North Street, South Launceston on the following grounds:

1. The development application does not comply with Clause 11.4.4.2 of the Launceston Interim Planning Scheme 2012 on the basis that the proposed lot for 14 North Street, South Launceston is not of sufficient size to satisfy the performance criteria.
2. The development application does not comply with the intent of the Inner Residential zone of the Launceston Interim Planning Scheme 2012 on the basis that the proposed use and development:
  - does not provide for increased residential densities;
  - is not in character with the historically established area;
  - does not enhance the inner city residential areas; and
  - does not provide a high standard of residential amenity and streetscape contribution.

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#### **REPORT:**

##### **1. THE PROPOSAL**

The applicant is seeking planning approval for the construction of an outbuilding and a subdivision to adjust the boundaries of two adjoining properties located at 21 West Street and 14 North Street, South Launceston. Each of the subject properties is currently developed with a single dwelling and 14 North Street is listed on the Tasmanian Heritage Register.

Under the subdivision proposal approximately 200m<sup>2</sup> of land will be transferred from the rear of 14 North Street to 21 West Street to allow for the construction of the proposed outbuilding on that property. This would make the site area of 14 North Street and 21 West Street approximately 217m<sup>2</sup> and 646m<sup>2</sup>, respectively.

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### **7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**

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The proposed outbuilding is sited to the rear of both dwellings and would be accessed by extending the existing driveway at 21 West Street. The outbuilding is of a barn style with the roof elevated to an apex height of 7m at the centre and the walls on each side reaching 4m. The outbuilding is 12m long and 10m deep, with three bays at ground level and a storage loft. The outbuilding would also contain a bathroom.

The walls of the outbuilding will be clad in weatherboard cement sheeting painted a neutral colour 'Evening Haze' and the roof will be clad in Colorbond in 'Woodland Grey'. The three roller doors and window frames will be finished in gloss 'Pearl White'.

The proposed outbuilding is sited 1.1m from the south western side boundary (currently the rear boundary of 14 North Street), 1.35m from the south eastern boundary (proposed rear boundary of 21 West Street) and 1m from the proposed side boundary between the properties. It is proposed to extend an existing retaining wall at a height of approximately 1m back along the north eastern boundary of 21 West Street and across the proposed boundary with 14 North Street. Solid fences to a height of 1.8m will be constructed around the side and rear boundaries of 21 West Street adjoining the proposed outbuilding.

## **2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject properties are located in South Launceston which is an older inner city residential area to the south of the city centre and just south of the Launceston General Hospital. The residential area is bordered by Howick Street to the north and the commercial area around Wellington Street to the west. To the east residential development extends up the hillside to High Street. The predominant form of residential development in the area is weatherboard clad single dwellings, a number of which are listed on the Tasmanian Heritage Register.

21 West Street is located on the southern side of the street and has a site area of 446m<sup>2</sup>. 14 North Street is located on the western side of the road, has an area of 417m<sup>2</sup> and extends back to adjoin 21 West Street. There is one residential property between the two subject sites, located on the corner of North and West Streets. A commercial property fronting Galvin Street adjoins the subject sites to the south.

Each of the subject properties has an existing access from their respective street frontage with driveway access to the rear yards. Topographically, the area slopes gently from north west to south east.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

The properties are each developed with single dwellings and don't contain any significant trees or other vegetation. There are several outbuildings in the rear of 21 West Street that don't appear to have any formal approval. There are a relatively large number of vehicles kept in the rear yard of both properties.

Both of the subject properties are connected to reticulated services.

## 3. PLANNING SCHEME REQUIREMENTS

### 3.1 Zone Purpose

#### 11 - Inner Residential Zone

11.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.

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

11.1.3 To allow increased residential densities where it would not significantly affect the existing residential amenity or historic character of the area, lead to increased on-road parking or reduce traffic safety.

11.1.4 To maintain and develop the residential functions within the inner city areas and to ensure that commercial uses do not displace residential uses or dominate neighbourhoods.

11.1.5 To protect and enhance the inner city residential areas and to recognise their major contribution to the city's character and tourist potential.

11.1.6 To encourage residential development that provides a high standard of residential amenity and streetscape contribution.



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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### Not Consistent

The proposal relates to a subdivision that will transfer land between two existing titles in South Launceston that are developed with single dwellings to facilitate the development of a large outbuilding at the rear of 21 West Street. The proposed subdivision would create a sub minimum lot at 14 North Street with an area of around 217m<sup>2</sup>. The construction of a 120m<sup>2</sup> outbuilding is not considered to provide sufficient justification to create a sub minimal lot in the Inner Residential zone with the inherent restrictions that will create for the future of that house and title.

While there is no conclusive evidence at this time to suggest that the proposed outbuilding will be used for anything other than domestic purposes it is considerably larger and higher than a standard domestic shed or garage, particularly in the closely developed inner residential area of South Launceston. The applicant has provided information to support the domestic nature of the outbuilding to house cars, boats and to undertake car repairs. The installation of a car hoist in the outbuilding indicates a more intensive level of use than is generally seen in a domestic setting. This has implications for the amenity of neighbours, which is raised as an issue in all of the representations received in relation to the application. Into the future an outbuilding of this size may encourage undesirable and possibly illegal uses to establish, such as a mechanic business or unapproved habitation and the burden of enforcement of these issues would fall on the Council. Additionally, the proposed outbuilding would discourage investment in the development of the area for higher density residential use.

Further comments are provided below in relation to the individual purpose statements for the zone:

#### 11.1.1.1

The inner residential area of South Launceston is a historically established area characterised by a development pattern of cottage style single dwellings typically on small lots with narrow streets between. Properties in the area generally have small outbuildings, if any and limited off street parking. The proposed outbuilding is 120m<sup>2</sup>, which is as large as or larger than many houses in the immediate area. It is considered that this building does not respect the established character in these terms.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### 11.1.1.2

The proposal is residential in nature and this statement is not directly relevant to the assessment.

#### 11.1.1.3

The proposed subdivision and development does not support increased residential density in accordance with this purpose statement. The rear yard of 14 North Street (that would be transferred to 21 West Street for construction of the outbuilding) adjoins a similar sized portion of vacant land that is part of 92 Galvin Street. Together or separately this land could be used for infill residential development in a highly sought area close to services. This opportunity would be severely inhibited and possibly lost entirely by the development of a large outbuilding on the proposed site, which is directly north of the vacant land at 92 Galvin Street. Conversely, a significant shed used for car repairs (albeit domestic in nature) may discourage adjoining properties from investing and developing in a way that is more in keeping with the intent of the zone.

#### 11.1.1.4

As discussed above, the proposed outbuilding may be intended for domestic purposes at this time but the size and installation of a car hoist could encourage and certainly be attractive to commercial uses in the future. This could become an ongoing amenity and compliance issue for Council.

#### 11.1.1.5

It is considered that the size and character of the outbuilding in terms of the height and roof profile does not enhance and protect the character of this inner city residential area.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### 11.1.1.6

It is considered that the proposed subdivision and outbuilding will not contribute to a high standard of residential amenity and character. Creating a sub minimum lot around 14 North Street would severely inhibit any future restoration and improvement, diminishing the likelihood of investment to update this heritage listed house.

The representations raise existing amenity issues and it is of concern that the outbuilding development may further exacerbate problems by facilitating a more intensive level of car repairs with the provision of a covered space with a hoist, power and lighting. A hobby of this level would be more suitably accommodated on a larger lot outside the inner city area without impacting on the amenity of neighbours.

### 11.4.1 Clauses 11.4.1.1 – 11.4.1.6 only apply to development within the Residential Use Class which is a single dwelling

#### 11.4.1.1 Setback from a frontage for single dwellings

##### Objective

To ensure that the setback from frontages:

- a) assist in the establishment of the streetscape character; and
- b) enhance residential amenity; and
- c) are consistent with the statements of desired future character; and
- d) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and
- e) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise.

##### Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. The existing front setback will be retained for both of the subject properties.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions) must have a setback from a frontage that is:

- a) a minimum 4.5m from primary frontage; and
- b) a minimum 3m to a frontage other than primary frontage; or
- c) a distance which is not more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or
- d) not less than the existing dwelling setback if less than 4.5m; or
- e) for development on land that abuts a road specified in the planning scheme to be a road to which this paragraph is to apply, be the minimum setback specified in the planning scheme in respect of that road.

#### **Complies**

The proposed development will not alter the existing front setback of either 21 West Street or 14 North Street. This complies with part d) of the acceptable solution.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### 11.4.1.2 Site coverage and rear setback for single dwellings

##### Objective

To ensure that the location and extent of building site coverage:

- a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; and
- b) assists with the management of stormwater; and
- c) provides for setback from the rear boundary; and
- d) has regard to streetscape qualities or is consistent with the statements of desired future character.

##### Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard.

A1 A maximum site coverage of 50% excluding building eaves and access strips where less than 7.5m wide

##### Complies

##### 21 West Street

In accordance with the proposed subdivision the site area of 21 West Street would be increased to approximately 646m<sup>2</sup>. The existing dwelling has a floor area of approximately 106m<sup>2</sup> and the proposed outbuilding has a floor area of 120m<sup>2</sup>. The total site cover is therefore calculated as 34.9% (226m<sup>2</sup>/645m<sup>2</sup>). This complies with the acceptable solution.

##### 14 North Street

In accordance with the proposed subdivision the site area of 14 North Street would be reduced to approximately 217m<sup>2</sup>. The existing dwelling has a floor area of approximately 90m<sup>2</sup>. The total site cover is therefore calculated as 41.4% (90m<sup>2</sup>/217m<sup>2</sup>). This complies with the acceptable solution.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

P2 The location of buildings in relation to the rear boundary must:

- a) allow for adequate visual separation between neighbouring dwellings; and
- b) maximise solar access to habitable rooms; and
- c) facilitate provision of private open space.

#### **Complies**

The proposed outbuilding is situated to the rear of 21 West Street and 14 North Street. In this location the outbuilding will be partially visible from both streets, particularly along the driveways of each of the subject properties. However this is not considered to be a considerable impact on the visual separation of the dwellings as the outbuilding is located behind them both.

In regard to solar access, the outbuilding would be located to the south of the dwellings on the subject properties and those of the immediate neighbours. The southern side of the outbuilding would adjoin the car park of a commercial property fronting Galvin Street and would therefore not impact the solar access of any habitable rooms.

Private open space for 21 West Street would be retained between the dwelling and the proposed outbuilding and would not be reduced by the proposal. The private open space for 14 North Street would be reduced as part of the back yard will be transferred to 21 West Street and developed. However there would still be an area of private open space behind the dwelling with a minimum width of at least 5m, which is reasonable for a single dwelling.

It is considered that the performance criteria are satisfied.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### 11.4.1.3 Building envelope for single dwellings

##### Objective

To ensure that the siting and scale of single dwellings:

- a) allows for flexibility in design to meet contemporary dwelling requirements; and
- b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and
- c) has regard to streetscape qualities or is consistent with the statements of desired future character.

##### Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:

- a) determined by a minimum setback of 3m from side boundaries and minimum 4m from the rear boundary and maximum building height of 5.5m; or
- b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to maximum building height of 8.5m above natural ground level (see figures 11.4.1.3A and B); and walls are setback:
  - i) a minimum of 1.5m from a side boundary; or
  - ii) less than 1.5m provided the wall is built against an existing boundary wall or the wall or walls have a maximum total length of 9m or one third of the boundary with the adjacent property, whichever is the lesser.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### Does Not Comply

The proposed outbuilding is not contained within the building envelope because it does not meet the rear setback of 4m as required to satisfy A1 b). Additionally, the wall of the outbuilding will be sited within 1.5m of the new boundary to 14 North Street for a distance of more than 9m which does not meet the requirement of b) ii). Further assessment against the performance criteria is therefore necessary.

P1. The siting and scale of single dwellings must be designed to:

a) ensure there is no unreasonable loss of amenity on adjoining lots by:

i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or by increasing existing overshadowing where greater than above; and

ii) overlooking and loss of privacy; and

iii) visual impacts when viewed from adjoining lots: and

b) take into account steep slopes and other topographical constraints; and

c) have regard to streetscape qualities or be consistent with the statements of desired future character.

#### Complies



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The proposed outbuilding generally complies with the elements of the performance criteria.

The outbuilding is located to the south of surrounding dwellings and the shadow diagrams submitted with the application demonstrate that there is no unreasonable loss of amenity to residential properties by overshadowing. The adjoining site to the south of the outbuilding is a commercial property that will not be negatively impact by the overshadowing of a car park.

In relation to privacy issues, the window in the rear façade of the outbuilding that is off the mezzanine loft would be opaque to prevent overlooking issues. The other windows in the outbuilding are one window for light above the central roller door in the front façade and a window in each of the side elevations. The side windows would be separated by a reasonable distance to prevent impacts on the privacy of adjoining residents.

The main impact of the outbuilding on the amenity of adjoining lots will be the visual impact when viewed from the dwellings to the south and east of the site (particularly 16 North Street, 92 and 94 Galvin Street). The vacant section of 92 Galvin Street is located immediately to the south east of the area that the proposed outbuilding is sited on and this provides some visual separation to the existing dwellings. However it is also relevant to an extent to consider that this portion of 92 Galvin Street would be capable of supporting infill residential development in the future. The proposed outbuilding is sited to the north of this land with a setback of 1.35m and a minimum wall height of 4m rising to 7m at the apex; this would severely constrain any proposal in terms of overshadowing and visual amenity.

In regard to b), slope and topographical constraints are not relevant considerations for this application as the site is relatively flat.

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In relation to c), the impact on streetscape is of some concern. The outbuilding will be visible from both North Street and West Street, particularly along the driveway of each property. The outbuilding will be higher than many of the dwellings in the area and the barn style roof form is not consistent with the typical character of the area which would contribute to an overall impact on the streetscape. The outbuilding would be finished in muted colours which would go some way to mitigating the streetscape impact. If the outbuilding was approved some change to the roof form and maximum height would assist in reducing the impact further. There are no statements of desired future character for this zone.

Overall it is considered that the impact on existing residences on adjoining lots is limited to an extent that satisfies the performance criteria.

### 11.4.4 Subdivision

#### 11.4.4.1 Lot Diversity and Distribution

##### Objective

- a) To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services; and
- b) to provide higher housing densities within walking distance of activity centres; and
- c) to achieve increased housing densities in designated growth areas; and
- d) to provide a range of lot sizes to suit a variety of dwelling and household types.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### **Not Consistent**

The proposed subdivision is designed to facilitate the construction of a large outbuilding behind 21 West Street, leaving 14 North Street with a sub minimal lot of approximately 217m<sup>2</sup>.

While both of the subject titles are already developed with single dwellings it is considered that the proposal would not contribute to achieving higher density housing in this desired location that is close to essential services. The area of land where the outbuilding would be constructed is around 200m<sup>2</sup> and adjoins a similarly sized vacant area that is part of 92 Galvin Street. This land would be ideal for infill residential development and this would be inhibited by the proposed development of a large outbuilding to be used for car repairs. Further, the proposal would discourage surrounding properties from investing to improve and expand the residential housing stock in the area.

A1 Subdivision is for:

- a) 5 lots or less; or
- b) the consolidation of a lot with another lot with no additional titles created; or
- c) the subdivision is to align existing titles with zone boundaries and no additional titles are created.

#### **Complies**

The proposed subdivision will transfer approximately 200m<sup>2</sup> from 14 North Street to 21 West Street and will not create any additional lots. This satisfies the acceptable solution.

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### 11.4.4.2 Lot Area, Building Envelopes and Frontage

#### Objective

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

#### **Not Consistent**

The proposed subdivision will create a sub minimal lot of 217m<sup>2</sup> around the existing house at 14 North Street. It is considered that this outcome does not further the attainment of this objective. Refer to the assessment against the relevant provisions of the standard for further discussion.

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#### A1.1 Lots must:

- a) have a minimum area of at least 300m<sup>2</sup>; or
- b) where average slope of a proposed lot is 15% or greater, have a minimum area of 600m<sup>2</sup>; and
- c) A lot with an area between 300m<sup>2</sup> and 500m<sup>2</sup>:
  - i) is capable of containing a rectangle measuring 10m by 12m; or 8m by 12m if a boundary wall is nominated as part of the building envelope, the siting of which satisfies the relevant acceptable solutions for setbacks; and
  - ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or
- d) A lot greater than 500m<sup>2</sup>:
  - i) is capable of containing a rectangle measuring 10m by 15m; and
  - ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or

#### A1.2 Lots must be:

- a) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
- b) for the provision of utilities; or
- c) for the consolidation of a lot with another lot with no additional titles created; or
- d) to align existing titles with zone boundaries and no additional lots are created.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### **Does Not Comply**

The proposed subdivision will create a lot with an area of approximately 217m<sup>2</sup> for 14 North Street. A lot of this size does not meet part a) of the acceptable solution.

The proposed lot for 21 West Street has an area of 646m<sup>2</sup> and therefore must be assessed against part d) of the standard. The proposed lot is capable of containing a rectangle measuring 10m x 15m in compliance with d) i). The new side boundary with 14 North Street will be sited 1m from the side of the proposed outbuilding. This does not comply with the requirements of Clause 11.4.1.3 b) i) in relation to the setback and building envelope and d) ii) is therefore not satisfied.

Further assessment against the performance criteria is necessary.

P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:

- a) a dwelling to be erected in a convenient and hazard-free location; and
- b) on-site parking and manoeuvrability; and
- c) adequate private open space.

## 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

### Does Not Comply

The proposed subdivision seeks to transfer 200m<sup>2</sup> from 14 North Street to 21 West Street to allow for the construction of a large outbuilding. This would result in a sub minimal lot of around 217m<sup>2</sup> at 14 North Street and the proposed outbuilding at 21 West Street could not be sited to meet the setbacks required by the acceptable solution of the relevant standard.

The proposed lot at 21 West Street will meet the performance criteria as the site is already developed with a single dwelling in a convenient location, has adequate room onsite for parking and adequate private open space will be retained between the house and the proposed outbuilding.

Currently the dwelling at 14 North Street has a driveway on the southern side of the dwelling that can accommodate parking for at least two cars in accordance with the applicable standards in the Car Parking and Sustainable Transport Code. The subdivision will leave a private open space area behind the dwelling that has a minimum width of 5m and is partially orientated to the north for solar access. Part b) and c) of the performance criteria are considered to be satisfied for these reasons.

While the proposed lots are concurrently owned at this time the reduction of the site area of 14 North Street by almost half (417m<sup>2</sup> to 217m<sup>2</sup>) is a considerable change that must be carefully considered with the regard to the long term future of the site and the neighbourhood. In regard to part a) of the performance criteria, the house at 14 North Street was constructed in 1880 and is listed on the Tasmanian Heritage Register. In modern terms the cottage is very small with a floor area of less than 80m<sup>2</sup>. It is currently in relatively poor repair and does not appear to be inhabited. At some point in the future it can be expected, and would be desirable in terms of the intent of the Inner Residential zone, for this house to be renovated and inhabited. It is likely that any renovation may include extensions to the rear of the dwelling to satisfy a modern standard of living. This will be very difficult to achieve while also retaining parking and private open space with a lot of only 217m<sup>2</sup>. For these reasons it is considered that the proposed lot does not allow for a sufficient useable area to allow for the existing dwelling to be maintained and improved in a convenient manner, which conflicts with part a). Allowing for a large outbuilding to be constructed on the neighbouring property is considered to be a questionable reason to create a sub minimal lot with the inherent restrictions that will create for the future of that house and title.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A4 Each lots must have a frontage or right of way to a road of at least 4m.
<b>Complies</b> Each of the proposed lots would retain their existing frontage to West and North Streets, which exceed 4m.

#### 11.4.4.3 Provision of Services

Objective
To provide lots with appropriate levels of utility services.
<b>Consistent</b> The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.
A1 Each lot must be connected to a reticulated: <ul style="list-style-type: none"> <li>a) water supply; and</li> <li>b) sewerage system.</li> </ul>
<b>Complies</b> Each property is already developed with a dwelling and is connected to reticulated services in accordance with this standard.
A2 Each lot must be connected to a reticulated stormwater system.
<b>Complies</b> Each property is already developed with a dwelling and is connected to the reticulated stormwater system in accordance with this standard.



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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### 11.4.4.4 Solar Orientation of Lots

##### Objective

To provide for solar orientation of lots and solar access for future dwellings.

##### Consistent

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

A1 At least 50% of lots must have a long axis within the range of:

a) north 20 degrees west to north 30 degrees east; or

b) east 20 degrees north to east 30 degrees south.

##### Complies

The proposed lot for 21 West Street has a long axis within the range of north 20 degrees west to north 30 degrees east. As one of the two lots (50%) will comply with a) or b) the acceptable solution is satisfied.

A2 The long axis of residential lots less than 500m<sup>2</sup>, must be within 30 degrees east and 20 degrees west of north.

##### Does Not Comply

The long axis of the proposed lot for 14 North Street is not located within 30 degrees east and 20 degrees west of north. Further assessment against the performance criteria is necessary.

P2 Lots less than 500m<sup>2</sup> must provide adequate solar access to future dwellings, having regard to the:

a) size and shape of the development of the subject site; and

b) topography; and

c) location of access way(s) and roads.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### **Complies**

The subdivision will transfer the rear section of 14 North Street to 21 West Street. The lot is already developed with a single dwelling. The orientation of the lot and solar access of the dwelling will not be affected by the proposed subdivision.

#### E6 - Car Parking and Sustainable Transport Code

##### E6.1.1 The purpose of this provision is to:

- a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
- i) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- ii) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- iii) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- iv) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- v) provide for the implementation of parking precinct plans.

#### **Consistent**

Adequate access and parking are provided to service the use and development.

#### **E6.6 Use Standards**

##### E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

#### **Consistent**

An appropriate level of car parking is provided to service the use and development in accordance with the standard.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A1 The number of car parking spaces:

- a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or
- c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or
- d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1.

#### **Complies**

Table E6.1 requires 2 parking spaces for a single dwelling with more than 2 bedrooms.

Each of the subject properties can currently provide 2 parking spaces in a tandem arrangement in their driveway. The proposed development would not reduce the parking available on either site. The standard is therefore satisfied.

## **E6.7 Development Standards**

### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

#### **Consistent**

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A1 All car parking, access strips manoeuvring and circulation spaces must be:

- a) formed to an adequate level and drained; and
- b) except for a single dwelling, provided with an impervious all weather seal; and
- c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.

#### **Complies**

Under the application the driveway to 21 West Street would be upgraded and sealed with concrete to provide suitable access for the proposed outbuilding. The proposed driveway meets the acceptable solution.

The existing access to 14 North Street constitutes a sealed crossover leading to a gravel/earth driveway. This is a suitable level of construction to service a single dwelling in accordance with the standard.

#### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

#### **Consistent**

The proposed use and development has been assessed as being consistent with the objective of the standard. Refer to the assessment against the relevant provisions of the standard to substantiate compliance in the following section.

A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.

#### **Complies**

There is no provision for turning vehicles within the front setback of either property.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A2.1 Car parking and manoeuvring space must:

- a) have a gradient of 10% or less; and
- b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and
- c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and
- d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:
  - i) there are three or more car parking spaces; and
  - ii) where parking is more than 30m driving distance from the road; or
  - iii) where the sole vehicle access is to a category I, II, III or IV road; and

A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

#### **Complies**

The proposed car parking and manoeuvring areas will have a gradient of less than 10%. The design and form of the existing and proposed driveways is adequate to meet the requirements of the standard.

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### E6.8 Provisions for Sustainable Transport

#### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development.

#### **Consistent**

The sites have adequate pedestrian access to service a residential need.

A1 Pedestrian access must be provided for in accordance with Table E6.5.

#### **Complies**

Separate pedestrian access is not necessary for a use which requires less than 11 parking spaces. Shared access is appropriate.

### E13 - Local Historic Heritage Code

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### **Not Consistent**

The proposed development is in two parts and includes:

1. The subdivision of the heritage listed property at 14 North Street, excising a significant portion of this lot, to the rear of the listed dwelling; and
2. The construction of a large shed on the part of the listed lot to be excised.

It is considered that the overall proposal:

- a) does not protect and enhance the historic cultural heritage significance of the local heritage place.
- b) does not encourage and facilitate the continued use of the item for beneficial purposes.
- c) does not discourage the deterioration, demolition or removal of buildings.
- d) is not to be undertaken in a manner that does not detract from, the cultural significance of the land, building or its setting.
- e) N/A. The proposal does not include a change of use.

## **E13.5 Use Standards**

### E13.5.1 Alternative Use of heritage buildings

#### Objective

To ensure that the use of heritage buildings provides for their conservation.

#### **Consistent**

There is no change proposed to the use of the heritage building.

A1 No acceptable solution

#### **Does Not Comply**

As there is no acceptable solution the proposal must be assessed against the relevant performance criteria, and the purpose of the code.

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- 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

### E13.6 Development Standards

#### E13.6.2 Subdivision and development density

##### Objective

To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

##### Consistent

The proposed subdivision is not considered to impact on the historic heritage significance of local heritage place.

A1 No acceptable solution.

##### Does Not Comply

As there is no acceptable solution the proposal must be assessed against the relevant performance criteria, and the purpose of the code.

##### P1 Subdivision must:

- a) be consistent with and reflect the historic development pattern of the precinct or area; and
- b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and
- c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and
- d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and
- e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.



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#### Does Not Comply

- a) Complies. While the proposed subdivision does not result in a lot size or pattern which is entirely consistent with, or reflective of, the historic development pattern of the area, this pattern has been significantly varied over the years and the proposal may now be considered not to be in conflict with the surrounding pattern and density of development.
- b) Does not comply. The proposed subdivision is intended to facilitate the construction of a building and subsequently a building pattern which is considered to be unsympathetic to the character and layout of buildings and lots in the area.
- c) Complies. The proposal does not result in the separation of building or structures from their original context where this is considered to lead to a loss of historic heritage significance.
- d) Complies. The proposal does not require the removal of vegetation or significant trees from a garden setting which is considered to be detrimental to conserving the historic heritage significance of the place.
- e) N/A. The site is not located within an identified heritage precinct.

#### E13.6.3 Site Cover

##### Objective

To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.

##### Consistent

The proposed site coverage is considered not to be in conflict with the historic heritage significance of the local heritage place.

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A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in TableE13.1: Heritage Precincts, if any.
<p><b>Does Not Comply</b></p> <p>The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.</p>
<p>P1 The site coverage must:</p> <p>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.</p>
<p><b>Complies</b></p> <p>a) The proposed change to site coverage is considerable, however in this inner suburban residential area, neighbouring a commercial area, the site coverage alone is not considered to be inappropriate to maintaining the character and appearance of the building and the appearance of adjacent buildings and the area.</p> <p>b) N/A. The site is not located within an identified heritage precinct.</p>

#### E13.6.4 Height and Bulk of Buildings

<p>Objective</p> <p>To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>
<p><b>Not Consistent</b></p> <p>The proposed structure is of a relatively large scale and is not considered to be consistent with the historic heritage significance of the local heritage place.</p>

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A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in TableE13.1: Heritage Precincts, if any.

#### **Does Not Comply**

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and

P1.2 Extensions proposed to the front or sides of an existing building must not detract from the heritage significance of the building; and

P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### **Does Not Comply**

P1.1 The height and bulk of the proposed building is considered to have the capacity to adversely affect the perceived importance, character and appearance of the listed building and place, and the appearance of adjacent buildings. The proposed shed is higher than the listed dwelling and will be visible from many surrounding properties and streets identified as being of valued heritage character, as documented as part of the Galvin Street Precinct in the Launceston Heritage Study 2007. The management policy proposed to conserve the significance and heritage values of this precinct and to provide for new development that is commensurate with that significance includes the following statement.

*7. Where infill buildings are proposed, material selections and forms should relate to the predominant streetscape pattern. Replication of historic forms is not encouraged in new work, however new designs must demonstrate a scale, form and materials relationship to the precinct.*

There is an existing large commercial development to the south-west of the subject properties, however this is much further removed from the listed building and the North Street frontage, and there does not appear to be sufficient justification for a workshop and storage shed of the scale and purpose proposed by this application in the rear yard of a dwelling in this dense urban residential location.

P1.2 N/A. There are no extensions proposed to the front or sides of the existing building.

P1.3 N/A. The site is not located within an identified heritage precinct.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### E13.6.5 Fences

##### Objective

To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of, local heritage places and the ability to achieve management objectives within identified heritage precincts.

##### Consistent

The only fences proposed are rear and side boundary fences which are not considered to detract from the historic heritage significance of the local heritage place.

A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in TableE13.1: Heritage Precincts, if any.

##### Does Not Comply

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

##### P1 New fences must:

- a) be designed to be complementary to the architectural style of the dominant buildings on the site or
- b) be consistent with the dominant fencing style in the heritage precinct; and
- c) not detract from meeting the management objectives of an precinct identified in TableE13.1: Heritage Precincts, if any.

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### Complies

- a) Complies. As side and rear fences only, the timber palings proposed are considered to be appropriate and not uncomplimentary to the architectural style of the dominant buildings on the site.
- b) Complies. As side and rear fences only, the timber palings proposed are considered to be consistent with the dominant fencing style in the area.
- c) N/A. The site is not located within an identified heritage precinct.

#### E13.6.6 Roof Form and Materials

##### Objective

To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

##### Consistent

The proposed roof form and materials are considered to be designed to be somewhat sympathetic to, and not to detract from the historic heritage significance of the local heritage place.

A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in TableE13.1: Heritage Precincts, if any.

##### Does Not Comply

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

P1 Roof form and materials for new buildings and structures must:

- a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and
- b) not detract from meeting the management objectives of a precinct identified in TableE13.1: Heritage Precincts, if any.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

#### Complies

a) While differing in form from the existing roof forms surrounding the site, the proposed roof for the new shed appears to be intended to minimise the perceived scale of the large shed structure, and thus, at least in part, to be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the subject sites. Only the central bay has been raised to provide for cover over the mezzanine level and the Colorbond steel roof sheeting specified is consistent with that used elsewhere on the site.

b) N/A. The site is not located within an identified heritage precinct.

#### E13.6.7 Wall materials

##### Objective

To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

##### Consistent

The proposed wall materials are considered to be designed to be sympathetic to, and not to detract from the historic heritage significance of the local heritage place.

A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in TableE13.1: Heritage Precincts, if any.

##### Does Not Comply

The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

P1 Wall material for new buildings and structures must:

- a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and
- b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

#### **Complies**

- a) The wall material proposed is cement sheeting with a weatherboard profile which has clearly been proposed to attempt to fit the character of the area. Though not authentic weatherboards, the intent is appreciated on such a large scale outbuilding, and when viewed from a distance, this material is not considered to be un complementary to wall materials of the dominant building on the site.
- b) N/A. The site is not located within an identified heritage precinct.

### E13.6.9 Outbuildings and Structures

#### **Objective**

To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

#### **Consistent**

On its own, the proposed siting of the outbuilding is not considered to detract from the historic heritage significance of the local heritage place. It is only when paired with scale, form and use that the siting becomes an issue in this case.



## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

A1 Outbuildings and structures must be:

- a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and
- b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.

#### **Does Not Comply**

- a) Complies. The proposed outbuilding is set back an equal or greater distance from the principal frontage than the principal buildings on the site.
- b) Does not comply. The property is not included in a heritage precinct; therefore the proposal must be assessed against the Performance Criteria and the Purpose of the code.

#### **Complies**

- a) The proposed outbuilding is not considered to be designed and located to be subservient to the primary buildings on the site. The siting to the rear of the site is positive, however the scale and form of the structure in such close proximity to the small, single storey listed dwelling is considered to have the capacity to detract from the historic heritage significance of the local heritage place.
- b) N/A. The site is not located within an identified heritage precinct.

### E13.6.10 Access Strips and Parking

#### **Objective**

To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

#### **Consistent**

The access and parking on 21 West Street largely exists and is not considered to detract from the historic heritage significance of local heritage place.

## COUNCIL AGENDA

Monday 8 December 2014

- 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

## 4. REFERRALS

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Assets	<p>Conditions were applied by Infrastructure Services. However, due to the refusal no conditions have been included within the recommendation.</p> <ul style="list-style-type: none"> <li>• Damage to Council Infrastructure</li> <li>• Filling of land</li> <li>• Works within/occupation of the Road Reserve</li> <li>• Basic - Soil and Water Management Plan</li> <li>• Construction of retaining walls</li> </ul>
Environmental Health	<p>Conditions were applied by Environmental Health Services. However, due to the refusal no conditions have been included within the recommendation.</p> <ul style="list-style-type: none"> <li>• Amenity</li> <li>• Demolition</li> </ul>
Parks and Recreation	No referral required.
Heritage/Urban Design	Assessment of the application against the Local Historic Heritage Code has been completed by the Heritage/Urban Design officer.
Building and Plumbing	Standard notes were applied by Building Services. However, due to the refusal no notes have been included within the recommendation.

## COUNCIL AGENDA

Monday 8 December 2014

- 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

EXTERNAL	
TasWater	TasWater has issued an exemption with no conditions in Development Certificate of Consent TWDA2014/00702-LCC.
DIER	No referral required.
TasFire	No referral required.
Tas Heritage Council	<p>The Tasmanian Heritage Council have approved the proposal in Notice of Heritage Decision (THC Application No. 4551) dated 24 October 2014. If the application is approved the following condition must be attached to the permit:</p> <p><i>1. The colour(s) and finish(es) of the new building be subdued and complementary to the adjacent heritage buildings.</i></p> <p><u>Reason for condition</u> To minimise the prominence of the new building in the streetscape and ensure that it does not detract from the setting and appearance of adjacent heritage places.</p> <p><u>Advice</u> It is recommended that the new building be detailed in a manner that uses traditional barge, fascia and gutter profiles to match the appearance and character of adjacent heritage places.</p>

## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

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Crown Land	No referral required.
TasRail	No referral required.
EPA	No referral required.
Aurora	No referral required.

## 5. REPRESENTATIONS

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 4 October 2014 to 20 October 2014. Three (3) representations were received.

ISSUE	COMMENTS
Purchased an investment property in North Street 12 months ago with the intention to rent to hospital staff and also live in the area. Since purchasing the property have witnessed and received many complaints regarding the number of vehicles coming and going from 21 West Street at all hours, disturbing the peaceful enjoyment of the area. This is of great concern as my intention is to rent to professionals and disturbance could lead to extended vacancy and shorter lease terms.	Comment noted. House values/rental market are not directly relevant under the Launceston Interim Planning Scheme 2012 (the Scheme), however amenity issues are addressed in the body of this report.

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## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
Believe that the application to develop an excessively large workshop/shed will encourage to applicant to house even more vehicles and work on them for longer periods of time into the night as there will be access to power and lights. The applicant currently has several run down vehicles taking up the full block of his North Street residence, driveway in West Street and several of the limited on street parking bays, meaning other residents have no parking available for visitors.	The intended use of the proposed outbuilding is of concern, as discussed in the body of this report. The use of on street parking is not regulated by the Scheme.
I have witnessed and had complaints that the applicant works mechanically on the vehicles in the street and his driveway to all hours under torch lights. While having a shed for the purpose of working on and housing vehicles and tools may seem a good idea, I fear it will only encourage more of the same. The applicant has substantially more off street parking than the majority of neighbouring homes but he still takes up 4-5 on street spaces plus an overgrown block full on them.	Amenity issues have been addressed in the body of this report. Existing issues have been referred to the Environmental Services department for consideration.
In my view the applicant has no regard for the neighbours right to enjoy peace in their own homes. If he were to work on the vehicles at sensible times and make allowance for others to park in the street, this may have led to more support of his proposed development.	Amenity issues have been addressed in the body of this report. Existing issues have been referred to the Environmental Services department for consideration.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
I am a local property investor and have a number of residential and commercial properties in Launceston. I have never objected to any development before as I support high density living and diversity, however Council should also consider the overall impact and aesthetics of such a large structure amongst heritage listed homes in a compact residential area. The size of the proposed shed is more suitable to an industrial site or rural block.	Comment noted. The scale of the proposed outbuilding is of concern and is discussed further in the assessment sections of this report.
I am also concerned about the change to the titles (subdivision) as I believe this will increase the traffic flow to West Street which is already a problem to residents with hospital staff taking up parking and coming and going.	Comment noted.
The applicant also has several young men who assist him in working on vehicles who also bring more traffic into the area, take up parking and create more noise.	Comment noted. Amenity issues are addressed in the body of this report.
Objects to the proposed development of a substantial workshop and subdivision. Have only resided in the area for a short time and have witnessed constant traffic flow and mechanical repairs being carried out on the applicant's vehicles and others.	Comment noted.

## COUNCIL AGENDA

Monday 8 December 2014

### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
On two occasions already have needed to approach the applicant to address the constant noise and disturbance caused by working on cars throughout the day and into the night with complete disregard for neighbours. My residence is double glazed and insulated and the noise of tuning cars and voices of those working on them is still audible in living and bedroom spaces until late at night.	Amenity issues are addressed in the body of this report.
My main concern is that the proposed workshop and installation of a commercial mechanics hoist will exacerbate the flow of traffic in and out of this driveway and enable even greater scope to conduct mechanical repairs at the property and increase the disturbance to neighbours.	The nature of the use of the proposed outbuilding is of concern given the size and existing situation on the site.
The proposal is inappropriate in terms of scale and size within its immediate environment as well as conflicting visually with the neighbouring heritage listed properties and is not suited to this high density neighbourhood. I understand the applicant's desire for garaging, however the proposal is inappropriate for the surroundings and a smaller domestic sized single storey garage on one of the existing titles would be more appropriate.	Comment is supported. The proposed outbuilding is of a scale that is not in keeping with the existing character.

## COUNCIL AGENDA

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### 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)

ISSUE	COMMENTS
The current activities and proposed development are not conducive with the type of inner city living that we should be able to enjoy in West Street.	Comment noted. Amenity issues are addressed in the body of this report.
Objects to the development. Main concern is the noise and mess that detracts from the peaceful and attractive ambience of this small and sought after location.	Comment noted. Amenity issues are addressed in the body of this report.
I would like to challenge some of the points raised in the application. The shed being sought for approval is large but not large enough to fit his large boat(s) and his many cars. It also talks of needing cover to restore the cars, which is a large stretch of the imagination to consider any of the cars as being restorable. He just keeps buying more old junky cars.	Comment noted.
Whatever the reason for this development the applicant has irritated most of his neighbours with his recent behaviour. I am worried this project will end up the way most have, half-finished and rotting away while he moves on to some other good idea.	Comment noted.

## 6. CONCLUSION

Following the assessment, it has been determined that the proposal does not comply with the Scheme and it is appropriate to recommend refusal.



## COUNCIL AGENDA

Monday 8 December 2014

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- 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)**
- 

### **ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

### **ENVIRONMENTAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

### **SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2012 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

### **STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2012

### **BUDGET & FINANCIAL ASPECTS:**

N/A

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## COUNCIL AGENDA

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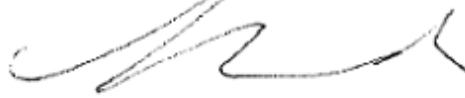
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- 7.4 21 West Street and 14 North Street, South Launceston - Residential - single dwelling; subdivision and adhesion of title; construction of a new shed...(Cont'd)
- 

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

### ATTACHMENTS:

1. Locality Map
  2. Plans to be advertised (circulated separately)
  3. Representations
  4. Aerial view Locality Map (circulated separately)
-



**Launceston City Council**  
*A Leader in Community & Government*



**LOCALITY MAP - DA0326/2014**  
**21 West Street and 14 North Street, South**  
**Launceston**



**Locality Map**

**Scale:** This Map Is Not to Scale

**Attachment 3 - Representations**

21 West Street and 14 North Street South Launceston (Pages = 3)

## **For the attention of the General Manager / Planning Manager / Planning Department**

Application	DA0326/2014
Address	21 West Street South Launceston TAS 7249
Description	Residential - single dwelling; subdivision and adhesion of title; construction of a new shed
Name of commenter	[REDACTED]
Address of commenter	[REDACTED]

### **Comment**

I would like to object to this application at 21 West Street. My main objection is the noise and the mess that detracts from the peaceful and attractive ambience of this small and very sought after location. [REDACTED]

First of all, I would like to challenge some of the points raised in the applicants letter. This shed being sought for approval is large but not large enough to fit his large boat(s) he talks about and his many cars

Secondly he talks about needing cover for the purpose of restoring these cars. It would need a large stretch of the imagination to consider any of his cars as being restorable. He just keeps buying more and more of these old junky cars, some of them have even been in smashes. He parks many of these cars on the street, most of the time four at a time even though he has plenty of room in the two properties he owns.

He also attracts young men around these cars and together they tinker with these vehicles mostly with the ones on the street and often at night, they bang and rev up the motors until late.

Whatever the reason for this development, Tim has irritated most of his neighbours. with his recent behaviour. This is such a shame. In the past Tim has been a wonderful neighbour always being considerate and helpful. I am worried that this development will end up the way all Tim's projects have, half finished, and rotting away while he moves on to some other good idea...

## COUNCIL AGENDA

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To the General Manager,  
Launceston City Council

■ I write in opposition to the proposed development of a substantial workshop and subdivision of 21 West Street.

■ witnessed constant traffic flow and mechanical repairs being carried out on the applicants own vehicles and others throughout the building process.

■ on two occasions it has been necessary to address the constant noise and disturbance of the applicant and other occupants of the house working on cars throughout the day and late into the night with complete disregard for his neighbours. This is something we were reluctant to do ■

According to local residents this has been a long term point of contention with the applicants numerous vehicles (twelve by his own admission) congesting the street where parking is at a premium whilst he has more accessible off street parking than anyone else.

The narrow single driveway access to 21 West Street which is the proposed access to the proposed workshop ■ The mechanical work constantly being carried out on the street and at the premises on both the applicants many vehicles and also 'visiting' vehicles is a constant disturbance both audibly and visually.

■, the reverberation from the tuning of cars and voices of those congregating around them ■ audible in our living and bedroom spaces often until very late at night.

The occupants and those who regularly frequent the property in their vehicles accelerate to and fro without due regard for the noise they create or the safety of others.

My main concern is that the proposed workshop and installation of a commercial mechanics hoist will exacerbate the flow of traffic in and out of this driveway and enable an even greater scope to conduct mechanical repairs at the property in turn increasing the disturbance to myself and other residents.

It is also my opinion that the proposal is inappropriate in terms of scale and size with its immediate environment as well as conflicting visually with the neighboring Heritage Listed properties and is not suited to this high density neighborhood where we all live in very close proximity to one and other.

Whilst I understand the applicants desire for garaging, and I could never be accused of being anti progress, the current proposal is inappropriate for its surroundings. A smaller 'domestic' sized single storey garage on one of the existing titles would be more palatable.

The current and proposed activities of this development are not conducive with the type of inner city living that we should all be able to enjoy hear in West Street.

Yours sincerely  
■

## COUNCIL AGENDA

Monday 8 December 2014

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> To whom it may concern,  
>  
> I am writing to respectfully object to the development application made in respect to 21 West Street, South Launceston DA 0326.  
>  
> [REDACTED] which was purchased over 12 months ago as an investment property, currently tenanted until January 2015. I also live in the area.  
>  
> I purchased this investment with a view to rent the property fully furnished to nursing staff/Doctors from the LGH (given the very close proximity).  
>  
> Since purchasing the property, I have witnessed and received many complaints in relation to the number of vehicles coming and going from 21 West Street at all hours day and night, disturbing the peaceful enjoyment of area. On the basis that it is my intention to rent this property to professionals, naturally this is of great concern to me on the basis that it will likely lead to extended vacancy and shorter lease terms.  
>  
> I believe the application made to develop an excessively large workshop "shed" will encourage the applicant to house even more vehicles and work on them for longer periods of time into the night having access lights and power. The applicant currently has several old/run down vehicles taking up a full block in his North Street residence, his driveways in West Street and several of the limited on street parking bays, meaning residence have no parking available for visitors.  
>  
> I have had complaints and have witnessed that the applicant works mechanically on these vehicles on the street and in his driveway to all hours of the night under torch lights. While it may seem a good idea to allow the applicant to have a shed for the purpose of working on and housing vehicles and tools, based on the current situation I fear this will only encourage more of the same but on a larger scale. The basis of my assumption is that, even though the applicant has substantially more off street parking than the majority of the neighbouring homes, he still takes up 4-5 public spaces in a very small narrow street, plus an overgrown block full of them around the corner.  
>  
> In my view the applicant has no regard for the neighbours right to enjoy peace in their own homes, if he were to work on these vehicles at sensible times and make allowances for others to park in the street, this may have led to more support of his proposed development.  
>  
> I am a local property investor and have a number of residential and commercial developments across Launceston. I have never made an objection to any development as I am very much and advocate for high density living and diversity. however based on my own experience the council should also consider the overall impact and the aesthetics of such a large structure amongst heritage listed homes in a compact residential area. The size of the proposed shed in my opinion is only suited to a industrial site or rural block.  
>  
> I am also concerned about the change in respect to the title. I believe this will increase the traffic flow into West Street which is already a problem to residents with a high number of hospital staff taking up parking and coming and going. The applicant also has several young men who assist him with working on these vehicles who also bring more traffic and take up more parking.  
>  
> In closing I would like to confirm my strong objection to this development and trust the local council will decline the individual request and consider the consequence of a decision to approve the subdivision and structure.  
>  
> Sincerely  
>  
> [REDACTED]

> Sent from my iPad

## COUNCIL AGENDA

Monday 8 December 2014

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### **8 ANNOUNCEMENTS BY THE MAYOR**

#### **8.1 Mayor's Announcements**

**FILE NO:** SF2375

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#### **Tuesday 25 November**

- Participated in White Ribbon event - 'Walk a Mile in her Shoes'
- Officiated at Employee Recognition Event

#### **Wednesday 26 November**

- Officiated at Civic Reception to mark 25th anniversary of Laurel House
- Officiated at Betfair Launceston Cup Launch

#### **Thursday 27 November**

- Officially welcomed attendees at Opening of Father/Son Golf Tournament
- Attended METRO Tas Board Dinner

#### **Friday 28 November**

- Officiated at Launceston Advent Pageant Christmas Parade
- Attended Cricket Tas function at Aurora

#### **Saturday 29 November**

- Attended Apex Launceston Christmas Parade
- Officiated at Three River Theatre 60<sup>th</sup> Birthday celebrations

#### **Monday 1 December**

- Conducted private citizenship ceremony

#### **Tuesday 2 December**

- Attended Board of the Federal Group Christmas Celebration
-

## COUNCIL AGENDA

Monday 8 December 2014

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### 8.1 Mayor's Announcements...(Cont'd)

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#### Wednesday 3 December

- Attended General Management Committee and Premier's Local Government Committee meetings in Hobart
- Attended Human Rights Week and Announcement of Tasmanian Human Rights Awards

#### Thursday 4 December

- Attended REIT Northern Branch Members Christmas Function
- Attended QVMAG Friends Christmas Party

#### Friday 5 December

- Chaired Northern Tasmania Development AGM
- Officially launched Heritage Forest Flying Fox
- Attended '1842' Fine Furniture & Art Exhibition to celebrate 10 years and showcase unique beauty and heritage of Launceston

#### Saturday 6 December

- Attended TS Tamar End of Year Ceremonial Parade

#### Sunday 7 December

- Attended Stan Siejka Cycling Classic event and officially started Elite Womens' Race.
-



9 ALDERMEN'S/DELEGATES' REPORTS

10 QUESTIONS BY ALDERMEN

## COUNCIL AGENDA

Monday 8 December 2014

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### 11 COMMITTEE REPORTS

#### 11.1 Heritage Advisory Committee Meeting - 23 October 2014

**FILE NO:** SF2965

**AUTHOR:** Fiona Ranson (Urban Design & Heritage Planner)

**DIRECTOR:** Leanne Hurst (Director Development Services)

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#### **DECISION STATEMENT:**

To receive and consider a report from the Heritage Advisory Committee's meeting held on 23 October 2014.

#### **RECOMMENDATION:**

That Council receive the report from the Heritage Advisory Committee meeting held on 23 October 2014.

---

#### **REPORT:**

The Heritage Advisory Committee met on Thursday, 23 October 2014 and noted the following:

- Expressed their appreciation of the contribution that the late Alderman Jeremy Ball made to the Heritage Advisory Committee over his three years as Chairman.
- Thanked Michael Stretton for his contribution to the Committee after his resignation from his position as Director Development Services and as the Director responsible for the Committee.

The following items were also discussed:

- Heritage Planning Review
  - Review of Committee Representation
  - CH Smith Site - Cordial Factory Demolition Proposal
  - Town Point - Roberts Woolstores Demolition Proposal
  - Duck Reach - Power Station
  - Heritage 'Induction' for New Aldermen
-

## COUNCIL AGENDA

Monday 8 December 2014

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### 11.1 Heritage Advisory Committee Meeting - 23 October 2014...(Cont'd)

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#### **ECONOMIC IMPACT:**

N/A

#### **ENVIRONMENTAL IMPACT:**

N/A

#### **SOCIAL IMPACT:**

N/A

#### **STRATEGIC DOCUMENT REFERENCE:**

N/A

#### **BUDGET & FINANCIAL ASPECTS:**

N/A

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Leanne Hurst: Director Development Services**

## COUNCIL AGENDA

Monday 8 December 2014

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### 11.2 Pedestrian & Bike Committee Meeting - 25 November 2014

**FILE NO:** SF0618

**AUTHOR:** Julie Tyres (Administration Officer - Road Assets)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To receive and consider reports from the Pedestrian & Bike Committee.

#### **RECOMMENDATION:**

That the Council receive the report from the Pedestrian & Bike Committee Meeting held on 25 November 2014.

---

#### **REPORT:**

The meeting of the Pedestrian & Bike Committee held on 25 November 2014 discussed:

1. Committee membership welcoming Alderman Andrea Dawkins and voted Alderman Hugh McKenzie as Chair.
2. the Inveresk Rocherlea Trail - the current status of the remediation of the Turf Club dam needed before construction of the Rocherlea Trail.
3. the proposed treatment of Cameron Street as part of the Launceston City Heart Project.
4. ongoing issues regarding Trevallyn Road pedestrian safety.

#### **ECONOMIC IMPACT:**

N/A

#### **ENVIRONMENTAL IMPACT:**

N/A

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## COUNCIL AGENDA

Monday 8 December 2014

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### 11.2 Pedestrian & Bike Committee Meeting - 25 November 2014...(Cont'd)

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#### **SOCIAL IMPACT:**

N/A

#### **STRATEGIC DOCUMENT REFERENCE:**

The key directions within Council's Strategic Plan (2014-2014) considered relevant are:

2.1.6 To promote active and healthy lifestyles

3.1.2 To improve and maintain accessibility within the City of Launceston area, including its rural areas

4.1.5 To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities

8.5.1 To strategically manage our assets, facilities and services

#### **DISCLOSURE OF INTERESTS:**

N/A

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

## COUNCIL AGENDA

Monday 8 December 2014

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### 11.3 Audit Panel Meeting - 27 November 2014

**FILE NO:** SF3611

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To receive and consider a report from the Audit Panel following the meeting on 27 November 2014.

#### **RECOMMENDATION:**

That the report from the Audit Panel meeting held on 27 November 2014 be received.

---

#### **REPORT:**

##### **6.2 Internal Audit**

###### Details:

The Internal Auditors attended, noted the good progress in closing out some outstanding actions. Report on the review of cash handling procedures was noted.

###### Action:

The Panel received the reports.

##### **6.3 External Audit**

###### Details:

The Auditor General and the Senior Audit Manager joined the meeting by phone. Matters discussed included the draft annual report to Parliament.

###### Action:

The Panel received the reports and noted that apart from corrections to some figures in the draft it was not proposed to respond further to the observations made in the report.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 11.3 Audit Panel Meeting - 27 November 2014...(Cont'd)

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#### 9.1 Budget Adjustments

Details:

The Panel received the report that detailed the projects that need to be reclassified from Capital to Operations and Operations to Capital to comply with the Asset Capitalisation Framework and the requirements of section 82 of the *Local Government Act 1993*.

Action:

The Panel recommended to the Council that the changes be made.

#### 9.2 Budget Reallocations

Details:

The Panel received the report on transfers within the budget that do not require a change to the total budget.

Action:

The Panel noted the reallocations and transfers.

#### 9.3 - 10.4 Financial Reports

Details:

The Panel received the Operating and Capital reports together with reports on Debtors and Investments.

Action:

The Panel noted the reports.

#### 10.6 Asset Management Policy

Details:

The Panel discussed its role under the guidelines in regard to policies and strategies.

Action:

The Panel requested that the meeting schedule for the 2015 calendar be prepared to include six meetings with the work spread across these meetings to accommodate deadlines.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 11.3 Audit Panel Meeting - 27 November 2014...(Cont'd)

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#### 11.1 Procurement Policy

Details:

The Audit Panel discussed the Procurement Policy and the Purchasing (Non-Tendered) Procedure.

Actions:

The Panel provided suggestions for minor changes to wording to improve the readability of the documents, subject to these changes the documents to be referred to the General Manager for confirmation.

#### 11.2 Audit Committee Charter

Action:

Note the name change to Audit Panel to align with legislative terminology.

#### **ECONOMIC IMPACT:**

No economic impact.

#### **ENVIRONMENTAL IMPACT:**

No environmental impact.

#### **SOCIAL IMPACT:**

No social impact.

#### **STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services.

5.1.4 Ensure the city is managed in a financially sustainable manner.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 11.3 Audit Panel Meeting - 27 November 2014...(Cont'd)

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#### **BUDGET & FINANCIAL ASPECTS:**

The Audit Panel reviews reallocations made within the existing budget and makes a recommendation to the Council for those items that require a change to the budget pursuant to section 82 of the *Local Government Act 1993*.

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey: Director Corporate Services

## COUNCIL AGENDA

Monday 8 December 2014

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### 12 COUNCIL WORKSHOPS

The following Council workshops were held on 1 December 2014:

- Budget Workshop
- Major Projects Briefing
- 

### 13 PETITIONS

Nil

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## COUNCIL AGENDA

Monday 8 December 2014

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### 14 NOTICES OF MOTION - FOR CONSIDERATION

#### 14.1 Notice of Motion - Alderman Soward (Deputy Mayor) - Review of Local Government Election Process

**FILE NO:** SF5547

**AUTHOR:** Alderman Soward (Deputy Mayor)

**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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#### DECISION STATEMENT:

To consider a Notice of Motion from Alderman Soward (Deputy Mayor) in regards to seeking a review of the 2014 Elections be undertaken by the Local Government Association of Tasmania (LGAT).

#### PREVIOUS COUNCIL CONSIDERATION:

N/A

#### NOTICE OF MOTION:

- a) The Launceston City Council write to LGAT seeking a LGAT review of the 2014 Local Government election processes with this review covering a range of areas but including the following areas in particular:
    - a. The effectiveness of the new computerised counting system that was used for several councils including Launceston.
    - b. The time taken for the ballots to be counted and the potential impact, if any, this had on councils effectiveness in swearing in councillors /aldermen in order to keep council running and making decisions.
    - c. The need, if any, of a caretaker period for council leading up to the election where things like major DA's, major council policy decisions and so on are still able to be implemented by the existing council during the voting period even though there may be an entirely new council at the conclusion of the process. I am advised some other states have a caretaker period to cater for this scenario.
    - d. The potential to have compulsory voting to make the process more effective.
    - e. The potential, to eliminate confusion and to raise the voting percentage, of having voting take place on a designated polling day in the same manner as Commonwealth and State government Upper and Lower House elections and potential impediments, if any, of this taking place in time for the 2018 elections
-

## COUNCIL AGENDA

Monday 8 December 2014

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### 14.1 Notice of Motion - Alderman Soward (Deputy Mayor) - Review of Local Government Election Process...(Cont'd)

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#### REPORT:

Alderman Soward (Deputy Mayor) will speak to this item.

#### Background information provided by Alderman Soward (Deputy Mayor):

2014 saw the first all in all out elections under the new election process. The system saw a few vagaries arise and some negative feedback from the community who tended to become more disengaged by the new processes around vote counting and the use of the computerised predictive preferencing system. The delays around result notification can impact on council decision making, meeting schedules and the like.

The issue around a caretaker period may not have been as big an issue in times past due to half council elections but in an all in all out scenario has more applicability and relevance where a council could make decisions that bind a totally new council to courses of action. Of course motions can be rescinded but that in itself creates work that doesn't or shouldn't need to occur. Other jurisdictions interstate offer caretaker provisions I am told so a review would logically identify those processes.

The other issues around compulsory voting and voting on a polling day are not new issues but should be looked at as part of the overall review of the new system.

Requesting LGAT undertake this is a sensible suggestion as they are the peak body for local government in the state and the new system and suggested areas for review may or may not impact differently on each council so their research and overview is welcome to ensure a better, more streamlined system for 2018. One can imagine once they undertake and publish the review we request that could be shared with the Tasmanian electoral commission, the Minister for Local government and others to inform the process for 2018. It may even form the basis of a LGAT motion moving forward into the future.

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## COUNCIL AGENDA

Monday 8 December 2014

---

### 14.1 Notice of Motion - Alderman Soward (Deputy Mayor) - Review of Local Government Election Process...(Cont'd)

---

#### **Officer Comments - Robert Dobrzynski (General Manager)**

*The following points are made as comments regarding the matters raised in the Notice of Motion:*

- 1. Consideration of the introduction of a caretaker period appears to incorporate matters such as development applications and consequently appears to suggest that the Council's role as a planning authority would also be subject to a caretaker period leading up to a Council General Election. This would pose significant difficulties in terms of meeting legislative requirements upon Council as a responsible planning authority to determine planning applications within a prescribed time. It is also likely to be contested by the Property Council who would not wish to see development applications delayed due to being "caught" within a caretaker period. Other jurisdictions have defined **major decisions** which are subject to the provisions of the caretaker period. Such major decisions do not include the Council's responsibilities to make decisions in a timely manner pursuant to its obligations as a planning authority.*
- 2. The Notice of Motion also contemplates voting taking place on a designated polling day in the same manner as Commonwealth and State Government upper and lower house elections. This would appear to preclude broad use of postal voting arrangements. Voter turnout rates in States that have introduced postal voting, particularly in jurisdictions which have compulsory voting for Local Government elections, have indicated that the percentage of voters voting has increased substantially. Postal voting offers a convenience to voters which national evidence would suggest has led to greater voter turnout. Whilst postal voting has a 'designated polling day' in effect, it is nominal as there is an extended period for postal votes to be lodged, provided they meet the prescribed date limits.*

#### **STRATEGIC DOCUMENT REFERENCE:**

N/A

#### **BUDGET & FINANCIAL ASPECTS:**

N/A

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## COUNCIL AGENDA

Monday 8 December 2014

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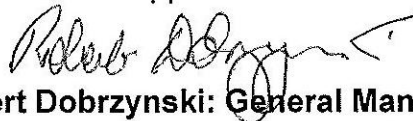
### 14.1 Notice of Motion - Alderman Soward (Deputy Mayor) - Review of Local Government Election Process...(Cont'd)

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#### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Robert Dobrzynski: General Manager

#### ATTACHMENTS:

1. Notice of Motion - Alderman Soward (Deputy Mayor)
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

FILE NO: SF5547 / SF0142 / SF0331

RS

DATE: 19 November 2014

TO: Robert Dobrzynski General Manager

c.c. Committee Clerks

FROM: Rob Soward Alderman

**SUBJECT: Notice of Motion - Review of Local Government Election Process**

In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 8 December 2014.

#### **Motion**

- a) The Launceston City Council write to LGAT seeking a LGAT review of the 2014 Local Government election processes with this review covering a range of areas but including the following areas in particular;
- a- The effectiveness of the new computerised counting system that was used for several councils including Launceston.
  - b- The time taken for the ballots to be counted and the potential impact, if any, this had on councils effectiveness in swearing in councillors/aldermen in order to keep council running and making decisions.
  - c- The need, if any, of a caretaker period for council leading up to the election where things like major DA's, major council policy decisions and so on are still able to be implemented by the existing council during the voting period even though there may be an entirely new council at the conclusion of the process. I am advised some other states have a caretaker period to cater for this scenario.
  - d- The potential to have compulsory voting to make the process more effective.
  - e- The potential, to eliminate confusion and to raise the voting percentage, of having voting take place on a designated polling day in the same manner as Commonwealth and State government Upper and Lower House elections and potential impediments, if any, of this taking place in time for the 2018 elections.

#### **Background**

Alderman Soward will provide some background to this.

2014 saw the first all in all out elections under the new election process. The system saw a few vagaries arise and some negative feedback from the community who tended to become more disengaged by the new processes around vote counting and the use of the computerised predictive preferencing system. The delays around result notification can impact on council decision making, meeting schedules and the like.

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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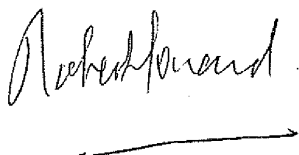
The issue around a caretaker period may not have been as big an issue in times past due to half council elections but in an all in all out scenario has more applicability and relevance where a council could make decisions that bind a totally new council to courses of action. Of course motions can be rescinded but that in itself creates work that doesn't or shouldn't need to occur. Other jurisdictions interstate offer caretaker provisions I am told so a review would logically identify those processes.

The other issues around compulsory voting and voting on a polling day are not new issues but should be looked at as part of the overall review of the new system.

Requesting LGAT undertake this is a sensible suggestion as they are the peak body for local government in the state and the new system and suggested areas for review may or may not impact differently on each council so their research and overview is welcome to ensure a better, more streamlined system for 2018. One can imagine once they undertake and publish the review we request that could be shared with the Tasmanian electoral commission, the Minister for Local government and others to inform the process for 2018. It may even form the basis of a LGAT motion moving forward into the future.

#### **Attachments**

Nil



A handwritten signature in black ink, appearing to read 'Rob Soward', with a horizontal line drawn underneath it.

**Deputy Mayor Rob Soward**



## COUNCIL AGENDA

Monday 8 December 2014

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### DIRECTORATE AGENDA ITEMS

#### 15 DEVELOPMENT SERVICES

No Reports

#### 16 FACILITIES MANAGEMENT

No Reports

#### 17 QUEEN VICTORIA MUSEUM AND ART GALLERY

No Reports

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18 INFRASTRUCTURE SERVICES

#### 18.1 Proposed Men's Shed - Nunamina Park

**FILE NO:** SF2729

**AUTHOR:** Andrew Smith (Manager Parks and Recreation)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To consider leasing an area of land at Nunamina Park to allow the establishment of a Men's Shed. This decision requires an absolute majority of Council.

#### **PLANNING APPLICATION INFORMATION:**

Subject to current Development Application.

#### **PREVIOUS COUNCIL CONSIDERATION:**

N/A

#### **RECOMMENDATION:**

That Council in respect to an area of land at Nunamina Park for the purposes of building a Men's Shed, conditional to the applicant obtaining development approval, resolves to lease this area in accordance with S178 *Local Government Act* 1993 to the Rotary Clubs of Youngtown and Kings Meadows subject to the following terms:

- the term shall be five (5) years commencing on 1 January 2015
  - the lease amount shall be \$1 per annum if demanded
  - tenant to be responsible for:
    - equivalent Council rates
    - Government taxes
    - energy costs
    - volumetric and connection charges for water
    - sewer charges
  - tenant shall continuously maintain:
    - building in good and reasonable order
    - property insurance equal to the value of the building
    - public liability insurance of at least \$10 million.
- 
-

## COUNCIL AGENDA

Monday 8 December 2014

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### 18.1 Proposed Men's Shed - Nunamina Park...(Cont'd)

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#### **REPORT:**

Council has been approached by a group of men from the Rotary clubs of Youngtown and Kings Meadows, seeking a location to build and establish a Men's Shed at Nunamina Park.

Council staff have met with members of the group and assessed the suitability of the proposed site at Nunamina Park. The establishment of a Men's Shed at this location is agreed as an excellent location for such a community group and adds beneficially to the mix of current users of the site. The park is presently occupied by the Kings Meadows Bowls Club and the 4<sup>th</sup> Launceston Scout group. The addition of a Men's Shed brings in more locals to the community facility which can only benefit the sustainability of the site.

The immediate businesses and stakeholders surrounding the development have been consulted and are supportive of the project.

Nunamina Park is public land and facilitation of the lease is in accordance with S178 *Local Government Act* 1993. Land leased for not more than 5 years does not require to be advertised.

#### **ECONOMIC IMPACT:**

There is no economic impact with this proposal.

#### **ENVIRONMENTAL IMPACT:**

This proposal will have a neutral impact on the environment.

#### **SOCIAL IMPACT:**

There is a positive social impact with this proposal as it will assist in keeping a valuable community group to continue to operate as well as allowing a group of residents to work together on a valuable project.

#### **STRATEGIC DOCUMENT REFERENCE:**

##### **Launceston Community Plan**

Preferred Future Five: Healthy and Active People - Strategy Three: Encourage physical activity

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18.1 Proposed Men's Shed - Nunamina Park...(Cont'd)

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#### City of Launceston Strategic Plan

The key directions within Council's Strategic Plan (2014-2024) which are considered relevant:

- 1.1.5 - To promote the wide variety of learning opportunities within Launceston
- 2.1.6 - To promote active and healthy lifestyles
- 4.1.2 - To plan services and facilities that recognise the changing demographics of our community.

#### BUDGET & FINANCIAL ASPECTS:

\$1 per annum if demanded.

#### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

#### ATTACHMENTS:

1. Proposal from Rotary Clubs re Men's Shed
  2. Map plan
-

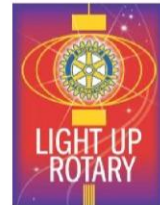
**Attachment 1**

President 2014-2015  
**Youngtown - Jan Beams**  
Mobile 0427 273 481 or 0408 135 401  
**Kings Meadows – Wayne Stevens**  
Mobile 0418 579 502

## **ROTARY CLUBS OF YOUNGTOWN & KINGS MEADOWS Rotary Community Men's Shed**

**Rotary International District 9830**

**PO Box 155, Kings Meadows  
Tasmania Australia 7249**



Secretary 2014-2015  
**Youngtown - Leigh Iles PP PHF**  
Mobile 0422 414 193  
Email: [leigh.judy@bigpond.com](mailto:leigh.judy@bigpond.com)

**Kings Meadows - Jill Habner**  
Mobile 0418 128 742

Proposed: To build a Community Men's Shed.

Where: Nunamina Avenue Park behind the Scout Hall and beside the Kingsmeadows Bowls Club (see Plan)

Launceston City Council to offer a peppercorn lease on area needed. A 5 plus 5 years term. LCC to sponsor all permit and council building fees and to assist with DA. Also assist with Landscape plan.

LCC - Andrew Smith, Chris Moore, and Trevor Galbraith have been helping to Organise.

Stage 1. Rapid Built Sheds have supplied quote and plans/engineers specs for 20mtr x 10mtr shed with 3mtr Veranda down eastern side. On the northern end of the veranda there will be Handicapped toilet and Kitchen. See attached Plans. Concrete Foundation and floor will be built by Rotary volunteers including builder Supervisor Mark Snooks. All Electrical to be done by Tim Lane Electrical plumbing by qualified plumber.

Entry by boom gate next to scout hall by gravel drive leading to the 8 car Park on the Southern end of Shed. Handicapped parking to be supplied (see attached plan).

Stage 2. Line and insulate internal walls with structural ply, purchase water tank for recycle water for Landscaping and possible future community Garden.

Shed to be used by Vietnam Vets Group that Operate from Masonic Peace Haven in very cramped conditions and have been informed that they have to vacate mid January 2015.

Our Vision is to eventually bring in men suffering with depression and give them some assistance from local medical Professionals visiting the shed. Future could include Community Garden.

Construction costs Estimated at \$85,000 to \$90,000 which includes an estimate on volunteer labor. All costs are to be covered by the Rotary clubs Youngtown and Kings Meadows club. Lease to be in name of Rotary Club of Youngtown and sub Leased to the Vietnam Vets.

All costs of Water, Power, Rates, Maintenance, Insurance and Personal insurance to be paid by the Rotary Clubs.

Sub Lease fee to Vietnam Vets would be the cost of above service with some assistance from the Rotary Clubs.

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## COUNCIL AGENDA

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The Board of Management to be set up Consisting of 2 members from Vietnam Vets, 1 member Youngtown Rotary Club and 1 member of Kings Meadows Rotary Club. And if Council would like a member of Council Staff.

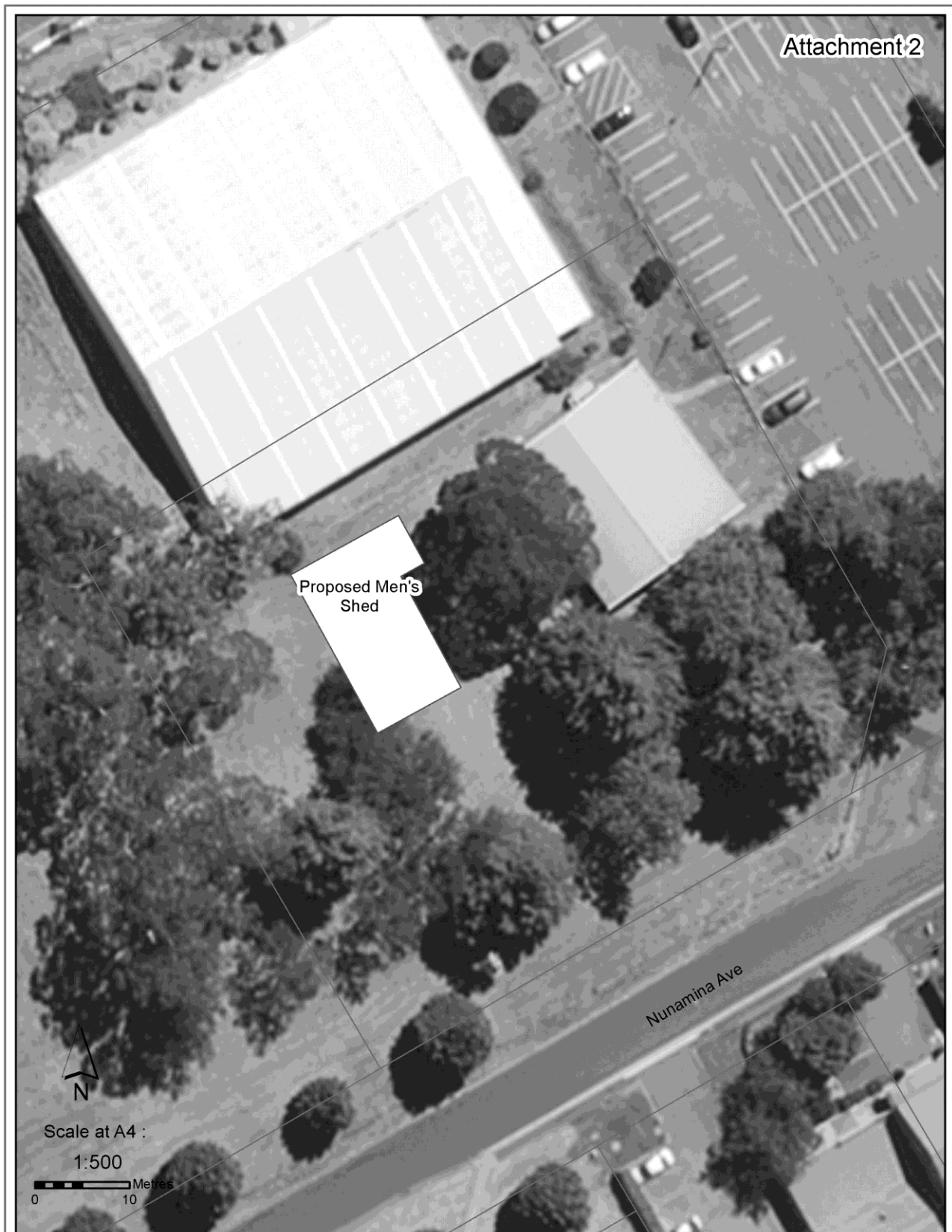
I have visited 3 local property owners and have shown plans and discussed with them times of Operation, Parking, Noise and Pollution. Finney's Funeral, Scout Hall, and Kings Meadows Bowls Board all have been very happy with our plans and have no problems.

We will be looking into all community Grants that are available so as we can complete Stages 1 to 3 as soon as possible. Our 2 Rotary Clubs have got the funds available to complete Stage 1 immediately. We would like to start ASAP so we can re-house the Vietnam Vets as soon as they have to vacate .

Yours In Rotary Chairman Men's Shed

Chris Westlake    0408130196

cwesty@bigpond.net.au



Printed: 27/11/2014

## COUNCIL AGENDA

Monday 8 December 2014

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### 18.2 Proposed Lease to City Park Radio

**FILE NO:** 64250 / SF0634 / SF6138

**AUTHOR:** Robert Holmes (Property Coordinator)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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#### DECISION STATEMENT:

To consider a request to lease land for use by a community group. This decision requires an absolute majority of Council.

#### PREVIOUS COUNCIL CONSIDERATION:

N/A

#### RECOMMENDATION:

Pursuant to Section 177 *Local Government Act* 1993, the Council enters into a lease with Launceston Community FM Group Incorporated trading as City Park Radio as follows:-

- The lease being part of 19 Cavalry Road is for an area of approximately 90 square metres together with a right of access.
  - City Park Radio are to be the sole occupant of the site.
  - The lease is to be for a 10 year period with one option to renew.
  - The rental is to be \$1800 per annum plus rates, taxes and other outgoings including any charges levied by TasWater.
  - The lease agreement is subject to a condition precedent that City Park Radio obtain all necessary permits to construct and operate a 30 metre high telecommunication tower.
- 

#### REPORT:

Launceston Community FM Group Incorporated runs a community radio station recognised as City Park Radio FM 103.7 that provides a diverse range of audio material to a various parts of the city. City Park Radio is a not for profit organisation run by volunteers. The Australian Charities and Not-for-profits Commission register confirms that the organisation has full charity status.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18.2 Proposed Lease to City Park Radio...(Cont'd)

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City Park Radio currently lease from Council premises located within City Park and utilise a transmission tower located at Reatta Road. The location of the Reatta Road tower is less than ideal because it results in "black spots" or areas of poor reception for some parts of Trevallyn West Launceston, Norwood and Kings Meadows.

An investigation has been carried out by City Park Radio to identify potential sites which would facilitate improved reception for their audience. The proposal is that the Reatta Road site would continue to be used with a translator tower providing a boost to signal strength from an alternate location. One site is within land owned by Council and extraneous to the land fill operations associated with Launceston Waste Centre at 19 Cavalry Road.

The proposed site is on top of "Remount Hill" at the rear of the land fill site. Access to the proposed communications tower site will be through Council owned Russells Plains Farm via the gravel roadway leading to the existing Telstra communications tower. There is a reciprocal agreement with Telstra for the provision of access. Council is already obliged to provide and maintain the access to the Telstra tower so the small amount of additional traffic is not a significant burden on Council. Telstra in return for access through Russells Plains Farm provide and maintain access to Councils communication tower at Mt Dismal off Austins Road Turners Marsh.

The proposed City Park Radio communications tower will be located within the title to 19 Cavalry Road requiring a small area of approximately 90 square metres together with the right to access the proposed lease area. The 30 metre high tower is estimated to cost in excess of \$85,000 with some voluntary input from tradesman / technicians. The site is zoned "Utilities" under the Launceston Interim Planning Scheme 2012 and Telecommunications is a permitted use within the Utilities Zone.

In accordance with Section 177(2) of the Local Government Act 1993 Council must be advised of the value of an interest in land that is to be disposed of by way of lease. The valuation report indicates that the proposed site has a rental value of a \$9,000 per annum plus rates taxes and outgoings with an annual CPI adjustment.

Councils draft "Lease & Licence Policy" provides guidance for circumstance where sporting clubs or community groups might reasonably expect support from Council by way of provision of infrastructure or vacant land. Because the City Park Radio provides benefits to diverse parts of the community, has limited revenue raising capacity and, given the charity status of the organisation the discount level recommended is 80% of valuation.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18.2 Proposed Lease to City Park Radio...(Cont'd)

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The proposed rent calculation is:

Valuation	= \$9,000 per annum + outgoings.
Charity status subsidy	= 80% (on a sole occupancy basis)
Proposed annual rent	= \$1,800 per annum + outgoings.

The reason sole occupancy is suggested is because the subsidy offered is on the basis of the charity status of City Park Radio. Council ought to reserve the right to review the rent in the event that circumstance change. Further reason for requiring sole occupancy is that management of farming operations within Russells Plains Farm are problematic and the issues are compounded where the right of extraneous access is introduced. Limiting access to that of City Park Radio is not expected to affect the current farming regime.

Councils draft "Lease & Licence Policy" also provides guidance for determining the term of any lease in relation to capital investment. In this instance the effective investment will be the order of \$100,000 which means that a lease of a term of up to 10 years can reasonably be considered. This part of Councils property is currently not utilised for any other purpose.

The recommendation is that City Park Radio be offered a 10 year lease over the area as indicated on the site plan marked Attachment 1 at \$1,800 per annum plus outgoings on the basis that City Park Radio is the sole occupant of the site.

#### **ECONOMIC IMPACT:**

The recommendation is in accordance with the draft "Lease and Licence Policy".

#### **ENVIRONMENTAL IMPACT:**

N/A

#### **SOCIAL IMPACT:**

N/A

#### **STRATEGIC DOCUMENT REFERENCE:**

N/A

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18.2 Proposed Lease to City Park Radio...(Cont'd)

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#### **BUDGET & FINANCIAL ASPECTS:**

The income will be credited to G.12820.15430 - Launceston Waste Centre - Rent Other Miscellaneous Land.

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

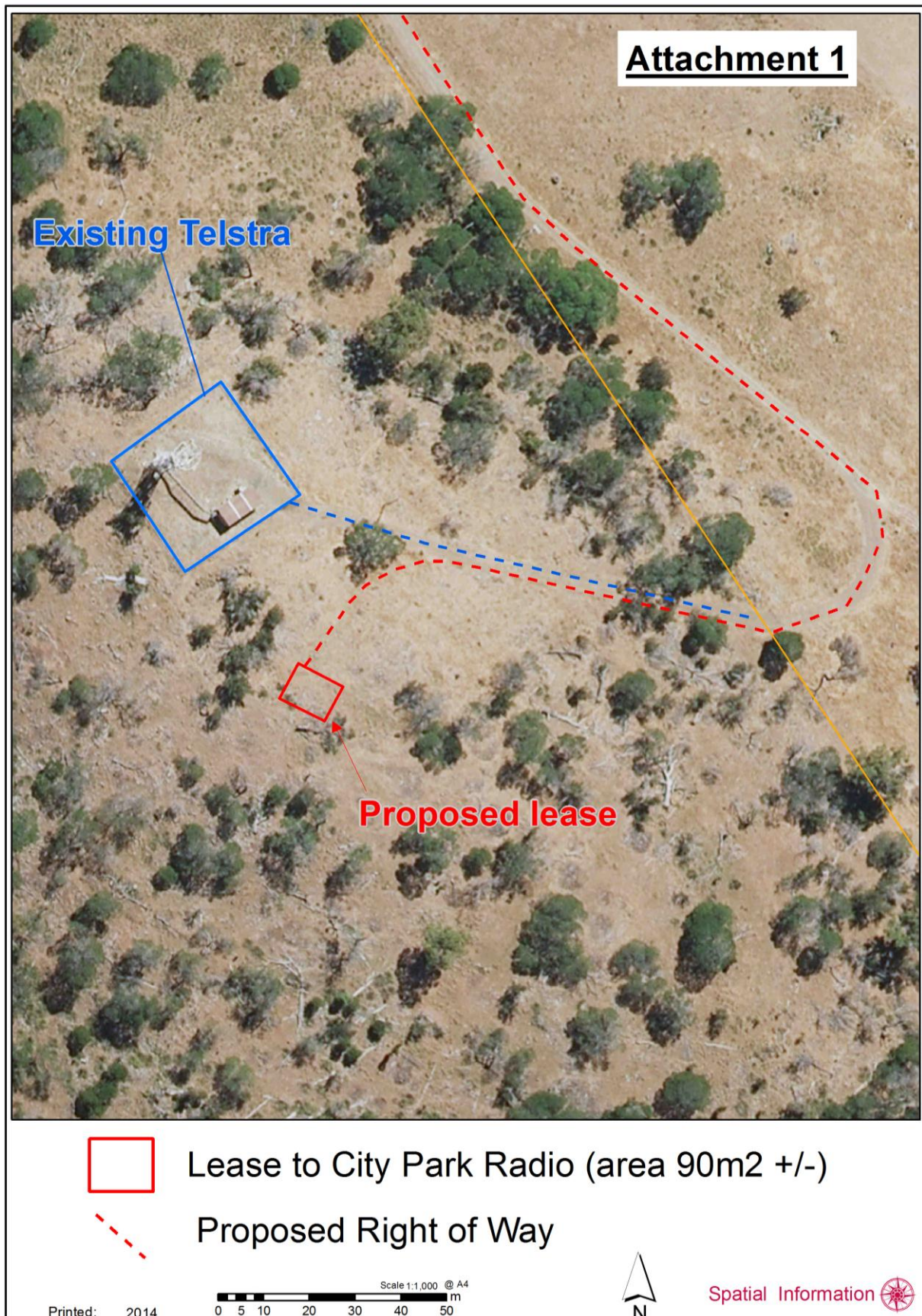
I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

#### **ATTACHMENTS:**

1. Location Plan
-



## COUNCIL AGENDA

Monday 8 December 2014

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### 18.3 Rose Garden to Honour Former Governor of Tasmania Peter Underwood AC

**FILE NO:** SF0207

**AUTHOR:** Harry Galea (Director Infrastructure Services)

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#### **DECISION STATEMENT:**

To consider a request for a rose garden to honour former Governor of Tasmania, Peter Underwood AC.

#### **PREVIOUS COUNCIL CONSIDERATION:**

Item 4.1 - SPPC 1 December 2014

Discussion on request raised by Mrs Jean Hearn with Mayor Albert van Zetten to facilitate a rose garden as a memorial in honour of the late Governor, Peter Underwood AC.

#### **RECOMMENDATION:**

That Council, in respect to a request by Mrs Jean Hearn for the installation of a rose garden to honour late Governor, Peter Underwood AC, resolves to:

- Approve such request to be sited in Royal Park and
  - Authorise officers to discuss with the proponents details on shape, size and exact planting of the memorial.
- 

#### **REPORT:**

Mrs Jean Hearn has requested a rose garden be installed to honour late Governor, Peter Underwood AC and has suggested the garden be placed behind the Queen Victoria Museum & Art Gallery, Royal Park. Mrs Hearn's son, as part of a project team, will design and construct the garden. Officers will discuss with the project team the exact size, shape and plant type to ensure practical maintenance, accessibility and consistent with future strategies at the park.

Mrs Hearn seeks to co-ordinate the commissioning of the memorial to coincide with an event to commemorate the anniversary of the late Governor's death to be held from 10-12 July 2015 to do with alternatives to violence resolving conflict.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 18.3 Rose Garden to Honour Former Governor of Tasmania Peter Underwood AC...(Cont'd)

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#### **ECONOMIC IMPACT:**

Not considered relevant to this report.

#### **ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

#### **SOCIAL IMPACT:**

A memorial garden will allow the public to remember a person who has had a positive influence on the community in Tasmania.

#### **STRATEGIC DOCUMENT REFERENCE:**

The key directions within Council's Strategic Plan (2014-2024) which are considered relevant:

- 1.1.6 - To contribute towards artistic, cultural and heritage outcomes
- 2.1.4 - To promote Launceston's rich heritage and natural environment

#### **BUDGET & FINANCIAL ASPECTS:**

The legal fraternity has agreed to provide funding for the project. It is expected there will be no capital funds required from Council however ongoing maintenance will become a Council responsibility.

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.



**Harry Galea: Director Infrastructure Services**

## COUNCIL AGENDA

Monday 8 December 2014

### 19 CORPORATE SERVICES

#### 19.1 Proposed City of Launceston 2014/15 Annual Plan

**FILE NO:** SF6088 / SF5652

**AUTHOR:** Leanne Purchase (Corporate Planning Administration Officer)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

#### DECISION STATEMENT:

To consider the City of Launceston's proposed Annual Plan Actions for 2014/15.

#### PREVIOUS COUNCIL CONSIDERATION:

Item 4.2 - Strategic Planning & Policy Committee - 1 December 2014 - *Proposed City of Launceston 2014/15 Annual Plan*

#### RECOMMENDATION:

That Council endorses the following Actions for inclusion in the City of Launceston's Annual Plan 2014/15.

1. A creative and innovative city

**Ten-year goal:** To foster creative and innovative people and industries

Action	Directorate
<b>Key direction: To support and promote alternative uses of underutilised buildings</b>	
Duck Reach Redevelopment Project - Complete the Expression of Interest (EOI) process for the Duck Reach Redevelopment Project	Facilities Management
MEASURES OF SUCCESS - Complete the EOI document - Provide a report to Council on the EOI scope and assessment process - Undertake EOI - Undertake evaluation of submissions	



## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

Action	Directorate
Macquarie House - Manage the redevelopment of Macquarie House	Facilities Management
MEASURES OF SUCCESS - Finalise Grand Deed and funding requirements - Complete project implementation plan - Complete Detailed Design and Documentation process - Secure Approvals and Permits	

2. A city where people choose to live

**Ten-year goal:** To promote Launceston as a unique place to live, work, study and play

Action	Directorate
<b>Key direction: To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston</b>	
North Bank - Implement Stage 1 of the North Bank project plan	Infrastructure Services
MEASURES OF SUCCESS - Delivery of projects as identified in the three-year project plan	
Reimagining Cataract Gorge Project - Prepare a strategy that determines appropriate infrastructure, activities and promotion of Cataract Gorge	Infrastructure Services
MEASURES OF SUCCESS - Council adopts the strategy and implementation plan	
Perimeter fence at the Leisure and Aquatic Centre (LAC) - Design and receive planning approval for a new and realigned perimeter fence at the LAC	Facilities Management
MEASURES OF SUCCESS - Design and location plan complete - Costing complete - Development Application approval	



## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

Action	Directorate
<p>Public Open Space (POS) Strategy - Review the 2007 POS Strategy to encompass POS recommendations from the Greater Launceston Plan and establish a new and up to date vision for Launceston's Public Open Space</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- POS Strategy planned for completion by 30 September 2014</li> <li>- POS Strategy adopted by Council by the third quarter 2014/15</li> </ul>	Infrastructure Services
<b>Key direction: To support the CBD and commercial areas as activity places during the day and night</b>	
<p>Launceston City Heart Project - Undertake consultation, complete design work and commence implementation of the City Heart Project</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- Community consultation completed</li> <li>- Detailed designs completed</li> </ul>	Development Services
<b>Key direction: To contribute to enhanced public health and amenity to promote a safe and secure environment</b>	
<p>Smoke-free area in the Launceston CBD - Facilitate the expansion of the smoke-free area in the Launceston CBD and review regulatory processes</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- Smoke-free area expanded in CBD</li> </ul>	Development Services
<b>Key direction: To promote Launceston's rich heritage and natural environment</b>	
<p>Heritage management - Undertake a review of the Council's heritage management function in consultation with the Heritage Advisory Committee to identify priorities and develop a work plan</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- Review completed and work plan developed</li> </ul>	Development Services

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

<b>Key direction: To plan for better connections between the river and Launceston</b>	
Seaport boardwalk renewal - Renew decking from the Seaport business area to Home Point by resurfacing the existing timber deck with synthetic boards and upgrading derelict poles	Infrastructure Services
MEASURES OF SUCCESS - Boardwalk renewed by mid-December 2014 between Seaport business area and Home Point	
<b>Key direction: To promote active and healthy lifestyles</b>	
Invermay Park Redevelopment	Facilities Management
MEASURES OF SUCCESS - Install a new all-weather surface - Install upgraded lighting - Complete civil works, including roadways, car parks and footpaths	

### 3. A city in touch with its region

**Ten-year goal:** To ensure Launceston is accessible and connected through efficient transport and digital networks

Action	Directorate
<b>Key direction: To enable access to Launceston for all modes of transport</b>	
CBD bus stops - Undertake a study to determine the best location of the CBD bus stops	Infrastructure Services
MEASURES OF SUCCESS - Final report approved by Council - Completion of the design of the preferred solution	
Transport Futures - Finalise Launceston's first long-term transport plan that combines traffic, pedestrian, cycling and safety strategies	Infrastructure Services
MEASURES OF SUCCESS - Council's adoption of the document and action plan	

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

#### 4. A diverse and welcoming city

**Ten-year goal:** To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Action	Directorate
<b>Key direction: To plan services and facilities that recognise the changing demographics of our community</b>	
Community Development Framework - Develop and communicate a Community Development Framework	Development Services
MEASURES OF SUCCESS - Community Development Framework developed	

#### 5. A city that values its environment

**Ten-year goal:** To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards

Action	Directorate
<b>Key direction: To manage the risks of climate-related events particularly in the area of stormwater management</b>	
Public Stormwater Network - Undertake research and develop a policy that details the target level of service for flood protection for urban areas, using a risk based approach	Infrastructure Services
MEASURES OF SUCCESS - 2015/16 budget submissions and long-term financial plan is informed by the policy	
<b>Key direction: To reduce our and the community's impact on the natural environment</b>	
Reducing smoke pollution from wood fires - Provide education to the community regarding actions to reduce smoke pollution from wood fires	Development Services
MEASURES OF SUCCESS - Education provided	

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

6. A city building its future

**Ten-year goal:** To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Action	Directorate
<b>Key direction: To develop and take a strategic approach to (re)development sites to maximise public benefits of development</b>	
Willis Street Precinct - Complete the Willis Street Precinct Plan	Development Services
MEASURES OF SUCCESS - Precinct Plan completed	
<b>Key direction: To ensure that the planning system at a local and regional level is effective and efficient</b>	
Regional planning - Continue participation in the Northern Regional Planning Management Committee	Development Services
MEASURES OF SUCCESS - Meetings attended and Council comments provided as required	
Launceston Planning Scheme - Implement, review and as necessary amend the Launceston Planning Scheme	Development Services
MEASURES OF SUCCESS - Planning Scheme reviewed and amended as necessary	

7. A city that stimulates economic activity and vibrancy

**Ten-year goal:** To develop a strategic and dedicated approach to securing economic investment in Launceston

Action	Directorate
<b>Key direction: To provide an environment that is conducive to business and development</b>	
Economic development strategy - Develop an economic development strategy which positions Launceston within Regional, State and National economic development policies and strategies	Development Services
MEASURES OF SUCCESS - Economic development strategy developed	

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

Action	Directorate
Advocate for support of priority issues - Advocate for support that allows projects and priority issues for the City of Launceston to be addressed and delivered  MEASURES OF SUCCESS - State and Federal Government support/funding is secured for key projects and priority issues	General Manager
<b>Key direction: To promote tourism and a quality Launceston tourism offering</b>	
Tourism Interpretation, Signage and Lighting Project - Implement the project  MEASURES OF SUCCESS - Project completed	Development Services
Multiple use options for Albert Hall - Undertake a feasibility study into multiple use options for Albert Hall  MEASURES OF SUCCESS - Multiple use options identified	Development Services
<b>Key direction: To promote and attract national and international events and support the sector to ensure a diverse annual events calendar</b>	
Online events applications - Implement the online application process for events held in the Launceston Municipal Area  MEASURES OF SUCCESS - On-line events application process provided for the community	Development Services

#### 8. A secure, accountable and responsive Council

**Ten-year goal:** To communicate and engage consistently and effectively with our community and stakeholders

Action	Directorate
<b>Key direction: To develop and consistently use community engagement processes</b>	
Community Engagement Framework - Facilitate an integrated Council wide Community Engagement Framework progressively over a three year period  MEASURES OF SUCCESS - The community has more opportunity to have their say - Improvement in the transparency of Council decision-making	General Manager

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

**Ten-year goal:** To seek and champion regional collaboration to address major regional issues

Action	Directorate
<b>Key direction: To collaborate on regionally relevant issues and lead the implementation of the Greater Launceston Plan</b>	
Greater Launceston Plan projects - Strategically manage the prioritisation and implementation of projects from the Greater Launceston Plan	General Manager
MEASURES OF SUCCESS - Council's top priorities are identified, prioritised and implemented	
Northern Regional Land Use Strategy - Facilitate the incorporation of the Greater Launceston Plan into the Northern Regional Land Use Strategy	Development Services
MEASURES OF SUCCESS - Greater Launceston Plan incorporated into the Northern Land Use Strategy	
Planning Scheme audit - Complete an audit of the Planning Scheme against the Greater Launceston Plan to identify any necessary amendments and/or modifications	Development Services
MEASURES OF SUCCESS - Audit of Planning Scheme completed	

**Ten-year goal:** To ensure decisions are made in a transparent and accountable way

Action	Directorate
<b>Key direction: To ensure decisions are made on the basis of accurate and relevant information</b>	
Public Health statement - Work with the Communications Department to review and improve the public health statement/report provided in the Annual Report	Development Services
MEASURES OF SUCCESS - Public Health statement/report reviewed and included in the 2013/14 Annual Report	

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

**Ten-year goal:** To continue to meet our statutory obligations and deliver quality services

Action	Directorate
<b>Key direction: To continually improve our service delivery and supporting processes</b>	
Food Safety and Public Health Services - Implement eServices through the Environmental Services Department to improve efficiency and effectiveness of Food Safety and Public Health services	Development Services
MEASURES OF SUCCESS - Improved efficiency and effectiveness achieved	
Launceston resale shop and recycling centre - A new recycling centre, green waste area, reuse shop, additional weighbridge and new gatehouse is under construction in 2014. This project will see the reinstatement of a reuse shop and a not-for-profit organisation operate all resource recovery aspects at the Launceston Waste Centre	Infrastructure Services
MEASURES OF SUCCESS - Green waste area operational as of July 2014 - Weighbridge and gatehouse operational by October 2014 - Recycling centre operational by November 2014	
Kerbside organic collection and regional composting service - Council has identified organics recovery as a priority in its interim waste strategy and action plan (ISAP). A business case is to be prepared which outlines the cost of a commercial food and green organics composting facility at the Launceston landfill as well as the cost of introducing a third green and food organics bin for residents	Infrastructure Services
MEASURES OF SUCCESS - First draft of business plan presented to SPPC in August 2014 - Decision by Council by June 2015 on whether to implement service	
Operation and sustainability of QVMAG - Recognise and manage risks to the continued operation and sustainability of QVMAG	Queen Victoria Museum & Art Gallery
MEASURES OF SUCCESS - Sources examined and listed - Increase in State Government Funding	

## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

**Ten-year goal:** To continue to ensure the long term sustainability of our organisation

Action	Directorate
<b>Key direction: To strategically manage our assets, facilities and services</b>	
Strategic Plan - Coordinate the development of a new 10 year Council Strategic Plan  MEASURES OF SUCCESS - Adoption of Strategic Plan 2014-2024	Corporate Services
Asset Management - Comply with new legislative requirements for the preparation of a (a) Long Term Asset Management Plan; and (b) Asset Management Strategies  MEASURES OF SUCCESS - Useful strategies and plan in place	Corporate Services
Financial Management - Comply with new legislative requirements for the preparation of a (a) Long Term Financial Plan; and (b) Financial Management Strategy  MEASURES OF SUCCESS - Useful strategy and plan in place	Corporate Services
Paterson Street East Car Park toilet facility - Complete the replacement and upgrade of the public toilet facility at the Paterson Street East Car Park  MEASURES OF SUCCESS - Complete project procurement and public tender process - Complete demolition of existing Exeloo installation - Complete project construction - Commission new facility	Facilities Management
Kings Meadows flood mitigation works - Develop a detailed design and undertake construction of Stage 1 flood mitigation at Kings Meadows  MEASURES OF SUCCESS - Completion of projects identified in the three-year project plan	Infrastructure Services



## COUNCIL AGENDA

Monday 8 December 2014

### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

Action	Directorate
<p>Public halls review - Review usage levels, catchment areas, building condition, leasing and long term capacity</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- The review will identify halls to be sold and halls requiring upgrades</li> <li>- A report adopted by Council on the disposal and upgrade of halls as recommended by the review</li> </ul>	Infrastructure Services
<p>Rural road improvement strategy - Develop a rural road hierarchy and an accompanying methodology to determine upgrades to rural roads</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- 2015/16 budget submissions and long-term financial plan is informed by the strategy</li> </ul>	Infrastructure Services
<b>Key direction: To maintain a financially sustainable organisation</b>	
<p>Combined Drainage: TasWater Stormwater Charge - Support the process, including arbitration proceedings under the provisions of the Urban Drainage Act, of resolving the dispute between TasWater and the Council in regard to the charges for stormwater services</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- Process concluded</li> <li>- A charge consistent with the legislation and benchmarks achieved</li> <li>- Shared understanding of future service arrangements</li> </ul>	Corporate Services
<p>Management of financial resources - Oversee the management of the City of Launceston's financial resources to achieve strategic goals</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> <li>- Council's long-term financial sustainability is secured and financial management meets contemporary practice</li> </ul>	General Manager

## COUNCIL AGENDA

Monday 8 December 2014

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19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

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Key direction: To strengthen our workforce capabilities	
Organisational culture - Champion an organisational culture of innovation, efficiency and continuous improvement	General Manager
MEASURES OF SUCCESS - Implementation of Future Directions Plan initiatives around continuous improvement	

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**REPORT:**

In accordance with the provisions of the *Local Government Act 1993*, the Council is required to prepare an Annual Plan.

The proposed Annual Plan Actions for 2014/15 are key Actions the Council is undertaking in 2014/15 to work toward achieving the goals and strategies from the Council's 10-year Strategic Plan 2014-2024.

Annual Plan Actions have one or more of the following features:

- Close alignment with the strategic intent defined in the Strategic Plan 2014-2024
- Significant interest to the community
- A need for cross-directorate collaboration
- Resource-intensive
- Delivery of outcomes that will benefit the community
- Demonstrate compliance with legislation, especially around governance

Actions are directly linked to the strategic framework delivered in the Strategic Plan 2014-2024. The strategic framework takes the form of priority areas, 10-year goals and strategies as detailed in Attachment 1 – Strategic Plan Report.

The proposed 2014/15 Annual Plan includes Actions that cover all eight (8) priority areas from the Strategic Plan 2014-2024. Additionally, all 12 ten-year goals from the Strategic Plan 2014-2024 are represented. Twenty-three (23) of 44 key directions are addressed in this proposed 2014/15 Annual Plan. All key directions from the Strategic Plan 2014-2024 will be addressed in the annual planning cycles that occur over the life of the strategic plan.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 19.1 Proposed City of Launceston 2014/15 Annual Plan...(Cont'd)

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Progress against 2014/15 Annual Plan Actions will be reported to the Council in January 2015, April 2015 and July 2015.

#### **ECONOMIC IMPACT:**

The Actions included in the 2014/15 Annual Plan are aligned with the Strategic Plan 2014-2024 priority areas, several of which are framed to deliver economic benefits to Launceston. In particular, priority areas 6 *A city building its future* and 7 *A city that stimulates economic activity and vibrancy* is relevant.

#### **ENVIRONMENTAL IMPACT:**

Actions aligned to priority area 5 *A city that values its environment* are directly relevant to our natural environment.

#### **SOCIAL IMPACT:**

Actions aligned to priority areas 4 *A diverse and welcoming city* have significant social implications.

#### **STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024.

#### **BUDGET & FINANCIAL ASPECTS:**

Where relevant, budgetary implications are considered in the City of Launceston's 2014/15 Budget.

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey: Director Corporate Services

#### **ATTACHMENTS:**

1. Attachment 1 – Strategic Plan Report
-

Attachment 1



## Strategic Plan Report

## PRIORITY AREAS, 10-YEAR GOALS AND KEY DIRECTIONS

<b>Priority Area</b>	<b>1</b>	<b>A creative and innovative city</b>
<b>10-Year Goal</b>	<b>1.1</b>	To foster creative and innovative people and industries
<b>Key Direction</b>	<b>1.1.1</b>	To establish appropriate mechanisms to support the retail sector
	<b>1.1.2</b>	To understand and support the establishment and growth of creative industries in Launceston
	<b>1.1.3</b>	To optimise the use and usability of our assets for different types of activities
	<b>1.1.4</b>	To support and promote alternative uses of underutilised buildings
	<b>1.1.5</b>	To promote the wide variety of learning opportunities within Launceston
	<b>1.1.6</b>	To contribute towards artistic, cultural and heritage outcomes
<b>Priority Area</b>	<b>2</b>	<b>A city where people choose to live</b>
<b>10-Year Goal</b>	<b>2.1</b>	To promote Launceston as a unique place to live, work, study and play
<b>Key Direction</b>	<b>2.1.1</b>	To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston
	<b>2.1.2</b>	To support the CBD and commercial areas as activity places during day and night
	<b>2.1.3</b>	To contribute to enhanced public health and amenity to promote a safe and secure environment
	<b>2.1.4</b>	To promote Launceston's rich heritage and natural environment
	<b>2.1.5</b>	To plan for better connections between the river and Launceston
	<b>2.1.6</b>	To promote active and healthy lifestyles
<b>Priority Area</b>	<b>3</b>	<b>A city in touch with its region</b>
<b>10-Year Goal</b>	<b>3.1</b>	To ensure Launceston is accessible and connected through efficient transport and digital networks
<b>Key Direction</b>	<b>3.1.1</b>	To enable access to Launceston for all modes of transport
	<b>3.1.2</b>	To improve and maintain accessibility within the City of Launceston area, including its rural areas
	<b>3.1.3</b>	To regularly review our strategic approach to parking in Launceston
	<b>3.1.4</b>	To promote digital connectivity for industry sectors, households and the community

## COUNCIL AGENDA

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<b>Priority Area</b>	<b>4</b>	<b>A diverse and welcoming city</b>
<b>10-Year Goal</b>	<b>4.1</b>	To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities
<b>Key Direction</b>	<b>4.1.1</b>	To understand the needs and requirements of the key community service providers and stakeholders
	<b>4.1.2</b>	To plan services and facilities that recognise the changing demographics of our community
	<b>4.1.3</b>	To define and communicate our role in promoting social inclusion and equity
	<b>4.1.4</b>	To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community
	<b>4.1.5</b>	To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities
	<b>4.1.6</b>	To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life
<b>Priority Area</b>	<b>5</b>	<b>A city that values its environment</b>
<b>10-Year Goal</b>	<b>5.1</b>	To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards
<b>Key Direction</b>	<b>5.1.1</b>	To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
	<b>5.1.2</b>	To manage the risks of climate-related events particularly in the area of storm water management
	<b>5.1.3</b>	To enhance community awareness and resilience to uncertain weather patterns
	<b>5.1.4</b>	To implement floodplain management plans in the Invermay area
	<b>5.1.5</b>	To reduce our and the community's impact on the natural environment
<b>Priority Area</b>	<b>6</b>	<b>A city building its future</b>
<b>10-Year Goal</b>	<b>6.1</b>	To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions
<b>Key Direction</b>	<b>6.1.1</b>	To advocate and collaborate to address regionally significant infrastructure and transport solutions
	<b>6.1.2</b>	To develop and take a strategic approach to (re)development sites to maximise public benefits of development
	<b>6.1.3</b>	To ensure that the planning system at a local and regional level is effective and efficient
	<b>6.1.4</b>	To explore opportunities to minimise heavy freight movements through residential areas and the central area

## COUNCIL AGENDA

Monday 8 December 2014

<b>Priority Area</b>	<b>7</b>	A city that stimulates economic activity and vibrancy
<b>10-Year Goal</b>	<b>7.1</b>	To develop a strategic and dedicated approach to securing economic investment in Launceston
<b>Key Direction</b>	<b>7.1.1</b>	To actively market the City and Region and pursue investment
	<b>7.1.2</b>	To provide an environment that is conducive to business and development
	<b>7.1.3</b>	To promote tourism and a quality Launceston tourism offering
	<b>7.1.4</b>	To promote and attract national and international events and support the sector to ensure a diverse annual events calendar
	<b>7.1.5</b>	To support sustainable population growth in Launceston
	<b>7.1.6</b>	To facilitate direct investment in the local economy to support its growth
<b>Priority Area</b>	<b>8</b>	A secure, accountable and responsive Council
<b>10-Year Goal</b>	<b>8.1</b>	To communicate and engage consistently and effectively with our community and stakeholders
<b>Key Direction</b>	<b>8.1.1</b>	To develop and consistently use community engagement processes
<b>10-Year Goal</b>	<b>8.2</b>	To seek and champion regional collaboration to address major regional issues
<b>Key Direction</b>	<b>8.2.1</b>	To collaborate on regionally relevant issues and lead the implementation of the Greater Launceston Plan
<b>10-Year Goal</b>	<b>8.3</b>	To ensure decisions are made in a transparent and accountable way
<b>Key Direction</b>	<b>8.3.1</b>	To ensure decisions are made on the basis of accurate and relevant information
<b>10-Year Goal</b>	<b>8.4</b>	To continue to meet our statutory obligations and deliver quality services
<b>Key Direction</b>	<b>8.4.1</b>	To continually improve our service delivery and supporting processes
<b>10-Year Goal</b>	<b>8.5</b>	To continue to ensure the long term sustainability of our organisation
<b>Key Direction</b>	<b>8.5.1</b>	To strategically manage our assets, facilities and services
	<b>8.5.2</b>	To maintain a financially sustainable organisation
	<b>8.5.3</b>	To strengthen our workforce capabilities

## COUNCIL AGENDA

Monday 8 December 2014

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### 19.2 Local Government Representation - Tasmanian Heritage Committee

**FILE NO:** SF0760

**AUTHOR:** John Davis (Manager Corporate Strategy)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

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#### **DECISION STATEMENT:**

To consider nominations for Local Government Representation to the Tasmanian Heritage Council.

#### **PREVIOUS COUNCIL CONSIDERATION:**

This item was discussed in General Business at the 1 December 2014 Strategic Planning and Policy Committee Meeting.

#### **RECOMMENDATION:**

That Council consider nominating Local Government representatives to the Tasmanian Heritage Council.

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#### **REPORT:**

The Local Government Association Tasmania (LGAT) is requesting nominations for Local Government representatives to be appointed to the Tasmanian Heritage Council. The letter, including the requirements and sitting fees for representatives, and the nomination form is attached (Attachment 1).

The Tasmanian Heritage Council is a statutory body appointed by the Minister for Environment, Parks and Heritage to implement the *Historic Cultural Heritage Act 1995* (the Act).

It is an entity of the Crown that works within the established policy and administrative framework of the State Government. Its functions and powers are broad and spelt out in s7 of the Act. Its core roles are to determine which places of State historic cultural heritage significance warrant entry on the Tasmanian Heritage Register and determine development applications for those places.

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## COUNCIL AGENDA

Monday 8 December 2014

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### 19.2 Local Government Representation - Tasmanian Heritage Committee...(Cont'd)

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The Heritage Council is responsible for performing the functions and powers that are conferred on it by, or under the Act, or other relevant legislation. Section 4A of the Act provides that all decision-makers must seek to further the objectives of the resource management and planning system and the process set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

Given that the Tasmania Heritage Council is not a body corporate or able to employ staff under the *State Service Act 2000*, Heritage Tasmania in the Department of Primary Industries, Parks, Water and Environment (DPIPWE) is funded to assist the Heritage Council to implement its responsibilities under the Act. Heritage Tasmania undertakes some tasks under delegation from the Tasmanian Heritage Council and also has distinct responsibilities for managing the historic heritage portfolio.

In addition to the information provided in the attachment the following is also provided regarding the commitments required of the representatives of the Heritage Council:

- The Heritage Council consists of 15 members, who represent diverse community interests and professional expertise. Its membership can include individuals who are property owners, who represent conservation interests or have expertise in history, architecture, engineering, churches and tourism.
- Meetings are generally held monthly 11 -12 times per year on the third Wednesday of the month and are of 3-4 hours duration (Meetings are only held in January if they are required).
- The \$3,850 annual sitting fee includes preparation and travel time, but reasonable other expenses such as petrol costs, parking and accommodation (where required) are covered.
- The majority of the meetings are held in Hobart and a regional meeting is usually held in May as part of the Tasmanian Heritage Festival (this year the meeting was held in the Dorset Council region).
- Membership of the Council's two committees, the Registration Committee and the Works Committee, may also be considered by the representatives. Additional fees are payable for this representation and members from outside Hobart can be linked by video conferencing.

If any aldermen are interested in being nominated for one of the two positions, they will be required to have completed the nomination form with an appropriate level of detail to ensure that the nominations are submitted to LGAT by **8 December 2014**.

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## COUNCIL AGENDA

Monday 8 December 2014

### 19.2 Local Government Representation - Tasmanian Heritage Committee...(Cont'd)

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#### ECONOMIC IMPACT:

N/A

#### ENVIRONMENTAL IMPACT:

N/A

#### SOCIAL IMPACT:

N/A

#### STRATEGIC DOCUMENT REFERENCE:

Goal 2: A City where people choose to Live

Key direction 4: To promote Launceston's rich heritage and natural environment

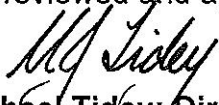
#### BUDGET & FINANCIAL ASPECTS:

N/A

#### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey, Director Corporate Services

#### ATTACHMENTS:

1. Local Government Representation - Tasmanian Heritage Council. Correspondence from the Local Government Association Tasmania.
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## COUNCIL AGENDA

Monday 8 December 2014



Local Government Association Tasmania

24 November 2014

Our Ref: SW/MF  
File No: 0152

Mr Robert Dobrzynski  
Launceston City Council  
PO Box 396  
LAUNCESTON TAS 7250

Dear Robert

FILE No.	SF0760				
EO		OD	<input checked="" type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCVD'D 25 NOV 2014 LCC					
Doc No.					
Action Officer			Noted	Replied	
R. Dobrzynski					

### Local Government Representation – Tasmanian Heritage Council

The Local Government Association of Tasmania has been requested to put forward nominations for two Local Government representatives to be appointed to the Tasmanian Heritage Council. The positions entail a 'general representative' and a 'representative with expertise'.

The Tasmanian Heritage Council is a statutory body consisting of up to 15 members who are appointed by the Minister for Environment, Parks and Heritage, the Hon. Matthew Groom MP. The Tasmanian Heritage Council's key functions are two-fold: to promote the retention of places having cultural heritage significance; and to facilitate the maintenance, preservation, restoration, reconstruction or adaptation of places of historic cultural heritage significance.

Broadly, the Tasmanian Heritage Council undertakes to:

- Work collaboratively with Federal, State and Local authorities in the conservation of places of historic cultural heritage and advise the Minister of the measures necessary to preserve such places.
- Assist in the proper management of places of historic cultural heritage significance. This includes adhering to the RMPS and keeping accurate records of such places.
- Facilitate the promotion of tourism in respect to Tasmania's historic cultural heritage and related to this, encourage public education and interest in places of cultural heritage significance.

The roles and responsibilities of the Heritage Council are outlined in the *Historic Cultural Heritage Act 1995*.

Tasmanian Heritage Council representatives are paid \$3,850 per annum in sitting fees, plus the re-imbursement of reasonable travel and accommodation expenses where relevant. Sub-committees also meet and separate fees are paid for these meetings. Half-day meetings are usually held once a month and generally take place in Hobart.

## COUNCIL AGENDA

Monday 8 December 2014

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There are two positions available for which applications are invited. The 'expert representative' must have planning qualifications with demonstrated experience in the area of planning. The 'generalist representative' must have knowledge of heritage and cultural issues relevant to Local Government, a broad understanding of the operation of Resource Management and Planning System, and demonstrated strategic thinking abilities.

Local Government nominees are required to complete and return the enclosed Statement in Support of Nomination Form, Application Form, a statement that addresses the selection criteria, and a current Curriculum Vitae.

Nominations should be forwarded to Stephanie Watson at our offices at [stephanie.watson@lgat.tas.gov.au](mailto:stephanie.watson@lgat.tas.gov.au), no later than **Monday, 8 December 2014**.

Yours sincerely



Allan Garcia  
CHIEF EXECUTIVE OFFICER



## Local Government Representation Statement in Support of Nomination

Name of Nominee

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Council

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Name of Body

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Qualifications Relevant to the Role

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Experience Relevant to the Role

Please tick ✓

Government Policy Generally	<input type="checkbox"/>
Management	<input type="checkbox"/>
Administration	<input type="checkbox"/>
Economics	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Planning	<input type="checkbox"/>
Legal	<input type="checkbox"/>
Public Health	<input type="checkbox"/>
Environment	<input type="checkbox"/>
Building	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Economic Development	<input type="checkbox"/>
Other	<input type="checkbox"/>

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Address

Phone

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Email

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More overleaf.....

2

**Please provide a paragraph in support of your nomination which describes your interest in the role and your capacity to meet the requirements of the role as specified in the terms of reference and/or criteria supplied.**

If insufficient room is provided, please use a separate sheet and attach.

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**Signature**

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**Date**

**Do you currently hold other positions as a representative of Local Government?  
Please detail.**

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This form will be submitted to the Local Government Association of Tasmania General Management Committee and a copy will be kept in the Association records system.  
Authorised LGAT officers will have access to information provided.  
Support staff for General Management Committee members may have access to the details in this form.

## COUNCIL AGENDA

Monday 8 December 2014

### 19.3 2014/15 Budget Amendments

**FILE NO:** SF5899

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

#### DECISION STATEMENT:

To approve budget amendments relating to various expenditure and capital estimates and thereby amending the Operations budget to a \$9.721m surplus (which includes \$10.045m in capital grants) and the Capital budget to \$25.885m for 2014/15.

This decision requires an absolute majority vote of Council in accordance with Section 82(4) of the *Local Government Act 1993*.

#### PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 27 November 2014 - *It was resolved that the report go to Council for a decision.*

#### RECOMMENDATION:

That the Council:

1. Pursuant to Sections 82(2) and (4) of the *Local Government Act 1993*, approve the budget transfers as follows
  - a) Reallocate funding relating to transfers from Capital to Operations in the amount of \$465,000

	\$
Stormwater unforeseen to Cambridge Street open drain	70,000
Stormwater unforeseen to Patricia Place drainage works	75,000
Stormwater unforeseen Los Angeles Road drainage works	75,000
Roads unforeseen to Westbury Road landslip investigation	50,000
Yondover Road widening (Accounting treatment)	40,000
Ben Lomond Road widening (Accounting treatment)	50,000
Cronins Road widening (Accounting treatment)	40,000
Brooks/Lalla Road junction widening (Accounting treatment)	50,000
Carr Villa drainage to Carr Villa Crematoria site remediation	15,000
	<b>\$465,000</b>

## COUNCIL AGENDA

Monday 8 December 2014

### 19.3 2014/15 Budget Amendments...(Cont'd)

- b) Reallocate funds relating to transfers from Operations to Capital in the amount of \$105,000

	\$
Bikeways Program to Eureka Street Reserve Path	10,000
Patricia Place drainage to Hill Street (York Hillside)	75,000
NTCA Concrete Wicket Ground 2 (Accounting Treatment)	20,000
	<b>105,000</b>

#### 2. Notes the revised

- |  |            |
|--|------------|
| a) Underlying Operating Budget Deficit | (\$0.324)m |
| b) Operating Budget Surplus            | \$9.721m   |
| c) Capital Budget                      | \$25.885m  |

## REPORT:

The budget amendments are changes to budget estimates that require a Council decision. The major changes come from stormwater and roads unforeseen budgets being allocated to actual projects identified.

The following table summarises the amendments.

	Operations \$'000	Capital \$'000
Statutory Budget	10,081	26,245
Capital to Operations	(465)	(465)
Operations to Capital	105	105
Balance at 31/10/2014	9,721	25,885
Add back Financial Assistance Grants for 2014/15	-	
Deduct Capital Grants and Contributions	(10,045)	
<b>Underlying Operating Budget Deficit</b>	<b>(324)</b>	



## COUNCIL AGENDA

Monday 8 December 2014

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### 19.3 2014/15 Budget Amendments...(Cont'd)

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#### **ECONOMIC IMPACT:**

Not applicable to this report.

#### **ENVIRONMENTAL IMPACT:**

Not applicable to this report.

#### **SOCIAL IMPACT:**

Not applicable to this report.

#### **STRATEGIC DOCUMENT REFERENCE:**

Not applicable to this report.

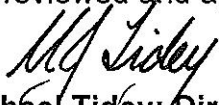
#### **BUDGET & FINANCIAL ASPECTS:**

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

#### **DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey; Director Corporate Services

## COUNCIL AGENDA

Monday 8 December 2014

### 19.4 Quarterly Financial Report to Council

**FILE NO:** SF5899

**AUTHOR:** Paul Gimpl (Manager Finance)

**DIRECTOR:** Michael Tidey (Director Corporate Services)

#### DECISION STATEMENT:

To consider Council's financial performance for the four months ended 31 October 2014.

#### PREVIOUS COUNCIL CONSIDERATION:

Audit Panel 27 November 2014 - *The financial review for the four months ended 31 October 2014 was noted.*

#### RECOMMENDATION:

That the Council adopt the financial reports for the four months ended 31 October 2014 which discloses:

	2014/15 Actual \$'000	2014/15 Budget \$'000
<b>Operating Summary</b>		
Revenue	25,866	25,069
Less Expenses	30,202	31,018
Operating Surplus/(Deficit)	(4,336)	(5,949)
Add Capital Grants	84	-
Comprehensive Result Surplus/(Deficit)	(4,252)	(5,949)

## COUNCIL AGENDA

Monday 8 December 2014

### 19.4 Quarterly Financial Report to Council...(Cont'd)

	2014/15 Actual \$'000	2013/14 Actual \$'000
<b>Financial Position</b>		
Equity	<u>1,462,551</u>	<u>1,441,268</u>
Assets		
Current	55,444	56,108
Non-Current	<u>1,436,863</u>	<u>1,419,345</u>
	<u>1,492,307</u>	<u>1,475,453</u>
Liabilities		
Current	14,115	10,778
Non-Current	<u>15,641</u>	<u>23,407</u>
	<u>29,756</u>	<u>34,185</u>
	<u>1,462,551</u>	<u>1,441,268</u>

#### REPORT:

Detailed annual financial reports have been reviewed in the Audit Panel meeting on 27 November 2014 with all Aldermen receiving copies of the agenda and detailed papers. The purpose of this item is for Aldermen to formally review the Council's financial position and the Council's performance for the first four months of 2014/15.

This report provides an overall summary of the operations for the first four months of the 2014/15 financial year. The key issues arising from the period ended 31 October 2014 are:

#### Operations

Based on the latest forecast the operating result is expected to be in line with the budget for the 2014/15 year.

## COUNCIL AGENDA

Monday 8 December 2014

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### 19.4 Quarterly Financial Report to Council...(Cont'd)

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The operating result for the four months to 31 October 2014 is \$1.697m ahead of the budget. This favourable outcome is attributable to:

- Revenue
  - Rate revenue is ahead of budget as a result of supplementary valuations.
  - Fee revenue is slightly below budget
  - Interest Revenue is ahead of budget.
- Expenses
  - Labour costs are slightly better than budget
  - Non labour costs make up the major component of the favourable result and relates to materials and services and administration costs.

#### Capital Works

As at 31 October 2014, 68.3 percent in value are in preliminary design or in progress. 2.5 percent have already been completed.

#### Financial Position

- Overall - The Council's balance sheet and cash reserves continue to be in accordance with current and long term budgets.
- Loan balances are in accordance with budget
- Cash balances remain in accordance with long term strategy and are consistent with budgeted project requirements.

As at 31 October 2014 the Council is in a positive operating position compared to budget.

#### **ECONOMIC IMPACT:**

No economic impact.

#### **ENVIRONMENTAL IMPACT:**

No environmental impact.

#### **SOCIAL IMPACT:**

No social impact.

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## 19.4 Quarterly Financial Report to Council...(Cont'd)

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### STRATEGIC DOCUMENT REFERENCE:

Priority Area 5: Governance Services

5.1.14 Ensure the city is managed in a financially sustainable manner.

### BUDGET & FINANCIAL ASPECTS:

As per report.

### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

I certify that I have reviewed and approved this advice and recommendation.

  
Michael Tidey; Director Corporate Services

### ATTACHMENTS:

1. Income Statement to 31 October 2014
  2. Balance Sheet as at 31 October 2014
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## COUNCIL AGENDA

Monday 8 December 2014

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### 20 GENERAL MANAGER

No Reports

### 21 URGENT BUSINESS

Pursuant to regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2005*

### 22 INFORMATION / MATTERS REQUIRING FURTHER ACTION

No Reports

### 23 CLOSED COUNCIL

No Reports

### 24 MEETING CLOSURE