



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 18 DECEMBER 2017
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 18 December 2017

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 18 December 2017

Time: 1.00pm

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.



Michael Stretton
General Manager

8 December 2017

Mr Michael Stretton
General Manager
City of Launceston
PO Box 396
LAUNCESTON TAS 7250

Dear Michael,

COUNCIL MEETING

In accordance with regulation 4 of the *Local Government (Meeting Regulations) 2015* which states:

4. *Convening meeting of council*
 - (1) *The mayor of a council may convene council meeting.*

I request that you make the necessary arrangements for the next Ordinary Meeting of Council to be convened on Monday, 18 December 2017 commencing at 1.00pm in the City of Launceston Council Chamber, Town Hall, St John Street, Launceston.

Yours sincerely



Alderman A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)

3 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 4 December 2017 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

5.1 Petition - Cataract Gorge Volunteers

FILE NO: SF0097/SF5505

AUTHOR: Harry Galea (Senior Engineering Advisor)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To note action taken following the receipt of a petition regarding a proposal to narrow the services provided by the Cataract Gorge Volunteers by abandoning providing tourist related advice and recommendations on services and attractions outside the boundary of the Cataract Gorge.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 17 July 2017 - Consultation Report on Future Governance and Services Strategy

Workshop - 23 October 2017 - Volunteer submissions received on 'Consultation Report' and modifications to recommendations

Council - 30 October 2017 - Agenda Item 5.1 - To receive a petition against reducing the responsibilities of the Cataract Gorge Basin Cottage Volunteers

RECOMMENDATION:

That Council:

1. In accordance with section 60(2)(b) of the *Local Government Act 1993*, determine that no additional action is required to address the matters raised in the Petition submitted by Ms Rocelyn Ives and Mr Geoff Drake received by the Council at its Meeting dated 30 October 2017.
 2. Notes the following activities being undertaken by Council Officers:
 - (a) promoting and supporting expansion of presentation forums and Gorgeous Walks and Talks utilising Council's services
 - (b) investing in expansion of the First Tasmanian's exhibition to include the Basin Cottage
 - (c) providing tourism booking services at the Basin Cottage initially through a kiosk
 - (d) in conjunction with volunteers, investigating potential models to deliver tourism services.
-
-

5.1 Petition - Cataract Gorge Volunteers ...(Cont'd)

REPORT:

The formation of the Cataract Gorge Volunteers Group in 2006 was a City of Launceston Parks and Recreation initiative to provide guiding/walking services at Cataract Gorge - an attraction listed at Number 3 on the list of Tasmanian Tourist destinations with 250,000 visitors.

Currently there are 20 volunteers of which five are engaged as guides, one as an arts curator and some specialising in children's activities due to their previous professional careers. The majority of the volunteers assist in managing public visitation to the Basin Cottage and help during organised events. Opening hours of the Basin Cottage is generally between 10.00am - 2.00pm - seven days a week - the cottage receives 12,500 visitors per annum.

A few months after changes to how the City of Launceston supported the Cataract Gorge Volunteers they were expressing dissatisfaction at each of their monthly meetings on the role and responsibilities of the Council staff supporting the Group.

As a result of joint meetings that involved the Cataract Gorge Volunteers Group on 1 and 17 February 2017, it was clear that there was a significant difference in expectations between Council officers and the volunteers in terms of the staff resources provided to the Group.

Commitments were made:

- to undertake direct discussion with volunteers (beginning early March 2017)
- to discuss with the relevant Council directorates to ensure there was a common and consistent approach for those activities overarching into other directorates, and
- that any report and recommendations prepared will be shared with the volunteers seeking comment before finalisation.

The scope of the report was to determine an appropriate governance structure, resources, support and the scale of services to be offered by the Cataract Gorge Volunteers.

The basis of the report's recommendations were to:

- focus on guiding - both commercially and voluntarily provided;
 - abandon services that involve the art curation, family playgroup (known as Gorgeous Play), excursions and tourism; and
 - continue with the Speakers Forums and Presentations and Gorgeous Walks and Talks which are considered to fall under the umbrella of guiding services.
-

5.1 Petition - Cataract Gorge Volunteers ...(Cont'd)

The core issue that remains is the ability of the volunteers to provide information and recommendations on tourism venues outside of the Cataract Gorge Reserve. This is at the core of the issue raised in the Petition received by the Council at its Meeting dated 30 October 2017.

The City of Launceston has to ensure the quality of any information that is provided to visitors by people presenting as official representatives of the City or the site (the Gorge). The Council has an accredited visitor information centre staffed by paid and trained people. The Gorge Cottage is not an accredited visitor information centre and is not recognised by the Visitor Information Network or by Tourism Tasmania. The Gorge Volunteers can either focus on their primary role of being promoters of the Gorge, or they would otherwise need to have appropriate position descriptions, undertake training and work under the supervision of the Launceston Tourist Visitor Information Centre management. The Council currently does not have the resources allocated to facilitate this.

A further review will be undertaken of the practicality, budget considerations and additional responsibilities of both paid and volunteer staff if the Gorge volunteers were to be trained and work under the supervision of the Launceston Tourist Visitor Information Centre management.

ECONOMIC IMPACT:

The Cataract Gorge is a significant tourist attraction for the City of Launceston and an important recreation reserve and open space for its residents. Cataract Gorge Volunteer services value adds a visitor experience by providing guided walks, presentations and promotion at the Basin Cottage.

Tourist visitors contribute to a broader positive economic impact by spending more time in Launceston enjoying the Cataract Gorge.

ENVIRONMENTAL IMPACT:

The guided walks, presentations and promotion at the Basin Cottage undertaken by the Volunteers devote significant effort to promote the natural values, both fauna and flora, at the Gorge.

SOCIAL IMPACT:

The role of the volunteers is broader than informing tourist of the values and activities at the Gorge - they play an information role to educate the local community on the recent and ancient history, natural values and recreation opportunities at the Gorge. The Gorge is an important part of the social fabric of the community.

5.1 Petition - Cataract Gorge Volunteers ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Key Direction -

3. To optimise the use and usability of our assets for different types of activities

Priority Area 2 - A city where people choose to live

Key Directions -

4. To promote Launceston's rich heritage and natural environment

6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy

Key Direction -

3. To promote tourism and a quality Launceston tourism offering

Priority Area 8 - A secure, accountable and responsive Organisation

Key Direction -

1. To develop and consistently use community engagement processes.

4. To continually improve our service delivery and supporting processes.

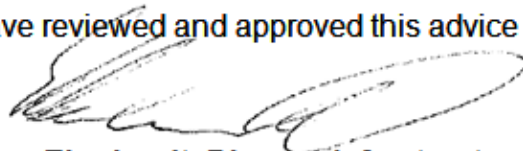
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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.



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Extract from the Petition from Ms Rocelyn Ives and Mr Geoff Drake

Attachment 1 - Extract of the Petition from Ms Rocelyn Ives and Mr Geoff Drake

Michael Tidey
A/ Manager CoL
Town Hall,
Launceston. 7250

12th October, 2017

Dear Mr Tidey,

Recently a report was published containing recommendations for changes to the service provision by the current sixteen Cataract Gorge Volunteers based at The Basin Cottage Information Centre (white i). These recommendations will dramatically alter the model of personal service provision that tourists and the general public have come to expect and value at a high- end tourist destination.

Please find attached close to 500 signatures from locals and tourists requesting the current visitor information service provided by volunteers remain. These signatures were collected within the past 12 days. Tourists experiencing our friendly service willingly and eagerly signed when told of the proposal to have the cottage unmanned.

There has been some misinformation circulating about our service. We offer choices and alternatives when discussing activities at the Gorge and elsewhere in Tasmania. We never arrange bookings for accommodation or other activities.


All the volunteers travel regularly within Tasmania and in most cases on the mainland and overseas and are continually updating their knowledge. All volunteers participate at different times in expert led historic and cultural (both Aboriginal and European), scientific and social focus events in The Gorgeous Walks and Talks monthly public program which provides ongoing professional learning about The Gorge and its environment. Some of us have accumulated this knowledge from numerous leaders for over 6 or more years as well as through study.

We hope these petitions provide a better understanding of the value our visitors place on our services.

Yours sincerely,

Rocelyn Ives and Geoff Drake

on behalf of the CGV s



FILE No.	SF5505		
EO	OD	<input checked="" type="checkbox"/> Box	<input checked="" type="checkbox"/>
RCV'D 13 OCT 2017		LCC	
Doc No.	4201573		
Action Officer	Noted	Revised	
D DAVIS			
E COPY TO S EBERHARDT			

Petition

27/9/2017

There is a proposal by City Of Launceston to remove the information-service provided by volunteers here at The Basin Cottage. We are to be replaced by un-manned static and interactive displays. Any volunteers who are present will be prevented from giving tourist advice or information on attractions or places beyond the Gorge.

To The Manager, City of Launceston,

We the undersigned value the friendly service and information provided by the Basin Cottage volunteers and request The City of Launceston withdraw their proposal.

NAME	SIGNATURE+DATE	ADDRESS or EMAIL	PHONE
SUE STEER	<i>S.P. Steer</i> 10.10.17		
GEORGE STEER	<i>[Signature]</i>		
TANYA ADAMS	<i>Tanya Adams</i>		
Cirace Sun	<i>Cirace Sun</i> 10/11/17		
Meg Valencia	<i>[Signature]</i> 11/10/17		
David Cook	<i>[Signature]</i> 11/10/17		
HARISH PRING	<i>[Signature]</i> 11/10/17		
Valerie Kwong	<i>[Signature]</i> 11/10/17		
ERIC ELIC	<i>[Signature]</i>		
BRAD BURKE	<i>[Signature]</i>		
TRACY HOEN	<i>[Signature]</i> 11/10/17		
Patricia Horne	<i>[Signature]</i> 11/10/17		
Shengmei Lau	<i>[Signature]</i> 11/10/17		
Jessica Dinstl	<i>[Signature]</i> 11/10/17		

All personal information provided will be treated confidentially and used only for the purpose for which it is intended

6 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Agenda Items; that opportunity exists when that Agenda Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Aldermen.)

No Community Reports have been registered with Council as part of this Agenda

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

No Public Questions on Notice have been identified as part of this Agenda

7.2 Public Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place)

FILE NO: DA0585/2017

AUTHOR: Fiona Ranson (Urban Designer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	S Group
Property:	202 George Street Launceston
Zoning:	Inner Residential
Receipt Date:	7/11/2017
Validity Date:	9/11/2017
Further Information Request:	13/11/2017
Further Information Received:	13/11/2017
Deemed Approval:	23/12/2017
Representations:	One

RECOMMENDATION:

That in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0585/2017 - 'Residential - multiple dwellings; demolition of existing dwellings including garage and carport structures (Local Heritage Place)' at 202 George Street, Launceston, subject to the following conditions:

1. DWELLING NOT TO BE DEMOLISHED PRIOR TO CARPORT STRUCTURE

If/when any demolition of the dwellings is to be carried out, then the removal of the carport must be carried out prior to, or concurrently with that demolition.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

2. PREPARATION OF HISTORICAL SITE INFORMATION

The following must be carried out and submitted for the approval of the Manager Planning prior to the issue of any Building Permit:

- a. Preparation of an extant record of the existing buildings on the site including scaled measured drawings and photographs.
- b. Preparation of historical information and interpretation material telling the story of the private maternity hospital known as Malonga and any other history considered to be of interest to the community and/or visitors. The intent of this information is to form the basis of a plaque or other installation which may be displayed on the site or within the road zone immediately adjoining the site in a location which is easily visible to the public.

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01782-LCC) (attached).

4. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Report, Prepared by S Group, 202 George Street, Launceston, Pages No.1 - 9, Not dated.
- b. Demolition Application (Site Plan), Prepared by S Group, Drawing No. A0-000, 202 George Street, Launceston, Page No.10, Not dated.
- c. Building Plans (Conversion from single dwelling to 4 multiple dwellings), Provided by Applicant (from CoL Building Records - Permit No. 5708), 202 George Street, Launceston, Page No.11, 11/03/1963.
- d. Building Plans (Construction of carports), Provided by Applicant (from CoL Building Records - Application Number 4069), 202 George Street, Launceston, Page No.12.
- e. Building Plans (Construction of carports), Provided by Applicant (from CoL Building Records - Permit No. 184/73), George Street, Launceston, Page No.13, 20/06/1973.

5. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am and 6.00pm

Sundays and Public Holidays - 10.00am and 6.00pm

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

7. 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.

8. 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. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Technical Services is required prior to undertaking works where the works:

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

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.

9. 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.

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.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

11. 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; and
- d. dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012 or any subsequent versions of the document.

Notes

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. 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.

B. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. 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.

C. Materials to be Retained for Re-use on the Site

It is recommended that the demolition be undertaken in such a way that any potentially useful materials may be re-used as part of a future development on the site. This may include, but is not limited to the following elements:

- bricks from chimneys (or whole chimneys);
- bluestone from foundations, and
- weatherboards in suitable condition.

This recommendation is made in the knowledge that the site will carry its heritage listing as a Local Heritage Place and any new development will be assessed against the Local Historic Cultural Heritage Code (or equivalent under the new Tasmanian Planning Scheme) and that the re-use of materials existing on the site may be integral to compliance with the standards of that code.

D. General

This permit was issued based on the proposal documents submitted for DA0585/2017. 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 6323 3000.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

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. 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 years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

E. 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 enquires as to whether the proposed development is effected, 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.

F. 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>>

G. 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.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

REPORT:

1. THE PROPOSAL

The proposal is for demolition of existing buildings, structures and shrubs on the site known as 202 George Street, Launceston. The buildings include four multiple dwellings within the former single dwelling on the site, a carport for four cars to the corner of George and Balfour Streets, a garage structure accessed from Balfour Street, and associated concrete block and stone retaining walls to clear the site for future development.

There is no development proposed at this stage therefore the application has a discretionary status and the proposal is subject to assessment against Clause 9.4 Demolition.

The property is also included in Table E13.2 of the planning scheme and therefore subject to assessment against the relevant provisions of the Local Historic Cultural Heritage Code, specifically Clause E13.6.1 Demolition and E13.6.12 Tree and vegetation removal.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is located on the north-western corner of George and Balfour Streets just to the south of Launceston's city centre.

While the northern end of George Street is typified by commercial uses, including some residential use above ground floors, the southern end takes on a distinctly residential character as it slopes upward from York Street. This southern end of the street is predominantly developed with older building stock including a mixture of terraced and detached dwellings. There is also a mixture of single and multiple dwellings and many of the properties are heritage listed.

Balfour Street is also known and valued for its consistent heritage character such that the majority of properties were included in the Balfour Street Precinct in Schedule 2 (the heritage overlay) of the Launceston Planning Scheme 1996. These properties, including the subject site, are now listed as Local Heritage Places in the current planning scheme. Many properties are also listed on the Tasmanian Heritage Register.

Due to the proximity of this site to both the Launceston General Hospital and Calvary (St Vincent's) private hospital, there are also numerous medical businesses located in the area. There are not any uses in the area that may cause environmental harm.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

Site Description

The site is of a generally rectangular shape with an area of 790m².

Access to the site is directly off the Balfour and George Street frontages over sealed driveways.

The site falls steeply to the west and gently to the north-west, along the George Street frontage. It is not included within the Class 4 or 5 landslip areas.

The site is largely cleared of vegetation, with some shrubs existing in the small garden area along the north-western boundary. It is not located within 100m of bushfire prone vegetation.

Existing development

Currently the site is developed with a building including 4 'flats' (multiple dwellings), a single garage and a carport providing parking for four vehicles fronting George Street.

The existing buildings have an enclosed floor area of 238m².

There are residences on adjoining land to the north and west, within 2.5m of the site.

Site Services

The street is sealed and drained Council standard.

The site is connected to reticulated sewerage, storm-water and water supply services.

There are no watercourses within 50m of the site.

3. PLANNING SCHEME REQUIREMENTS

Part C - Special Provisions

9.4 Demolition

9.4.1 Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority having regard to:

(a) the purpose of the applicable zone;

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

<p>Complies</p> <p>The purpose of the Inner Residential Zone includes the intention to <i>'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'</i> and also to <i>'allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety'</i>.</p> <p>Demolition on its own does not provide this residential use, however the removal of the existing buildings on the site may be seen to <i>'provide for development that provides a high standard of amenity and contributes to the streetscape'</i> when potential future development is considered in comparison to the existing buildings on the site, which do not offer this high standard of amenity.</p>
<p>(b) any relevant local area objective or desired future character statement of the applicable zone;</p>
<p>Complies</p> <p>There are no local area objectives or desired future character statements within the Inner Residential Zone.</p>
<p>(c) the purpose of any applicable code; and</p>
<p>Complies</p> <p>By Condition.</p> <p>The property is included in Table E13.2 of the Local Historic Cultural Heritage Code and therefore the proposed demolition of the buildings and structures on the site must be considered to be consistent with the code's purpose, to:</p> <ul style="list-style-type: none"> (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; (b) encourage and facilitate the continued use of these places; (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings. <p>Therefore, in order for the demolition to be approved, it must be demonstrated that either:</p> <ul style="list-style-type: none"> 1. The historic cultural heritage significance of the local heritage place is not clearly or intrinsically related to the structures now standing on the site; or 2. Any historic cultural heritage significance relating to the fabric of these structures has already been lost.

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<p>In summary, the current significance of this place is considered to be related to the use of the site as a private maternity hospital starting in 1929 and the association of the property with the development of this area of the city.</p> <p>Due to the set back of the dwelling from street frontages, its situation with floor levels set well below the road level of George Street, and its orientation towards the views to the west, the property would have always lacked a significant street presence, and later development including the construction of a four car carport fronting the corner of George and Balfour Streets in the 1970s, has resulted in the site having what may be described as a detrimental impact on both the George Street and Balfour Street streetscapes.</p> <p>The unsympathetic redevelopment of the dwelling in to four flats in the 1960s, later alterations, and an obvious lack of maintenance of the buildings since this time, have led to the loss or deterioration of almost all of the likely original architectural elements and qualities, the structural integrity of the dwelling, and the aesthetic appearance of the property, to a degree which is considered to have compromised any significance related to the building fabric.</p> <p>The current state of disrepair has also led to a loss of residential amenity in some flats.</p> <p>These issues are discussed further as part of clause E13.6.1 Demolition. Conditions are also recommended in order to preserve the story of the significance of the place, and if these conditions are applied to any permit issued, the proposal will be considered to comply with this clause.</p>
<p>(d) the purpose of any applicable specific area plan.</p>
<p>Complies</p> <p>The site is not covered by a specific area plan.</p>

3.1 Zone Purpose

11.0 Inner Residential Zone

<p>11.1.1 Zone Purpose Statements</p> <p>11.1.1.1 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.</p> <p>11.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.</p> <p>11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.</p> <p>11.1.1.5 To provide for development that provides a high standard of amenity and</p>

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<p>contributes to the streetscape.</p> <p>Consistent</p> <p>As discussed as part of clause 9.4.1, the purpose of the Inner Residential Zone includes the intention to <i>'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'</i> and to <i>'allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety'</i>, however, this zone is also intended to <i>'provide for development that provides a high standard of amenity and contributes to the streetscape'</i>.</p> <p>Demolition obviously does not provide the residential use intended, however the removal of existing buildings on the site may be considered to provide an opportunity for development which could provide a higher standard of amenity and to contribute to the streetscape in a more positive way than the existing buildings on the site.</p> <p>This issue is discussed further as part of clause E13.6.1 Demolition.</p>
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11.4 Development Standards

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent</p> <p>The proposal is for demolition only. Therefore, the use and development standards of this code do not apply.</p>

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area

E13.0 Local Historic Cultural Heritage Code

<p>E13.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; (b) encourage and facilitate the continued use of these places; (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and (d) ensure that development is undertaken in a manner that is sympathetic to, and does

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

not detract from, the historic cultural heritage significance of the places and their settings.

Consistent

By Condition.

In order for the proposed demolition to be considered to be consistent with the purpose of the code, it must be demonstrated that either:

1. The historic cultural heritage significance of the local heritage place is not clearly or intrinsically related to the structures now standing on the site; or
2. Any historic cultural heritage significance relating to the fabric of these structures has already been lost.

In summary, the current significance of this place is considered to be related to the use of the site as a private maternity hospital starting in 1929 and the association of the property with the development of this area of the city.

Due to the set back of the dwelling from street frontages, its situation with floor levels set well below the road level of George Street, and its orientation towards the views to the west, the property would have always lacked a significant street presence, and later development including the construction of a four car carport fronting the corner of George and Balfour Streets in the 1970s, has resulted in the site having what may be described as a detrimental impact on both the George Street and Balfour Street streetscapes.

The unsympathetic redevelopment of the dwelling in to four flats in the 1960s, later alterations, and an obvious lack of maintenance of the buildings since this time, have led to the loss or deterioration of almost all of the likely original architectural elements and qualities, the structural integrity of the dwelling, and the aesthetic appearance of the property, to a degree which is considered to have compromised any significance related to the building fabric.

These issues are discussed further as part of clause E13.6.1 Demolition. Conditions are also recommended in order to preserve the story of the significance of the place, and if these conditions are applied to any permit issued, the proposal will be considered to comply with this clause.

E13.6 Development Standards

E13.6.1 Demolition

Objective:

To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.

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<p>Consistent By Condition</p> <p>The assessment of the impact of this proposal for demolition is complex, requiring first an assessment of the current cultural heritage significance of the place, its setting, and more specifically, the structures proposed for removal. This is discussed in full in the assessment of the performance criteria below and the outcome of this is that if conditioned appropriately, the demolition of the buildings and structures on the site may not impact on the historic cultural heritage significance of the local heritage place or its setting in an unacceptable way.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>As there is no acceptable solution, the proposal must be assessed against the performance criteria and the purpose of the code.</p>
<p>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</p> <ul style="list-style-type: none"> (a) the physical condition of the local heritage place; (b) the extent and rate of deterioration of the building or structure; (c) the safety of the building or structure; (d) the streetscape or setting in which the building or structure is located; (e) the cultural heritage values of the local heritage place; (f) the need for the development; (g) any options to reduce or mitigate deterioration; (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and (i) any overriding economic considerations.
<p>Complies</p> <p>By Condition</p> <p>In order to comply with this standard, the demolition of buildings and structures proposed must not be considered to have an 'unreasonable impact on the historic cultural heritage significance of the local heritage place or its setting'. Therefore, as the proposal is for the demolition of all the buildings on the site, it must be demonstrated that either:</p> <ol style="list-style-type: none"> 1. The historic cultural heritage significance of the local heritage place is not clearly or intrinsically related to the structures now standing on the site; and/or 2. Any historic cultural heritage significance relating to the fabric of these structures has already been lost. <p>As stated throughout this assessment, the current significance of this place is considered to be related to the use of the site as a private maternity hospital starting in 1929 and the association of the property with the development of this area of the city.</p>

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Due to a number of factors which are detailed further below, the early building on the site lacks a street presence from both of its street frontages and any architectural or other aesthetic qualities have been compromised to a degree which critically limits the potential for the building to tell the story of its early life.

The significance of the site is in its story and the current structures are not considered to be integral, or even useful, in the telling of that story, so the significance of the place is not reliant on the presence of the structures now standing on the site.

Therefore, the removal of the buildings on the site is not considered to have an 'unreasonable impact on the historic cultural heritage significance of the local heritage place or its setting' and the proposal may be considered to be acceptable if the following conditions are applied to any permit issued to preserve the known story of the place.

1. The following must be carried out and submitted for the approval of the Manager Planning prior to the issue of any Building Permit:
 - a. Preparation of an extant record of the existing buildings on the site.
 - b. Preparation of historical information and interpretation material telling the story of the private maternity hospital known as Malonga and any other history considered to be of interest to the community and/or visitors. The intent of this information is to form the basis of a plaque or other installation to be displayed on the site in a location which is easily visible to the public.
2. If/when any demolition of the dwellings is to be carried out, then the removal of the carport must be carried out prior to, or concurrently with that demolition.

There are, however, some elements remaining on the site which do appear to have some value and therefore the following note is to be applied to any Permit:

It is recommended that the demolition be undertaken in such a way that any potentially useful materials may be re-used as part of a future development on the site. This may include, but is not limited to the following elements:

- bricks from chimneys (or whole chimneys);
- bluestone from foundations, and
- weatherboards in suitable condition.

This recommendation is made in the knowledge that the site will carry its heritage listing as a Local Heritage Place and any new development will be assessed against the Local Historic Cultural Heritage Code (or equivalent under the new Tasmanian Planning Scheme) and that the re-use of materials existing on the site may be integral to compliance with the standards of that code.

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Discussion

As summarised above, the characteristics of the site, the inherent values and the current condition of the buildings on the site are considered to be such that the proposed demolition is considered to be acceptable, having regard to the following elements.

(a) the physical condition of the local heritage place

As stated by the applicant, the main building on the site is believed to be largely constructed around 1890-1900. A weather board clad timber dwelling with what appears to have been simple late Victorian/Federation era detailing and a galvanised iron roof.

It was converted into four flats in 1963 and most of the original architectural features appear to have been removed from the interior at this time including the stairs. Existing doors were blocked, new openings were constructed and existing floors were covered with false floors.

The exterior form and details of the building were also compromised with a bay window removed from the north-west and cubic elements with textured finishes including a kitchen and a bedroom facing George Street and Balfour Street respectively, being added to the building.

There have also been a number of un-sympathetic alterations to the dwelling since this conversion. In 1968 the north-west and south-west facing timber verandahs and balconies were removed and replaced with concrete versions with little architectural quality or visual interest and an existing garage roof was also replaced with concrete. Concrete block piers, walls, balustrades and archways now wrap around the northern end of the dwelling.

Many window openings have been removed or altered, and there are now a variety of window types from several periods and a mix of timber and aluminium framing represented around the building.

Some of the original weatherboards also appear to have been replaced with 'imitation' boards, and there is a considerable volume of asbestos sheeting evident around the property.

Due to the development described above the property is far from what may be considered original condition, and though it appears to be reasonably solid, it is also in a poor state of repair. There is significant damage, evidently due to the lack of maintenance over the past 50 years. This includes, but is likely not to be limited to:

- Damage to walls and floors by water ingress due to drainage and/or ventilation issues.
 - Rusted and warped roof sheeting and flashing, deteriorated to the point of
-

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needing replacement.

- Rotting weatherboards are due to a lack of paint protection.

As stated by the applicant 'the home requires re-painting, concrete decks required waterproofing, the home is not energy efficient, old, run down and generally in disrepair'.

While I do not endorse 'demolition by neglect' it is agreed that the physical condition of property is a key factor in the serious consideration of this proposal. As stated previously, the unsympathetic redevelopment of the dwelling in to four flats in the 1960s, later alterations, and an obvious lack of maintenance of the buildings since this time, have led to the loss or deterioration of almost all of the likely original architectural elements and qualities, the structural integrity of the dwelling, and the aesthetic appearance of the property, to a degree which is considered to have compromised any significance related to the building fabric.

(b) the extent and rate of deterioration of the building or structure

The applicant states that 'deterioration is happening at a considerable rate'. It is agreed that weatherboards are damaged, that window openings are unsealed and/or poorly flashed, timber window frames are weathered or rotting, and that the roof sheeting is rusted and lifting which may cause many more issues if not replaced soon.

(c) the safety of the building or structure;

There are not known to be any critical risks such that the building should be condemned at this stage, however it is agreed that there are 'many unsafe parts of the dwelling due to poor workmanship and site movement' including 'large cracks in concrete work' making the concrete decks a safety concern.

The current state of disrepair has also led to a loss of residential amenity in some flats. There is also asbestos throughout the dwelling and according to a tenant spoken to on site, issues with plumbing and drainage which may have led to her poor health.

(d) the streetscape or setting in which the building or structure is located

The streetscapes of this southern end of George Street and the eastern end of Balfour Street have a relatively consistent character including predominantly 1-2 storey dwellings from the mid 19th to early 20th centuries. The majority of these dwellings are built up close to the street, have small, well-kept gardens and maintain the majority of their original architectural features and streetscape qualities.

As stated previously, due to the set back of the dwelling at 202 George Street from street frontages, its situation with floor levels set well below the road level of George Street, and its orientation towards the views to the west, the property would have always lacked a significant street presence, and later development including the construction of a four car carport fronting the corner of George and Balfour Streets in the 1970s, has

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resulted in the site having what may be described as a detrimental impact on both the George Street and Balfour Street streetscapes.

Therefore, the removal of the subject building and structures is not considered to be detrimental to streetscape or setting of this local heritage place, but rather it may provide the opportunity to improve the streetscape contribution of this highly visible corner location.

(e) the cultural heritage values of the local heritage place

The site was included in Schedule 2 of the Launceston Planning Scheme 1996 as part of the Balfour Street Precinct, however, there is no datasheet available for this property and therefore its specific cultural heritage values are not defined.

It was initially proposed that as part of the former Balfour Street Precinct, that its interest was likely to be in its presence in this valued streetscape, to ensure appropriate development on this site into the future, however, the representation received highlighted some history which may be of interest to the community.

There is not a lot of detailed information recorded in regard to the history of the site, however the representor provided sufficient research to suggest that the current significance of this place should be considered to be related to the use of the site as a private maternity hospital starting in 1929 and the association of the property with the development of this area of the city.

The property is also included within the South Central Precinct proposed as part of the Launceston Heritage Study 2007 and the applicant responded to the content of this document including the following excerpt included in their submission.

'The South Central precinct is clearly defined the Launceston heritage report and is defined by the hospital grounds to the south, the steep edge to the east under the High Street precinct. A focus of the area is Princes Square and the churches and civic areas surrounding it with the very fine streetscape of townhouses extending north-south. Several areas of modest early housing are incorporated in a subnetwork of narrow streets and lanes that add to the fine-grained nature of the precinct. The major developments, in contrast to much of Launceston's residential areas, are constructed of stone and brick in the form of terraces, conjoined buildings as well as substantial free-standing buildings within gardens.

Generally residential lot sizes are tighter than the areas to the east. The precinct has extremely high integrity and intactness. It also defines the precinct as streetscapes of high visual and aesthetic value that demonstrate the core values of housing development in Launceston.

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The precinct contains a number of brick and stone buildings demonstrating the relative wealth of owners and contrasting to the predominance of timber construction elsewhere in the city.

The buildings through their form, detail and style, together demonstrate the high quality craftsmanship found throughout the major housing developments of Launceston.'

The applicant responds by suggesting that the development on the site does not make a positive contribution to the streetscape or this precinct. They state following:

- *The building is generally not of high quality craftsmanship, detail.*
- *The façade is not prominent or as beautiful as the surrounding context.*
- *The management objectives for the precinct state that carports and garages should generally not be located in front of the current buildings.*

These points are generally sound. Due to a number of factors which are detailed throughout this assessment, the early building on the site lacks a street presence from both of its street frontages and any architectural or other aesthetic qualities have been compromised to a degree which critically limits the potential for the building to tell the story of its early life.

The significance of the site is in its story and the current structures are not considered to be integral, or even useful, in the telling of that story, so the significance of the place is not reliant on the presence of the structures now standing on the site, therefore the removal of the buildings on the site is not considered to have an unreasonable impact on the cultural heritage values of the local heritage place.

(f) the need for the development

There is no perceived need for the proposed demolition, however the applicant states that 'the removal of this building will open the possibility for a more sensitive development' and in light of the assessment above, it is agreed that the demolition of the property could create an opportunity to develop the site in a way which is more sensitive to the surrounding streetscape.

(g) any options to reduce or mitigate deterioration

It is known that the property has been a rental investment property for over 40 years. The statement is made by the applicant that 'up keep (and) maintenance is usually neglected for profitability' in these situations, and it is agreed that this is often the case, albeit a short term, short sighted profitability. Therefore, it is also agreed that there is 'minimal perceived opportunity to reduce or mitigate deterioration' if the property is left in its current configuration.

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- (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and**
- (i) any overriding economic considerations.**

The applicant claims that 'upon inspection and completion of an initial feasibility study it is not economically viable to renovate and refurbish the existing structure', that 'the current condition of the home required enormous investment to bring the building up to current building regulations and OHS conditions', and consequently that 'the life of this home seems to be at its end of its economic and business cycle'.

With the site currently on the market it is difficult to foresee an alternative future for the site which may preserve the few remaining elements of architectural interest from the time of the maternity hospital and improve the appearance and character of the compromised Balfour and George Street streetscapes and therefore the claims by the applicant are supported.

As stated previously, it is agreed that the demolition of the property could create an opportunity to develop the site in a way which is more sensitive to the surrounding streetscape.

E13.6.12 Tree and vegetation removal

Objective:

To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings.

Consistent

The proposed removal of vegetation is not considered to impact on the historic heritage significance of the local heritage place or its setting.

A1 No acceptable solution.

Relies on Performance Criteria

As there is no acceptable solution, the proposal must be assessed against the performance criteria and the purpose of the code.

P1 The removal, destruction or lopping of trees or the removal of vegetation must not unreasonably impact on the historic cultural heritage significance of a local heritage place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the age and condition of the tree or vegetation;
- (c) the size and form of the tree or vegetation;
- (d) the importance of the tree or vegetation to the historic cultural heritage significance of a local heritage place or its setting; and
- (e) whether the tree or vegetation is located within a garden that is listed as a local heritage place.

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Complies
 The only vegetation proposed to be removed from the site is a row of shrubs to the side boundaries. This vegetation is not of sufficient age to be connected to any early use of the site and is not known to have any other significance. It is set back well from the street on both frontages and is not of sufficient scale to be evident as part of either the George or Balfour Street streetscapes.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Conditions recommended.
Environmental Health	Conditional consent provided. Conditions recommended.
Heritage/Urban Design	The proposal has been assessed by the Urban Design and Heritage Planner. No further referral was required.
Building and Plumbing	Building and Plumbing Permits are required.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01782-LCC.
State Growth	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 application was advertised for a 14 day period from 15 November to 29 November 2017. One representation was 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 representation received which is attached to this report.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

Issues	Comments
1. States that 'documents supporting this application do not address these specific provisions of the Planning Scheme', but rather are 'comments and opinions' sometimes 'disparaging of the cultural heritage virtues of the place'.	This is the opinion of the representor. The relevant provisions of the scheme were clearly addressed.
2. Contests statements by the applicant proposing that a new development would 'better relate to the heritage virtues of the area'.	This is clearly subjective as there is currently no replacement proposal. It is reasonable to believe however that a sensitive new development may better relate to the existing streetscapes than the existing buildings in their location and current condition.
3. Describes disappointment that documents supporting the Balfour Street Precinct prepared by the National Trust have been lost.	Agreed. However the fact that a document has been lost some time ago cannot be considered a material consideration in the assessment of this application.
4. Provides some history of the site including its use as a private maternity hospital known as Malonga was provided.	This information was initially provided over the telephone and was appreciated. A search of Trove verified the content.
5. Provides a physical description of the building sourced from a 1929 newspaper article. Relevant excerpts include: 'hospital contains private and double wards of large proportions', 'A spotless kitchen is exclusive to the preparation of food for patients. Modern sterilisation apparatus and continuous hot water service is installed', and ' Wide glassed-in verandahs open from the wards of Malonga from which is commanded a pleasing view of river and hills.'	This article has been useful in understanding the changes the building has undergone since the time of the hospital.
6. Suggests that 'the two adjoining houses (George St and Balfour St) were built c1930s and were previously part of the garden of 202 George Street'.	This information was useful in understanding the evolution of the site.
7. States that 202 George St was part of the original land grant given to the original owners of 22 Balfour Street, when built in 1843.	This information was useful in understanding the evolution of the site.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

Issues	Comments
8. States that 'Demolition resulting in vacant land is contrary to established principles. This application proposes nothing to replace it other than empty promises of a superior development'. The demolition is considered to be premature and the applicant is considered to have a poor track record in this regard.	Demolition without replacement development is discretionary in the residential zones and has been carefully assessed as such.
9. States that 'The physical condition of the old residence... is easily capable of redemption' to 'uncover its cultural heritage value'.	After a site visit including the interior of the ground floor flat, this point is contested. There is a very high degree of loss of original elements and extensive damage throughout the property which has been turned into what are only ever likely to be low value rental flats in their current form.
10. States that 'There are no over-riding environmental or economic considerations in terms of justifying the wholesale demolition of the building as proposed.'	This point is noted, but as the assessment of the proposal demonstrates, this is not agreed.
11. States that 'Demolition would clearly detract from the cultural amenity of the area and is not in the public interest.'	This point is noted, but as the assessment of the proposal demonstrates, this is not agreed.
12. Comment in regard to response to lack of inclusion in Launceston Heritage Study.	This is accurate and was previously noted.

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 2015 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.

8.1 202 George Street, Launceston - Residential Multiple Dwellings; Demolition of Existing Dwellings Including Garage and Carport Structures (Local Heritage Place) ...(Cont'd)

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 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 2015 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 2015.


BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. 202 George Street, Launceston - Locality Map (electronically circulated)
 2. 202 George Street, Launceston - Plans to be Endorsed (electronically circulated)
 3. 202 George Street, Launceston - TasWater SPAN (electronically circulated)
 4. 202 George Street, Launceston - Representation (electronically circulated)
 5. 202 George Street, Launceston - Additional Historical Information (electronically circulated)
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8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-advertised)**FILE NO:** DA0431/2017**AUTHOR:** Natalia Bliznina, (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Edward Douglas Joseph Crick
Property:	108-112 High Street, Newstead
Zoning:	General Residential
Receipt Date:	30/08/2017
Validity Date:	1/09/2017
Further Information Request:	18/09/2017
Further Information Received:	20/11/2017
Deemed Approval (extension of time granted):	18/12/2017
Representations:	Four

PREVIOUS COUNCIL CONSIDERATION:

DA0616/2003 - Non-conforming use-bringing into greater conformity - Service Centre
DA0325/2012 - Change of use - shop; Advertising sign - building fascia sign
DA0498/2015 - General Retail and Hire - shop; construction of storage space associated with an existing non-conforming use.

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted DA0431/2017, for food services - cafe; placement of a shipping container and the partial change of use at 108-112 High Street, Newstead subject to the following conditions:

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1. TEMPORARY SCREENS OR BOLLARDS

The applicant is to ensure that temporary bollards or screens (not less than 900mm or greater than 1200mm in height) are located along the property boundary between the two existing vehicle crossings. Bollards are to be spaced not further than 1.5m apart. The bollards/screens are to be in place during the operating hours of the coffee shop. No advertising is permitted on the screens without the separate approval of such signage by the Council.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01403-LCC) (attached).

3. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to the satisfaction of the Manager Planning Services 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 site plan amended to provide five open car parking spaces and two spaces within the building along the northern side of the site for the two lower level dwellings. The plan must be endorsed by a traffic engineer as being safe and efficient.
- b. The spaces annotated as being allocated to the various uses on the site.
- c. A sign at the south crossover marked as 'entry' only and at the northern crossover as 'exit' only.

4. ENDORSED PLANS & DOCUMENTS

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

- a. Cover, Prepared by S. Group, Drawing No. A0-000, Project name jo2943, Revision C, Page No 01, Dated 24/10/2017.
- b. Site Plan, Prepared by S. Group, Drawing No. A1-001, Project name jo2943, Revision C, Page No 02, Dated 18/10/2017, Amended Plans Required.
- c. Floor Plan, Prepared by S. Group, Drawing No. A2-001, Project name jo2943, Revision C, Page No 03, Dated 24/10/2017.

5. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

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6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

7. DRIVEWAY CONSTRUCTION

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

- (a) Be properly constructed to such levels that they can be used in accordance with the plans,
- (b) Be surfaced with an impervious all weather seal,
- (c) Be adequately drained to prevent stormwater being discharged to neighbouring property,
- (d) Be line-marked or otherwise delineated to indicate each car space what use the space accords to and access lanes,
- (e) Be signposted to show entrance only and exist only.

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

8. 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, by-laws and legislation relevant to the development activity on the site.

9. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

Notes**A. Building Permit Required**

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. 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.

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B. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. 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.

C. General

This permit was issued based on the proposal documents submitted for DA0413/2017. 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 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 years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

D. 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 enquires as to whether the proposed development is effected, 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.

E. 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>>

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F. 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.

REPORT:**1. THE PROPOSAL**

The application proposes the placement of a shipping container on a sealed area in front of the existing building. This sealed area is principally used for car parking. This shipping container will accommodate the additional use of Food Services - café. Existing uses on the site include two multiple dwellings on the lower ground floor; a florist shop, and a service industry (a computer shop).

The residential use consists of two one bedroom lower level apartments that were approved in 1953 without associated car parking spaces. The existing car parking area on the site is shared between all existing uses.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the western side of High Street between Lawrence Vale Road and Howick Street. The neighbouring properties are primarily developed with single dwellings. The subject site is located between two public parks: Chungon Crescent Reserve and St Andrews Gardens.

The site is an irregular shape with an area of 2,122m². The site is potentially contaminated but the proposal does not include earthworks that might otherwise expose contaminated material.

Access to the site is directly off High Street via two sealed crossovers. High Street is sealed and drained to Council standard.

Currently the site is developed with the building, car parking, and signage. The site is connected to reticulated services. The existing building has a floor area of 133m² for commercial uses and approximately 150m² for residential uses. The proposed floor area of the shipping container is 14m².

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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 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 existing and desired neighbourhood character.
10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.
Consistent
The proposed use is considered a compatible non-residential use that primarily serves the local community.

10.3 Use Standards

10.3.1 Hours of operation

Objective: To ensure that non-residential uses do not cause unreasonable loss of amenity to nearby sensitive uses.
Consistent
The proposed use is classed as Food Services - take away food shop. It is considered to not cause unreasonable loss of amenity to nearby sensitive uses by the commercial vehicles operation.
A1 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.
Complies
The only commercial vehicle frequenting the site will be a milk delivery truck. Milk deliveries will be made three times a week between approximately 10.00am - 11.00am.
The proposal complies with Acceptable Solution A1.

10.3.2 Mechanical plant and equipment

Objective: To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.
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Consistent
The use of equipment will not cause an unreasonable loss of amenity to sensitive uses.
A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.
Complies
No external mechanical plan and equipment is proposed. The café will contain four small under counter bar fridges. The container is proposed to be insulated which should minimise any external noise. The proposal complies with Acceptable Solution A1.
Objective: To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.
Not Applicable
No external storage of goods, materials and waste are proposed.

10.3.5 Commercial vehicle parking

Objective: To ensure that parking of commercial vehicles does not detract from the amenity of the area.
Consistent
The use does not involve the use of commercial vehicles as such, other than the delivery of milk.
A1 Commercial vehicles must be parked within the boundary of the site.
Relies on Performance Criteria
No parking space is specified for the milk delivery truck within the site boundary. The proposal does not comply with the Acceptable Solution A1. The proposal will be assessed against corresponding Performance Criteria.
P1 Parking of commercial vehicles must not detract from the amenity of the area, having regard to: (a) the number and type of vehicles; (b) the frequency and length of stay; (c) the location of offsite parking; and (d) the availability of offsite parking in the area;
Complies
Parking of commercial vehicles must not detract from the amenity of the area (a) <i>the number and type of vehicles</i> : one milk delivery truck; (b) <i>the frequency and length of stay</i> : three times a week between approximately 10.00am - 11.00am, this delivery time is outside rush hours; (c) <i>the location of offsite parking</i> : there are two car parking spaces on High Street available adjoining to the site; and (d) <i>the availability of offsite parking in the area</i> : two on-street car parking spaces are available during the specified delivery time. The proposal complies with the Performance Criteria P1.

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10.4 Development Standards

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.
Not Applicable
This standard is not applicable to the food services use class.

10.4.13 Location of car parking

Objective: To: (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
Consistent
Convenient car parking for residents and visitors is proposed to be provided.
A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.
Not Applicable
The proposed use is a Food Services use. This provision is not applicable as there are no habitable rooms at the same level with the proposed use. Two units are located on the lower ground floor.
A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.
A2.2 Turning areas for vehicles must not be located within the primary front setback.
Relies on Performance Criteria
The proposed use is food services. The proposed car parking spaces and turning areas will be located within the primary frontage setback. The proposal does not comply with the Acceptable Solution A2.1. Therefore, it will be assessed against corresponding Performance Criteria. Car parking numbers will be addressed under the standard E6.5.1 Car parking numbers. The proposed use will require one additional car parking space.
P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to: (a) the visual impact of the car parking location viewed from the road; (b) access for users of the site; (c) pedestrian and vehicular traffic safety; (d) the nature and characteristics of the street; (e) the need for the location; (f) any landscaping of the car parking or turning area location; and (g) construction methods and pavement types.
Complies
The location of car parking and turning areas are considered to be safe, convenient and to minimise the visual impact on the streetscape having regard to:

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<p>(a) <i>the visual impact of the car parking location viewed from the road:</i> The existing car parking spaces are visible from High Street. The additional one car parking space required for the food services use will not adversely impact on the existing site conditions nor the amenity of adjoining residential uses;</p> <p>(b) <i>access for users of the site:</i> access is via two existing crossovers from High Street. No change to the existing accesses are proposed;</p> <p>(c) <i>pedestrian and vehicular traffic safety:</i> Vehicles will access the site in both directions crossing the footpath via the existing crossovers. Temporary bollards or screens must be provided to ensure pedestrian safety. A condition in this regard is recommended by Infrastructure Services;</p> <p>(d) <i>the nature and characteristics of the street:</i> High Street is a local highway with a speed limit of 60km/h, ie. arterial road (route 3) under the Launceston Traffic Review 2012;</p> <p>(e) <i>the need for the location:</i> The site has a slope of 34% towards the west. The existing car parking area is limited to the area at the front of the building as the rest of the site has a slope more than 10%. It is necessary to locate the car parking in a primary frontage setback;</p> <p>(f) <i>any landscaping of the car parking or turning area location:</i> No landscaping is proposed as a part of this application; and</p> <p>(g) <i>construction methods and pavement types:</i> No construction and no change in pavements types are proposed.</p> <p>The proposal complies with Performance Criteria P2.</p>
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10.4.14 Development for discretionary uses

<p>Objective: To ensure that development for discretionary uses is compatible with the form and scale of residential development and does not unreasonably impact on the amenity of nearby sensitive uses.</p>
<p>Consistent The development for discretionary uses (food services) is compatible with the form and scale of residential development and does not unreasonably impact on the amenity of nearby sensitive uses.</p>
<p>A1 No acceptable solution</p>
<p>Relies on Performance Criteria There is no Acceptable Solution. Therefore, the proposal will be assessed against corresponding Performance Criteria.</p>
<p>P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <p>(a) the setback of the building to a frontage;</p> <p>(b) the streetscape;</p> <p>(c) the topography of the site;</p> <p>(d) the height, bulk and form of the building;</p> <p>(e) the height, bulk and form of adjacent buildings and buildings in the surrounding area;</p>

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- (f) the setbacks to side and rear boundaries;
- (g) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings;
- (h) the degree of overshadowing and overlooking of adjoining lots;
- (i) mutual passive surveillance between the road and the building;
- (j) any existing and proposed landscaping;
- (k) the visual impact of the building when viewed from adjoining or immediately opposite lots;
- (l) the location and impacts of traffic circulation and parking; and
- (m) the character of the surrounding area.

Complies

The proposed development will be compatible with the form and scale of residential development and will not unreasonably impact on the amenity of nearby sensitive uses:

- (a) *the setback of the building to a frontage*: the proposed container has a setback of 4.8m from the primary frontage which is consistent with the building envelope;
- (b) *the streetscape* is formed by residential properties which have garages compatible in form and bulk with a shipping container form;
- (c) *the topography of the site*: the site is highly constrained by the slope of 34% at the rear where the site falls towards the west. The area for the container placement is flat;
- (d) *the height, bulk and form of the building*: it is a standard shipping container which is located under the existing awning structure;
- (e) *the height, bulk and form of adjacent buildings and buildings in the surrounding area*: the residential area is characterised by single dwellings with hip roofs, the development clearly different. However, the existing building on the subject site was a petrol station. The proposed shipping container is compatible in bulk and form with the existing 'petrol station' design;
- (f) *the setbacks to side and rear boundaries* are more than 18m which is consistent with the provisions of the scheme;
- (g) *solar access and privacy of habitable room windows and private open spaces of adjoining dwellings*: there are no effects to solar access and privacy of adjoining dwellings;
- (h) *the degree of overshadowing and overlooking of adjoining lots*: there is no overshadowing and overlooking of adjoining lots;
- (i) *mutual passive surveillance between the road and the building* is provided as no fences are proposed and the area is open for the general public;
- (j) *any existing and proposed landscaping*: the area of the proposed development is sealed. No landscaping is proposed;
- (k) *the visual impact of the building when viewed from adjoining or immediately opposite lots*: there will be no adverse change in visual impact as the shipping container is compatible in bulk and form with the existing commercial building on the site. Moreover, this container is proposed to be placed under the existing awning which will minimise visual impacts;
- (l) *the location and impacts of traffic circulation and parking*: This has been addressed

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<p>during assessment by a letter, prepared by IPD Consulting Pty Ltd. It is attached. (m) <i>the character of the surrounding area</i> is residential along the arterial road.</p> <p>The subject site is considered to be itself out of character with the predominant built form in the area, but has existed for many years without any significant upgrade. The proposal is not considered to cause any increase in detriment to the site or area.</p> <p>The proposal complies with the Performance Criteria P1.</p>
<p>E6.0 Parking and Sustainable Transport Code</p>
<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent</p>
<p>An appropriate level of parking facilities is provided to service the food services use and development.</p>

E6.5 Use Standards

E6.5.1 Car parking numbers

<p>Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent</p>
<p>An appropriate level of car parking is proposed to be provided to meet the needs of all uses on the subject site.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.
<p>Relies on Performance Criteria</p>
<p>The number of car parking spaces required by the Table E6.1 is as follows:</p> <ul style="list-style-type: none"> - Two car parking spaces are required for the existing residential uses, ie. one space per dwelling if a one bedroom dwelling in the General Residential Zone;

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- Four car parking spaces are required for the general retail and hire of the florist as approved in 2015: one space per 30m² of gross floor area (gross floor area is 133m²);
- One car parking space is required for the service industry use: (total gross floor area is 81m²);
- One car parking space is required food services use: one space per 15m² of gross floor area (gross floor area is 14m²);

The site plan shows four car parking spaces.

The scheme requires eight car parking spaces (100%) to facilitate all uses on the subject site. Seven car parking spaces are considered possible on the site: five open car parking spaces and two spaces within the building along the northern side of the site for the two lower level dwellings.

The proposal does not comply with the Acceptable Solution A1 as 90% of 8 is 7.2 which rounds up to 8. The Performance Criteria must therefore be addressed.

The proposal will organise car parking spaces in relation to uses. The car parking deficiency will be accommodated through the availability of public transport and on-road parking.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (e) 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;
- (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
- (g) the effect on streetscape; and
- (h) the recommendations of any traffic impact assessment prepared for the proposal; or

P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the locality; or

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P1.3 The number of car parking spaces complies with any relevant parking precinct plan.
Complies
The proposal is short of one car space. While the spaces do not meet the current standards for the provision of parking this is an existing situation. It is likely that customers will park on the street and if parking is not available that they won't stop. The location is 'on the way to work' and may encourage customers walking to work or getting off the bus at the nearby bus stop.
Comments from a traffic engineer during assessment (attached to this report) note that the location and facility are not considered to create a traffic hazard.
P1.2 applies to residential development only.

E6.5.2 Bicycle parking numbers

Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.
Consistent
An appropriate level of bicycle parking spaces could be provided to meet the needs of the use.
A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.
Relies on Performance Criteria
Table E6.1 Parking space requirements specifies 1 bicycle space per 75m ² gross floor area for the food services use. The proposed gross floor area is 14m ² . The 'Table E6.1 Parking space requirements' specifies one space per 100m ² of gross floor area for the general retail and hire use. The existing floor area for this use is 133m ² . One bicycle space is required. No formal bicycle parking is proposed. The proposal will be assessed against corresponding Performance Criteria.
P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number and characteristics of users of the site and their opportunities and likely need to travel by bicycle; (b) the location of the site and the likely distance a cyclist needs to travel to reach the site; and (c) the availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Complies
While there is no formal bicycle parking on the site, there are opportunities for informal parking in front of the building for visitors or inside the building for employees. It is considered that this is sufficient for a business of this nature and scale.

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E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent
Parking areas are constructed to an appropriate standard.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies
The area for the proposed car parking space is existing and it: (a) has a gradient of 10% or less; (b) is formed and paved; (c) is drained to the public stormwater system; (d) is provided with an impervious all weather seal; and (e) is line marked. The proposal complies with the Acceptable Solution A1.
P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.
Complies

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent
The site plan needs to be amended to provide five open car parking spaces and two spaces within the building along the northern side of the site for the two lower level dwellings. The plan must be endorsed by a traffic engineer as being safe and efficient.

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A1.1 Car parking, access ways, manoeuvring and circulation spaces must:

- (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;
- (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;
- (c) have parking space dimensions in accordance with the requirements in Table E6.3;
- (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
- (e) have a vertical clearance of not less than 2.1m above the parking surface level.

A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.

A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.

A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Relies on Compliance Measure

Existing and proposed car parking, access ways, manoeuvring and circulation spaces will:

- (a) *provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces:* there are two crossovers on the subject site but they do not provide for vehicles to enter and exit as per the scheme requirements. The proposal does not comply with acceptable solution but proposed conditions can address this by the crossovers being sign posted for separate entry and exit.
- (b) *have a width of vehicular access no less than the requirements in Table E6.2:* the existing width of vehicle access/crossovers is 8m which exceeds the requirements in Table E6.2. No change to existing crossovers is proposed;
- (c) *have parking space dimensions in accordance with the requirements in Table E6.3:* the proposed car parking space dimensions are 2.6m X 5.4m;
- (d) *have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3:* The spaces do not meet the requirement of Table E6.3 in respect of a have a combined access and manoeuvring width of no less than 6.4m as required in Table E6.3;
- (e) *have a vertical clearance of not less than 2.1m above the parking surface level:* the awning clearance above the car parking surface is 2.9m.

The performance requirements must be addressed.

P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) vehicle and pedestrian traffic safety;
- (d) the nature and use of the development;

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

- (e) the expected number and type of vehicles;
- (f) the nature of traffic in the surrounding area; and
- (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.

Complies

The parking situation is existing and operates without reported incidents. The area is subject to high traffic volumes but the existing site operates with non-compliant parking. A condition is proposed requiring the submission of an amended layout. This application provides an opportunity to re-structure parking on the site to improve functionality and safety.

The ability for the site to meet the current requirements is difficult especially as there is no additional level space on site to provide additional parking and manoeuvring space. The one additional car space to be provided is not considered to have a significant impact on traffic safety. Bollards are required as a condition of approval to help address public safety and separate vehicle and pedestrian space.

The proposal is for a small scale coffee outlet that will operate in the early part of the day. It is likely that if parking is not available that customers will be not stop or queue to wait for a coffee.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:

- (a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and
- (b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and
- (c) ensure that vegetation is managed for its contribution to the scenic landscape.

Consistent

Siting and design of development in scenic management areas is proposed to be unobtrusive and complements the visual amenity of the locality and landscape.

E7.6 Development Standards

E7.6.1 Scenic road corridor

Objective:

To ensure the visual amenity of the scenic road corridors is managed through appropriate siting and design of development, including subdivision, to provide for views that are significant to the traveller experience and avoid obtrusive visual impacts on skylines, ridge lines and prominent locations.

Not Applicable

The proposed development is not located within the scenic road corridor. Therefore, this standard is not applicable.

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

E7.6.2 Scenic management areas

Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.
Consistent
The siting and design of development is proposed to not be unobtrusive in the landscape and complement the character of the scenic management areas.
A1 No acceptable solution.
Relies on Performance Criteria
There is no Acceptable Solution. The proposal will be assessed against corresponding Performance Criteria.
P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to: (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the impact on skylines, ridgelines and prominent locations; (c) the nature and extent of existing development on the site; (d) the retention or establishment of vegetation to provide screening; (e) the need to clear existing vegetation; (f) the requirements for any hazard management; (g) the need for infrastructure services; (h) the specific requirements of the development; (i) the location of development to facilitate the retention of trees; and (j) design treatment of development, including: (i) the bulk and form of buildings including materials and finishes; (ii) any earthworks for cut or fill; (iii) the physical (built or natural) characteristics of the site or area; (iv) the nature and character of the existing development; and (v) the retention of trees.
Complies
The proposed development will have regard to: (a) <i>the scenic management precinct existing character statement and management objectives in clause E7.6.3:</i> The Central Hills Precinct encompasses the residential area located along the ridgeline of a hillside to the east of the central Launceston area. The development will blend in with existing development by its location, form, scale and exterior finishes. The proposed development meets management objectives of the Central Hills Precinct; (b) <i>the impact on skylines, ridgelines and prominent locations:</i> no impacts on skylines are proposed as the container will be placed under the existing awning; (c) <i>the nature and extent of existing development on the site:</i> the site is developed with commercial premises (shops, storage, car parking and signage) and two residential apartments on the lower ground floor. The proposed shipping container will not increase the building gross floor area more than 10%; (d) <i>the retention or establishment of vegetation to provide screening:</i> there is no existing

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

vegetation between High Street and the building. The existing vegetation will be retained from the rear of the existing building to the rear boundary;

(e) *the need to clear existing vegetation*: there is no need to clear vegetation. This development is proposed to utilize existing sealed car parking layout;

(f) *the requirements for any hazard management*: The subject site is not prone to environmental hazards;

(g) *the need for infrastructure services*: infrastructure services are existing on the subject site. The site is connected to reticulated sewer, water and stormwater services;

(h) *the specific requirements of the development*: there are no specific requirements;

(i) *the location of development to facilitate the retention of trees*: no trees will be removed as a result of this development; and

(j) *design treatment of development, including*: the container is to be sited under an existing awning.

(i) the bulk and form of buildings including materials and finishes: the proposed shipping container will be contained within an area formed by extending the line of the existing external walls of the commercial building placed under the existing awning;

(ii) any earthworks for cut or fill: no earthworks are required;

(iii) the physical (built or natural) characteristics of the site or area: surrounding residential houses are one-storey dwellings with a hip roof, and the commercial building is one-storey. The proposed shipping container will be contained within an area formed by extending the line of the existing external walls of the commercial building;

(iv) the nature and character of the existing development: the area is developed with a mixture of commercial and residential uses; and

(v) *the retention of trees*: no trees are proposed to be removed.

The proposal complies with the Performance Criteria P1.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided. Conditions recommended.
Environmental Health	Conditional consent provided. Conditions recommended.
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01403-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

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 13 September to 27 September 2017. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised they should be read in conjunction with the representations received which are attached to this report.

	Issues	Comments
A	Limited parking as currently 3-5 vehicles parked on the site	Seven car parking spaces are proposed to be provided. The number of car parking spaces is considered sufficient for the existing and proposed uses under the planning scheme standards.
B	Florist shop visitors already park on the footpath; parking on the existing footpath dangerous for anyone walking	Car parking on the footpath is not allowed. Temporary bollards or screens must be provided to ensure pedestrian safety in accordance with conditions.
C	Proximity to the intersection (High Street, Talbot road, Lawrence Vale Road and Wentworth street), current speed limit of 60km/h will increase the risk to have accident for pedestrian and vehicles.	There is no evidential data to support this statement. Accident data has been checked for the period of the last five years. The level of accidents is considered as low.

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

	Issues	Comments
D	The visibility could be limited due to increased numbers of cars, road intersection and existing bus stop.	The issue does not relate to the merits of the current application as visibility is guided by E4.0 Road and Railway Assets Code (E4.6.4 Sight distance at accesses). No change to the existing road reserve layout is proposed.
E	There is a multi-business site and the addition of the new business/ tenant will cause problems with traffic and pedestrian safety. Most premises at 108-112 High Street do not have off street parking for themselves and visitors. The shipping container placement will reduce the total number of parking bays.	The number of car parking spaces to service the various businesses is consistent with the current Planning Scheme requirements. The site plan is required to be amended to demonstrate seven car parking spaces.
F , G , H	F: there is the constant flow of cars looking for the parking in the area. As a result a back log of customers cars will occur while waiting for a parking space to become available and traffic flow traveling towards the city will be stopped G: cars will block the side walk (pedestrian safety issue) H: customers cars are likely to be parked on the east side of High Street and crossing High Street (pedestrian safety issue).	There is no direct evidence in support of these statements.
I	Customers will illegally turn from the Kings Meadows bound lane across solid white lines to frequent the business.	This is an assumption. Should this occur it would be a matter for the police to enforce similar to any other traffic infringement.
J	School children get off the buses and cross the road to another side which already generates traffic issues and there is no safe High Street crossing point in this location.	The traffic situation is existing and the proposal is not considered to create a significant change. Bollards are to be required along the property boundary to separate the footpath from part of the site.

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

	Issues	Comments
K	Shipping container will reduce amenity. High Street is a major conduit from and to CBD and the shipping container is not the appropriate building for the café to be established within the residential area.	The reduction of amenity will be very limited as the shipping container is proposed to be placed under the existing awning, ie. within existing building envelope.
L	It is not appropriate to sell coffee at 6am in the residential area. 6am is an unsociable hour to open a business in a residential area over weekends.	The use is very low intensity and unlikely to be detrimental to the amenity of the area.
M	Garage area of the property - florist and computing business staff tend to not park their car in the garage.	The garage is to provide parking for the residents of the dwellings.
N	Residents of dwellings at 108-112 High Street have parking spaces on the property.	The building was approved in 1953 without associated car parking spaces. Parking for residents is proposed as a part of this application.
O	There are four residential dwellings surrounding this address with no internal car parking. These residents rely on parking bays along High Street (some of these properties are rental which requires more than 3 cars). Competition for the car parking could result. (employees of the businesses and customers attending the café); and there is no standing zone along High Street.	There are approximately 20 car parking spaces provided between the subject site and David Street. Street parking is open and not allocated to any property.
P	Due to the topography noise is trapped on the street. An extra noise generated by vehicles, car doors slamming and gregariousness must be limited by law.	This claim has not been substantiated within the representation and as the site is located on top of a ridge the topography is not considered to be a factor in the 'retention' of noise in the area. No background research was made in regard to noise propagation in this area.

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(Cont'd)

	Issues	Comments
Q	Informal seating for café customers shown on the plan will be mixed with the parking from other customers/businesses (safety issues).	No formal and informal seating are proposed as a part of this application.
R	The shipping container planned to house the cafe will have three allocated parking spaces.	In accordance with the Site Plan advertised the shipping container use will have one associated car parking space.

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 2015 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 2015 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 2015 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 2015.

BUDGET & FINANCIAL ASPECTS:

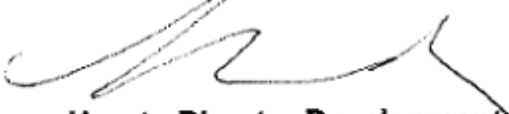
Not considered relevant to this report.

8.2 108-112 High Street, Newstead - Food Services - Cafe; Placement of a Shipping Container and Part Change of Use (Re-Advertised) ...(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. 108-112 High, Street Newstead - Locality Map (electronically circulated)
 2. 108-112 High, Street Newstead - Endorsed Plans (electronically circulated)
 3. 108-112 High, Street Newstead - TasWater SPAN (electronically circulated)
 4. 108-112 High, Street Newstead - Civil Engineer Traffic Comments (electronically circulated)
 5. 108-112 High Street, Newstead - Representations (electronically circulated)
-

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots**FILE NO:** DA0433/2017**AUTHOR:** Brian White (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty° Pty Ltd
Property:	16A Delamere Crescent and 16 Delamere Crescent, Trevallyn
Zoning:	General Residential
Receipt Date:	31/08/2017
Validity Date:	1/09/2017
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	17/12/2017
Representations:	Two

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0433/2017 - Residential - single dwelling; subdivision of land into two lots at 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The 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. Subdivision Proposal and Servicing Plan, Prepared by 6ty°, Project 17.206, Drawing No. P01, Dated 30/08/2017 (Amended plan required).
 - b. Planning Submission, Prepared by 6ty°, Dated 30/8/2017.
-

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager Planning Services 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. A correctly labelled servicing plan which shows all current and proposed services.

Once approved by the Manager Development Planning, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01404-LCC) (attached).

4. NO VEGETATION REMOVAL

No tree or vegetation on the site is to be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Council.

5. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

6. 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.

7. 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. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Technical Services is required prior to undertaking works where the works:

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

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

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.

8. 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. The 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.

9. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water, sewerage and electricity must be available to each lot shown on the endorsed plans.

10. 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. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure.
 - ii. Communications infrastructure.
- 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. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- 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.

11. 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:

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve.
 - ii. The provision of a DN 100 connection to a public drainage system located so as to drain the lowest point of each lot.
- b. Electricity, Communications and Other Utilities
 - i. A connection to a reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority.
 - ii. A connection to the telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority.

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 and Hand-Over.

12. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner.
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and.
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc, if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

13. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
 - b. A Closed Circuit Television inspection report for all sewers or drains constructed or incorporated in the works.
 - c. Compaction and soil test results for all earthworks or pavement works.
-

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

14. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3m for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475mm or where the depth of the pipe exceeds 2.1m. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

15. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

Notes**RIGHT-OF-CARRIAGEWAY CONSTRUCTION**

Should a development application be lodged to Council to use and develop the site for a residential use, it is highly likely that the right-of-carriageway will need to be constructed to have a width of at least 3m on a suitably constructed based with all necessary retaining structures and drainage. It is also likely that this will also require vegetation to be removed which also requires approval under the Scenic Management Code. These works should be included in a future application.

A. General

This permit was issued based on the proposal documents submitted for DA0433/2017. 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 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.*
-

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

- 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 years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. 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 enquires as to whether the proposed development is effected, 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.

C. 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>>

D. 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.

REPORT:**1. THE PROPOSAL**

The applicant is seeking planning approval for the subdivision of land at 16A Delamere Crescent, Trevallyn.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

The subdivision will create an additional lot with an area of 459m² to the rear of the existing dwelling at 16A Delamere Crescent. Access to the new lot will be via an existing right of carriage way from Wattle Way which runs along the rear of three other lots. The site will therefore have a frontage via the right of way.

The balance lot, containing the existing dwelling, will have an area of 459m² and will retain frontage to Delamere Crescent.

The application is for subdivision and associated infrastructure works only. TasWater and Councils Infrastructure Department have requested works be undertaken to provide reticulated services to the lot.

The plan of subdivision is provided as Figure 1 below:



Figure 1 Subdivision Plan

Access

The existing right of carriageway (to be used as sole and principle means of access to the new lot) is owned by 16 Delamere Crescent and is associated with Certificate of Title 199464 Folio 1. The right of way has a legal width (as indicated on the title) at the frontage of 4.06m which widens 6.32m at the property boundary of the subject site. The properties at 14 Delamere and 12 Delamere Crescent also benefit from a right of carriageway over the title but each also have a frontage to Wattle Way. The right of way is currently gravelled.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

Notes

It must be noted that the application was required to be readvertised as not all adjoining landowners to the right of way were originally notified as is required by the Regulations of LUPAA.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located towards the southern end of Delamere Crescent and approximately 50m to the north of Wattle Way.

The site is within an established residential area primarily characterised by single dwellings. Vegetation retention is a predominant feature on the Trevallyn Hillside which contributes to its scenic significance.

The site benefits from favourable views over the Tamar being relatively high up on the Trevallyn Hillside.

Access to the site is via an existing crossover from Delamere Crescent and also via the existing right of way over CT 199464/1 which links to Wattle Way.

The site falls to the east (rear) at a grade of approximately 18.5%.

The rear of the site is grassed and has some existing retaining walls and landscaping. The existing right of way to the rear is gravelled.

The site is currently developed with a single dwelling which is connected to all reticulated services.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose**

Not applicable

The zone purpose statements are not relevant to the assessment as the application is not for a discretionary use.

10.4 Development Standards**10.4.15 Lot size and dimensions**

Objective:

To ensure the area and dimensions of lots are appropriate for the intended use of the lots.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

<p>Consistent</p> <p>The proposal complies with the performance criteria. The size of the lots do not meet the minimum (as-of-right) lot size requirement. However, it is considered that the lot is of ample size to accommodate a (future) residential use which is likely to meet the relevant development standards for matters such as building envelopes and vehicle manoeuvrability.</p>
<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a minimum area of no less than 500m²; and (b) be able to contain a rectangle measuring 10m by 15m; or <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be 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) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Relies on Performance criteria</p> <p>The proposed lot and the balance lot have areas of 459m² so cannot meet A1.1. The lots are not for the purposes listed in A1.2 (a-c) so cannot meet A1.2. The newly created lot boundary is to be located approximately 4.5m from the existing dwelling at 16 Delamere Crescent which complies with the rear setback prescribed by clause 10.4.2 (A3) so meets A1.3.</p> <p>Compliance requires at least one of A1.1 and A1.2 and A1.3. This cannot be achieved.</p> <p>A reliance on the performance criteria is therefore required to comply with the standard.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant acceptable solutions for development of buildings on the lots; (b) the likely location of buildings on the lots; (c) the likely provision of on-site parking and manoeuvrability for vehicles; (d) the topography of the site; (e) the presence of any natural hazards; (f) adequate provision for private open space; and (g) the existing pattern of development in the area.
<p>Complies</p> <p>The objective of the performance criteria requires that the lots are to have sufficient usable area and dimensions which are suitable for its intended use.</p>

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

The applicant has argued that the lot will of a sufficient area to accommodate a typical single dwelling which meets the relevant acceptable solutions of the scheme and is able to be provide sufficient room for access and parking. It is also argued that there is an existing pattern of development of similar sized lots on the Trevallyn Hillside.

The proposed boundary of the new lot will be setback approximately 4.5m from the rear of the dwelling so meets (a). The proposed new lot is also able to accommodate a 10m x 15m rectangle so is considered to be suitable for a single dwelling (b). The site is also highly likely of providing adequate space for parking and manoeuvrability as well as private open space (f).

It is therefore considered the lot has sufficient useable area and dimensions for a residential use. However, the performance criteria also requires that regard is had to the existing pattern of development in the area in determining compliance.

'Area' is not defined in the scheme, but for the purposes of this assessment it is taken to mean within reasonable proximity to the site.

The applicant has stated the following locations have lots of similar sizes:

1. 19 Delamere Crescent: Single lot approximately 480m² in area containing an existing dwelling and outbuilding;
2. 2 Wattle Way: multiple dwellings built on a single allotment of approximately 460m² with each dwelling having a site area of approximately 230m²;
3. 2 Delamere Crescent; multiple dwellings each having a site area of approximately 350m².

Therefore it is considered that there are examples of similar sized lots in the 'area' so the proposal meets (g).

The proposal is assessed as complying with P1.

10.4.16 Frontage and access

<p>Objective: To ensure that lots provide: (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.</p>
<p>Consistent The proposal complies with the performance criteria. It is considered that the existing right of way is adequate to service a (future) residential use. A note will be provided on the permit which explains that both the retaining wall along the eastern side of right of way, and the right of way itself, are highly likely of being required to be upgraded when/if a subsequent development application is lodged to use and develop the site.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

Relies on Performance Criteria

The proposed lot does not have frontage to a road maintained by a road authority. The existing lot will maintain its frontage to Delamere Crescent.

A reliance on the performance criteria is therefore required to comply with the standard.

P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:

- (a) the width of frontage proposed, if any;
- (b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage;
- (c) the number of immediately adjacent rights-of-carriageway;
- (d) the topography of the site;
- (e) the proposed use of the lot;
- (f) the construction and maintenance of the road;
- (g) the existing pattern of development in the surrounding area; and
- (h) the advice of the road authority.

Complies

The concept of a right of carriage way is defined at Schedule 8 of the *Conveyancing and Law of Property Act 1884* as follows:

"...Full and free right for every person who is at any time entitled to an estate or interest in possession in the land indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof.

The newly created lot is to be accessed via an existing right-of-carriageway ('ROC') over CT 199464/1 which originates from Wattle Way. The ROC also crosses over 14 Delamere and 12 Delamere Crescent (who also enjoy such rights). 16 Delamere Crescent therefore has two frontages; one from Delamere Crescent and one from Wattle Way. The sole and principal means of access for 16 Delamere Crescent is from Delamere.

The ROC is indicated on CT199464/1 (16 Delamere Crescent) as having a width of approximately 4m at the frontage which widens to be 6.32m at the property boundary of 16A Delamere Crescent (the subject site). Therefore, according to the title, the ROC has a minimum width of at least 4m (refer Figure 1 below).

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

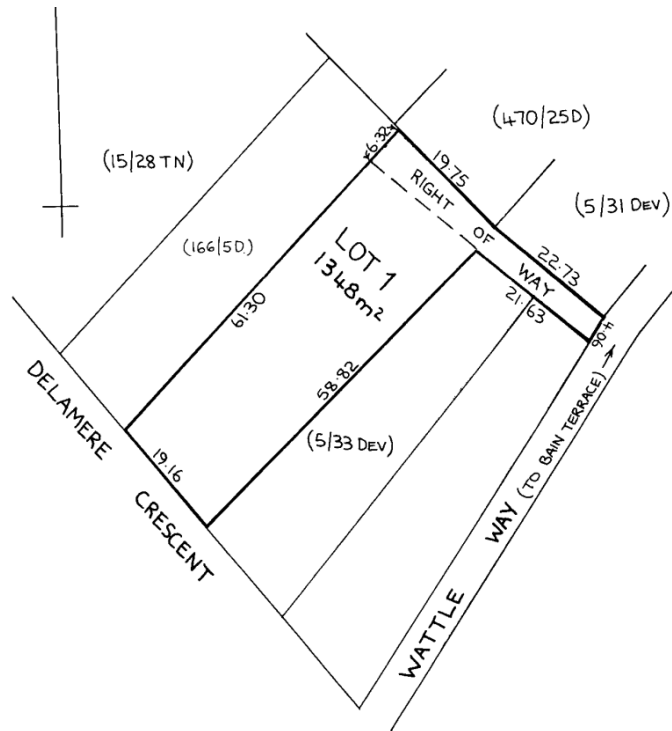


Figure 1 CT199464/1

Figure 2 below shows the access from Wattle Way:



Figure 2 View looking north along the existing right of way to service the lot.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

It should be noted that the right of way is physically not constructed to the maximum width allowable under the title. However, the subclause only requires that the lot has a legal connection to a road by a right-of-carriageway, of no less than 3.6m width. It does not, for the purposes of subdivision, require that the physical access be constructed to a width of 3.6m. As indicated on the title; the width of the right-of-carriageway is at least 4m.

The standards of (a) - (h) will be assessed as follows.

The (proposed) lot has no frontage so (a) has no application to the assessment. The right-of-carriage way is not used as the sole and principle means of access to 16 Delamere Crescent. It is used as a secondary access to the rear of lots at 12-16 Delamere Crescent so (b) is met.

There are no rights-of-way immediately adjoining the subject site so (c) is met. The ROC is relatively flat so topography (d) bears no weight in the assessment. It is considered that the most likely use of the lot in the future is to be residential (for a single dwelling).

A single dwelling is expected to generate up to nine vehicle movements per day (according to the RTA Guide to Traffic Generating Developments). Such an increase in movements is considered acceptable given that there is nothing currently stopping the land owner from using the right of way for an unlimited amount of movements (to access the rear of the lot).

Therefore (e) is met.

Subclause (f) applies to a road as defined in the scheme. The ROC does not fit under this definition. However, Wattle Way is constructed of bitumen to Council Standard.

Therefore (f) is met.

The right of way is existing, there is no change to the pattern of development in the surrounding area.

Therefore (g) is met.

The road authority has provided conditional consent for the proposed access arrangement so (h) is met.

The proposal is assessed as meeting P1.

A note is recommended to be placed on the permit which states that prior to the ROC being used for a future development, it is highly likely that it will be required to be

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

properly constructed to be at least 3m wide, install appropriate drainage and construct (or repair existing) sufficient retaining walls. It will be advised that these works should form part of a future application on the lot.
A2 No acceptable solution.
Relies on Performance Criteria
P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
Complies The objective of the clause is to ensure that a reasonable level of vehicular access can be provided to the lot. It has been demonstrated in the assessment of Clause 10.4.16 (P1) that this can be achieved via the existing right of way.

10.4.17 Discharge of stormwater

Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.
Consistent The proposal complies with the acceptable solution and therefore inherently consistent with the intent of the clause.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
Complies Council's infrastructure department has confirmed the newly created lot is capable of connecting to such a system. Conditions apply.
A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.
Complies Council's infrastructure department (with delegation from the General Manager) has confirmed the newly created lot is capable of connecting to such a system.

10.4.18 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent The proposal complies with the acceptable solution and therefore inherently consistent with the intent of the clause.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies The existing lot will retain its water connection. The proposed lot is able to be connected to a reticulated water supply.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The existing lot will retain its sewerage connection. The lot is able to be connected to a reticulated sewerage system. This has been confirmed by TasWater in its SPAN which provides conditional consent to the development.

10.4.19 Integrated urban landscape

Objective: To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.
Consistent The proposal complies with the acceptable solution and therefore inherently consistent with the intent of the clause.
A1 Subdivision does not create any new road, public open space or other reserves.
Complies The subdivision does not create any new road, public open space or other reserves.

10.4.20 Walking and cycling network

Objective: To: (a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists; (b) design footpaths, shared path and cycle path networks that are safe and accessible; and (c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.
A1 Subdivision does not create any new road, footpath or public open space.
Complies The subdivision does not create any new road, footpath or public open space.

10.4.21 Lot diversity

Objective: To provide a range and mix of lot sizes to suit a variety of dwelling and household types.
Consistent The subdivision does not create any new road, public open space or other reserves.
A1 Subdivision is for 10 lots or less.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

<p>Complies The subdivision is for two lots.</p>
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10.4.23 Neighbourhood road network

<p>Objective: To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.</p>
<p>Consistent The proposal complies with the acceptable solution and therefore inherently consistent with the intent of the clause.</p>
<p>A1 Subdivision does not create any new road.</p>
<p>Complies The subdivision does not create any new road.</p>

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area
E7.0 Scenic Management Code

<p>E7.1 The purpose of this provision is to: (a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and (b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and (c) ensure that vegetation is managed for its contribution to the scenic landscape.</p>
<p>Consistent The site is mapped as being within the Trevallyn Hillside Precinct (the Precinct) with Council's overlay maps; accordingly the code applies pursuant to Clause E7.2.1 of the Interim Planning Scheme. The existing character statement and management of the Precinct is provided in Clause E7.6.3.1 of the Interim Scheme. The Precinct is described as being of scenic significance primarily due to it providing the "principle backdrop of the central Launceston area" due to encompassing the "steep hillside to the west of the Tamar River and north of the Cataract Gorge". The proposed development (subdivision) is on the eastern hillside facing the central city and is said to be characterised by a distinct built form (Federation houses) located amongst a landscaped setting. The management objective of the Precinct that is relevant to the proposal is provided at (d): <i>"...Subdivision must only take place where it does not adversely affect the existing character or pattern of development on the hillside. Subdivision that prevents the retention or establishment of significant vegetation must be avoided".</i></p>

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

This management objective will inform the assessment against Clause E7.6.2 (P3)(a).

It is considered that the subdivision will not detract from the visual amenity of the locality and landscape primarily as the site will not be overly visible from prominent points such as the city centre whilst views from West Tamar Road will be fleeting at best.

Additionally, no vegetation is to be removed as part of the development.

E7.6 Development Standards

E7.6.2 Scenic management areas

<p>Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent The proposal complies with the performance criteria. It is considered that the development will be unobtrusive in the landscape due to its location and the fact that no vegetation is to be removed. Additionally, the proposal is consistent with other similar examples in the surrounding area.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>A2 No vegetation is to be removed.</p>
<p>Complies Vegetation is not to be removed.</p>
<p>A3 Subdivision is in accordance with a specific area plan.</p>
<p>Relies on Performance Criteria The subdivision is not in accordance with a specific area plan so relies on the performance criteria to comply with the standard.</p>
<p>P3 Subdivision must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the size, shape and orientation of the lot; (c) the density of potential development on lots created; (d) the need for the clearance or retention of vegetation; (e) the need to retain existing vegetation; (f) the requirements for any hazard management; (g) the need for infrastructure services; (h) the specific requirements of the subdivision; (i) the extent of works required for roads or to gain access to sites, including any cut and fill; (j) the physical characteristics of the site and locality; (k) the existing landscape character; (l) the scenic qualities of the site; and (m) any agreement under s.71 of the Act affecting the land.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

Complies
 The proposal is consistent with the relevant management objective as the subdivision will be consistent with the range of existing lot sizes in the Precinct. Any future dwelling on the lot will be required to provide landscaping.

It must also be noted that the site is mostly unable to be seen for the city centre and is not on the skyline, whilst views from major roads are fleeting at best. No vegetation is to be removed as a result of the subdivision so the landscaped character of the area (and its scenic qualities) will also not be compromised.

The size of the lot has been assessed as meeting the performance criteria of Clause 10.4.15 (P1) and is considered to be of an adequate size and orientation which is consistent with the locality.

The proposed lot is able to be accessed via an existing right with no works being required as part of this application.

It is therefore considered that the subdivision meets P3 subject to conditions.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Conditions recommended.
Environmental Health	N/A
Heritage/Urban Design	N/A
Building and Plumbing	Notes provided.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01404-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993* ('the Act'), the application was originally advertised between the 27 September to 12 October 2017. Three representations were received.

The application was required to be readvertised between the 18 October to 2 November 2017 as not all landowners adjoining the right of way were originally notified.

The representors were notified that they were required to resubmit their representations.

Only one of the three representors resubmitted their representation between the 18 October to 2 November 2017.

The other two representations were received outside the period.

One representation was received five days late. The Manager of Planning Services has exercised his delegation from Council to allow an additional 14 days to accept the representation.

The last representation was received 35 days late so cannot be accepted under the Act. However, the content of the representation will be taken into consideration given the fact the application was required to be readvertised.

The issues raised in those representations 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	Response
Change in nature of usage of right of way	The proposal is for subdivision only. No other development has been applied for nor has any use been assigned. Therefore there is no increase in usage of the right of way expected (or approved) as a result of the subdivision. The codes in the scheme that deal with the increased intensity of existing accesses, parking numbers and the condition (and width) of accesses are not required to be assessed as part of this application (as no use is proposed and the only development proposed is subdivision). Those codes will be required to be assessed as part of a future application for use and development of the site. Issues with legal

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

	<p>rights due to an increase in the use of the right of way cannot form grounds for a refusal (against the scheme provisions). The Resource Management and Planning Appeal Tribunal in <i>East Coast Pty Ltd v Kingborough Council & Ors [2017]</i> TASRMPAT has found that (potential) legal issues that may arise due to the change of use of a right of way are not matters that are required to be taken into consideration by a planning officer in determining an application.</p>
<p>Request for the access to be upgraded</p>	<p>The author of this report has been in consultation with the representors regarding this issue. There is no mechanism to enforce the access to be upgraded via condition, as the Parking and Sustainable Transport Code of the Interim Scheme does not apply to the application (and the access is indicated on the title as being adequate). No use is being applied for and the only development that is proposed is subdivision. The development standards of the code deal with the construction of parking areas and the design and layout of parking areas (as well as access ways). This code will apply should an application be lodged for a single dwelling on the lot. A note has been proposed on the permit advising the applicant that it is highly likely that the access and retaining walls will be required to be upgraded as part of a future application to use the land for a residential purpose and to develop the site with a dwelling (to comply with the above mentioned code).</p>
<p>Whether fences are to be constructed</p>	<p>The only development that is proposed at this stage is subdivision. This will be a matter that may be dealt with in a future application otherwise the Boundary Fences Act provisions would apply.</p>

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

The condition/construction and width of the right of way	See prior comment.
Condition of the retaining wall between 16 Delamere Crescent and 4 Wattle Way	A note has been placed on the permit stating it will be highly likely that the retaining wall will be required to be upgraded as part of a future application to use and develop the site.
Traffic on Wattle Way	The application is for subdivision only. No increase in traffic is to occur as a result of the subdivision. Such matters will be dealt with in a future application to use and develop the site. Nonetheless, it is considered that an increase in traffic movements to accommodate a future residential use would be reasonable. It must be noted that the road authority has given conditional approval for the development.
Loss of amenity for adjoining properties due to increase in usage of right of way	The application is for subdivision only. No increase in traffic or construction is to occur as a result of the subdivision. Such matters will be dealt with in a future application to use and develop the site.
Noise and dust during construction of dwelling	Construction of a dwelling is not approved as part of this application. It is likely that conditions will be applied to a future application for a dwelling regarding amenity impacts during construction.
Queries with the hand rail on Wattle Way and traffic during construction	The application is not for the development of a dwelling. It appears the handrail opposite the right of the way was removed to facilitate the development of the units. It is not clear whether the handrail will be replaced at any time in the near future. It is likely that a traffic management plan would be required in the event of a future application for a dwelling on the lot.
Site distances and safety of the existing access	There is no new access proposed as part of the application. The use of the existing access is also not to change so the Road and Railway Assets Code does not apply which deals with site distances.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

Lack of turning area for vehicles on the new lot	It has been found that the proposed lot will be large enough to accommodate reasonable turning areas if a future dwelling is to be developed. This would be required to be assessed in a future application.
Lack of street parking	There is no proposal for the use or development of the site for a residential purpose. Such matters will be dealt with once an application is lodged for a dwelling.
Issues during the construction of the dwelling	There is no approval for the construction of a dwelling.
Erosion of existing retaining wall	It is highly likely that the retaining walls along the right of way will be required to be upgraded to a suitable standard as part of a future application to use and develop the site.
Queries as to the location of the fence at the access	The right of way has a legal width (as indicated on the title) of 4m at the frontage. As mentioned, the right of way would be highly likely of being required to be upgraded in the event of a future application (to comply with the relevant code in the scheme).

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 2015 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 2015 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.

8.3 16A Delamere Crescent and 16 Delamere Crescent, Trevallyn - Residential - Single Dwelling; Subdivision of Land Into Two Lots ...(Cont'd)

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 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 2015.

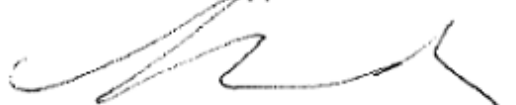
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. 16A Delamere Crescent, Trevallyn - Locality Map (electronically distributed)
 2. 16A Delamere Crescent, Trevallyn - Subdivision Plans (electronically distributed)
 3. 16A Delamere Crescent, Trevallyn - Planning Submission (electronically distributed)
 4. 16A Delamere Crescent, Trevallyn - Representations (electronically distributed)
 5. 16A Delamere Crescent, Trevallyn - TasWater SPAN (electronically distributed)
-

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding**FILE NO:** DA0117/2016**AUTHOR:** Maria Chledowska (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Matthew William Fraser
Property:	255 Relbia Road, Relbia
Zoning:	Rural Living
Receipt Date:	30/03/2016
Validity Date:	01/04/2016
Further Information Request:	04/04/2016
Further Information Received:	07/11/2017
Deemed Approval:	18/12/2017
Representations:	Two

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted by the Council, for DA0117/2016 for Residential - single dwelling: construction of an outbuilding at 255 Relbia Road, Relbia subject to the following conditions:

1. ENDORSED PLANS

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

- a. Overall Site Plan, prepared by Rare Engineers, Project No. 17265, Drawing No. S01, Rev 1, Dated 26/10/2017.
 - b. Site Plan, prepared by Rare Engineers, Project No. 17265, Drawing No. S02, Rev 1, Dated 26/10/2017.
 - c. Wall Elevation, prepared by Rare Engineers, Project No. 17265, Drawing No. S03, Rev 1, Dated 26/10/2017.
 - d. Wall Section, prepared by Rare Engineers, Project No. 17265, Drawing No. S04, Rev 1, Dated 26/10/2017.
-

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

- e. Site and Drainage Plan, Prepared by Lateral Architecture, Job No. LA-16-11, Drawing No. 01, Dated 10/0316, Revised 16/08/17.
- f. Elevations, Prepared by Lateral Architecture, Job No. LA-16-11, Drawing No. 02, Dated 10/0316, Revised 16/08/17.

2 TEMPORARY SECOND ACCESS

The second vehicle access installed at the southern portion of the frontage beside the driveway to No. 257, 259 and 261 Relbia Road along the eastern boundary of the property must be removed at the completion of the building works and the road verge reinstated to grass. Please note: should the owner wish to retain the access a separate development application is required and the consent of the road owner (in this case Council's Director Infrastructure Services) must be obtained.

3. SHIPPING CONTAINER

The existing shipping container on the site must be removed at the completion of the building works.

4. 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.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

6. OUTBUILDINGS

The use of the shed is not permitted for human habitation and is limited to residential storage and related residential activities only.

No commercial activity must be undertaken in the outbuilding without Council approval.

7. STORMWATER DISPOSAL

Stormwater from the shed is to be disposed of onsite in a manner approved by the Plumbing Department so as not to cause a nuisance to neighbouring properties.

8. 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.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

9. NO BURNING OF WASTE

No burning of any waste materials generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

10. ON-SITE WASTE WATER SYSTEM REGARDING SHEDS GARAGES ETC

Sheds, garages, decks, driveways or any additional structures must not be located on, over or in a location which may affect the operation of the existing on-site waste water system.

The building/structure should not impede the ability of the system to sustainably dispose of waste water on the lot, including the provision of secondary land application areas.

Notes**A. Building Permit Required**

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. 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.

B. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. 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.

C. General

This permit was issued based on the proposal documents submitted for DA0117/2016. 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 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 years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

D. 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 enquires as to whether the proposed development is effected, 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.

E. 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>>

F. 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.

G. Existing Wastewater System

The location of the wastewater system must be clearly indicated on your building plans.

REPORT:**1. THE PROPOSAL**

The proposal is for the construction of an outbuilding associated with a single dwelling on 255 Relbia Road. The 147m² shed will have a wall height of 3.8m and a building height of approximately 4.7m. The shed is proposed to the north east of the existing dwelling with a frontage setback of 15m and an eastern side setback of 2m. The proposal includes earthworks (cut and fill) to provide a levelled area to construct the shed. A maximum 1.4m high retaining wall is proposed along the southern and eastern sides of the shed. It is proposed to be setback 1.5m from the eastern boundary.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

A second access has been installed off Relbia Road at the southern portion of the frontage beside the driveway to No. 257, 259 and 261 Relbia Road along the eastern boundary of the property. The applicant has advised that the access is temporary and only for construction of the shed. A condition is recommended requiring the access to be removed once the shed is constructed.

A stormwater tank and overflow trench are to be located below the shed to manage stormwater on the site and prevent runoff onto the adjoining properties.

As advised in the submission supporting the proposal the outbuilding is to be used as storage of collectable vehicles.

Note:

This application has been re-advertised as the original plans did not include all works associated with the construction of the outbuilding. Earthworks and construction of the retaining wall were commenced prior to the determination of the application. The owner was advised that the works require a planning approval. The development works were ceased. Subsequently additional plans were submitted including design for the retaining walls and stormwater runoff.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the northern side of Relbia Road in the Rural Living zone approximately 600m from the railway line and the intersection with Glenwood Road. The neighbouring properties located to the north of Relbia Road in the Rural Living Zone are developed with single dwellings and outbuildings. The properties to the south of Relbia Road are zoned Rural Resource and have a mix of residential and agricultural uses.

The site is irregular in shape and occupies an area of approximately 4,047m². It falls in the north eastern direction with an approximate slope of 9%. The site has been subject to earthworks in the location of the proposed shed. A partially constructed retaining wall is developed along the eastern boundary of the site.

Access to the site is directly off Relbia Road. There is a gravel driveway along the eastern side boundary of the site that provides accesses to No. 257, 259 and 261 Relbia Road properties.

The site is cleared of vegetation except landscaping at the front of the site close to a dwelling. There are no watercourses within 30m of the site.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

Currently, the site is developed with the single dwelling and carport. A shipping container is placed a few metres from the proposed shed. This container will be removed once the shed is constructed.

Relbia Road is sealed with bitumen and drained to Council standard. The site is connected to reticulated water with wastewater managed on-site.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

13.0 Rural Living Zone

13.1.1 Zone Purpose Statements

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

13.1.1.3 To provide for use and development that is compatible with local natural values.

Consistent

The proposed shed is ancillary to an existing single dwelling and is consistent with the purpose of the zone to provide residential use on large lots in a rural setting.

13.4 Development Standards

13.4.1 Site coverage

Objective:

To ensure that site coverage:

- (a) is compatible with the character of the surrounding area;
- (b) provides sufficient area for private open space and landscaping; and
- (c) assists with the management of stormwater runoff.

Consistent

The proposal is compatible with surrounding uses and provides for adequate private open space. The proposal is consistent with the objective for this standard through compliance with the performance criteria.

A1 Site coverage must be no greater than 5%.

Relies on Performance Criteria

The subject site has an area of 4,047m², the roofed area of the existing dwelling and carport is 145m² and the proposed shed has a roofed area of 147m². This results in site coverage of 7.2%. Assessment against the performance criteria is required.

There is also a small shipping container on the site. It is recommended that the container to be removed once the shed is constructed. Therefore, the container is not included in the calculation.

P1 Site coverage must have regard to:

- (a) the topography of the site;
- (b) the capacity of the site to absorb runoff;

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

- (c) the size and shape of the site;
- (d) the existing buildings and any constraints imposed by existing development;
- (e) the provision for landscaping and private open space;
- (f) the need to remove vegetation;
- (g) the site coverage of adjacent lots; and
- (h) the character of the surrounding area.

Complies

The site coverage resulting from the proposed shed is considered acceptable having regard to the performance criteria as follows:

- (a) The site falls in a north eastern direction with a slope of approximately 9%. The earthworks are proposed to level the shed site. The cut will reduce the height of the shed above the natural ground level.
- (b) Stormwater run off is addressed through a proposed stormwater tank and overflow trench to be located below the shed.
- (c) the shed will have a floor area of 147m² which is permissible within the Rural Living zone subject to compliance with the performance criteria. It will have a rectangular standard shape similar to other sheds in the area. The size and shape of the shed are appropriate for the site.
- (d) The site has an area of 0.4ha which is a subminimum lot size under the current planning scheme that requires a minimum lot size of 4ha in Relbia and a minimum of 1ha within other areas zoned Rural Living. Whilst the required 5% site coverage is exceeded, the proposed development will improve the amenity for the residents by providing storage for residential use and personal interest.
- (e) The site has ample area to provide for private open space and landscaping in the northern portion.
- (f) No vegetation is to be removed as part of this proposal. On the contrary a row of shrubs recently planted along the frontage will provide the screening once the plants are matured.
- (g) The properties in close proximity of the site have similar site coverage.
- (h) The proposed development is compatible with the character of the area that contains single dwellings and large outbuildings on varying in size lots.

Taking into account the size of the site, development of the site and similar development of the surrounding properties the proposal satisfies the performance criteria for the site coverage.

13.4.3 Outbuildings and other structures

Objective:

To ensure that:

- (a) outbuildings do not detract from the character of the surrounding area; and
- (b) dwellings remain the dominant built form within an area; and
- (c) earthworks and the construction or installation of retaining walls are appropriate to the site and respect the amenity of adjoining lots.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

<p>Consistent The proposed outbuilding and earthworks will not detract from the character of the surrounding area and it is considered appropriate for the site and setting.</p>
<p>A1.1 Outbuildings must have a combined gross floor area of no more than 100m²; and A1.2 Outbuildings must have: (a) a wall height of no greater than 4m; and (b) building height no greater than 5m; and A1.3 Outbuildings must be setback no less than 8m from the primary road frontage and 2m from the side and rear boundaries.</p>
<p>Relies on Performance Criteria The wall and building heights and setbacks of the proposed shed satisfy the acceptable solutions. The floor area of the proposed shed is greater than 100m², therefore the proposal must be assessed against the performance criteria.</p>
<p>P1.1 Outbuildings must not detract from the character of the surrounding area or the amenity of adjoining lots, having regard to: (a) the visual impact on the streetscape; (b) any adverse impacts on native vegetation; (c) any overshadowing of adjoining lots; (d) the size and location of outbuildings on adjoining lots and in the surrounding area; and P1.2 Outbuildings must have: (a) a combined gross floor area that does not exceed 150m² ; and (b) wall height no greater than 4.5m; and (c) a building height no greater than 5m.</p>
<p>Complies The proposed shed is considered compatible with the character of the surrounding area and it will not compromise the amenity of adjoining lots in accordance with the performance criteria as follows: P1.1. (a) The shed is to be located 15m from the frontage at a level considerably lower than the road due to the slope of the land and the proposed 1.4m cut. This will minimise its visual impact when viewed from the road. The impact on the streetscape will be similar to the existing development in the surrounding area that contains single dwellings and outbuildings on larger lots. Large sheds are a common landscape feature in this area. (b) No removal of vegetation is proposed. (c) The closest residence on the adjoining property at 263 Relbia Road is 48m to the north east. No overshadowing of the adjoining properties will occur as a result of this proposal. (d) The shed is similar in a scale and appearance to the sheds in the existing the area. P1.2. The combined floor area of the outbuildings on the site is 147m² and therefore complies with the requirements.</p>

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

<p>A2 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 1.5m from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
<p>Relies on Performance Criteria</p> <p>A retaining wall of 1.4m in height and a cut greater than 1m below the natural ground level is proposed and therefore the application must be assessed against the performance criteria.</p>
<p>P2 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) any overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies</p> <p>The design and location of earthworks and retaining wall will not cause unreasonable impact on the amenity of the adjoining lots and will comply with the performance criteria as follows:</p> <ul style="list-style-type: none"> (a) The proposed earthworks respond to the topography of the site that slopes downhill from the road. These works are necessary to level the development site. (b) The earthworks and retaining wall will not be seen from a road. (c) The earthworks and retaining wall will not cause overlooking or overshadowing of the adjoining lots. (d) & (e) The works are proposed to provide a levelled development site. The works are appropriate to the site. (f) There are no structures in the proximity that may be impacted by the proposed shed. (g) The proposed stormwater tank and overflow trench proposed below the shed will collect and distribute stormwater on the site. (h) The proposed retaining walls will prevent soil erosion.

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of
--

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

<p>transport in urban areas;</p> <p>(c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;</p> <p>(d) ensure that parking does not adversely impact on the amenity of a locality;</p> <p>(e) ensure that parking spaces and accesses meet appropriate standards; and</p> <p>(f) provide for the implementation of parking precinct plans.</p>
<p>Consistent</p> <p>The proposal is for a residential shed to be used in association with the existing dwelling on site. No further car parking is required as there is an adequate level already existing to service the site, compliant with the purpose of the code.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

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 10 May to 24 May 2017. Two representations were received. One was received during the first advertising and it is included in this assessment as requested by the representor. 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.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

Issues	Comments
Concerns regarding earthworks without Council approval	Some earthworks and the construction of the retaining walls were commenced prior to the application being considered. These works were not included in the original application. A compliance investigation was conducted and the works were suspended. Subsequently, additional plans were submitted showing the design of the retaining walls and on-site stormwater management. It is considered that the concerns raised during the previous advertising have been addressed.
Large outbuilding /commercial style of building will commercialise the semi-rural part of Relbia Road	The shed is associated with residential use of the site. In accordance with a written submission, the owner would like to use the shed to store his collectable cars. A standard condition applies that prohibits the use of outbuildings for habitation and other uses not associated with the residential use. The scale and appearance of the shed will be similar to the existing development in Relbia. The shed is proposed below the road level, so its visibility will be reduced. Two tree lines and dense vegetation on the representor's property provide visual screening between the properties.
Enquiry regarding a second access to the site and its impact of the condition of the adjoining laneway.	The applicant has advised that the second access is constructed only for a period of the construction of the shed. Therefore that access is not shown on the plans. This access will be removed once the development is complete. Should the owner wish to retain the second access then a separate planning approval is required. A relevant condition is recommended.

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.

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 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 2015 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 2015 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 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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.



Leanne Hurst: Director Development Services

8.4 255 Relbia Road, Relbia - Residential - Single Dwelling Construction of an Outbuilding ...(Cont'd)

ATTACHMENTS:

1. 255 Relbia Road, Relbia - Locality Map (circulated electronically)
 2. 255 Relbia Road, Relbia - Plans (circulated electronically)
 3. 255 Relbia Road, Relbia - Planning Report (circulated electronically)
 4. 255 Relbia Road, Relbia - Representations (circulated electronically)
 5. 255 Relbia Road, Relbia - Applicant's Response (circulated electronically)
-

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Monday 4 December 2017

- Attended the City of Launceston Annual General Meeting at the Town Hall

Tuesday 5 December 2017

- Officiated at the 20th Anniversary City of Launceston with City Mission and the Youth Advisory Group at QV Art Gallery
- Attended Student Works Celebration of Success 2017

Thursday 7 December 2017

- Attended the Conservation Volunteers/Green Army Celebration event at the First Basin
- Presented certificates to two recipients of the LCC and the NCN awards at St Leonards Primary School
- Hosted Christmas Drinks for Aldermen and the Launceston Chamber of Commerce at the Town Hall

Friday 8 December 2017

- Attended the International Volunteers Day and VSA Christmas morning tea at TasTAFE Alanvale
- Officiated at the Tasmanian Human Rights Awards at the Town Hall
- Officiated at the Northern Suburbs Community Carols at the Uniting Church North Hall

Saturday 9 December 2017

- Officiated and attended the UTAS Town and Gown Procession and Graduation at the Albert Hall
 - Attended afternoon tea with the Launceston Competitions Volunteers at Franklin House
 - Attended the City of Launceston RSL Band and Vox Harmony Christmas Evening at St Johns Church
-

9.1 Mayor's Announcements ...(Cont'd)

Sunday 10 December 2017

- Attended City Park Radio's Christmas BBQ at the City Park Cottage Grounds
- Attend the TS Tamar Awards Parade and Boat Naming at Homepoint Parade

Tuesday 12 December 2017

- Attended the North Launceston Bowls Club end of year Luncheon at the North Launceston Bowls Club Mowbray

Wednesday 13 December 2017

- Attended the Waverley Primary School Presentations and Leavers Assembly 2017
- Attended Lunch with the Premier The Hon Will Hodgman MP at the Public Buildings
- Officiated at the Employee Recognition Event Length of Service Milestones and Significant Achievement at the Town Hall
- Attended the Presentation Evening for Norwood Primary School

Thursday 14 December 2017

- Hosted Luncheon for the Ambassador of Peoples Republic of China at Stillwater Restaurant
- Presented an award at the Queechy Presentation Evening

Friday 15 December 2017

- Presented and award at the Brooks High School Presentation Assembly

Sunday 17 December 2017

- Attended the Annual Menorah Lighting at the Synagogue on St John Street

Monday 18 December 2017

- Presented an award at the Kings Meadow High School Presentation Day Assembly
-

10 ALDERMEN'S REPORTS

(This item provides an opportunity for Aldermen to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)

11 QUESTIONS BY ALDERMEN

11.1 Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

11.1.1 Aldermen's Question on Notice - Council Meeting - 4 December 2017**FILE NO:** SF2375**AUTHOR:** Leisa Hilkmann (Corporate Planning Administration Officer)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTION and RESPONSE:

The following question was asked by Alderman D C Gibson at the Council Meeting of 4 December 2017 and has been answered by Mr Michael Stretton (General Manager).

1. *Will the Launceston City Council be formally undergoing the White Ribbon Accreditation as a workplace? What is our role in terms of a signatory to White Ribbon as an organisation?*

Response:

The Executive Management Team (EMT) considered the option of becoming a White Ribbon Accredited Workplace on 13 September 2016. At this time it was determined that the cost of accreditation and associated initiatives would be in the order of \$60K per annum. Given this high cost it was agreed that the EMT would commit to raise awareness on the impact of violence against women and domestic violence in general, without obtaining the White Ribbon Workplace accreditation status.

The following activities have been completed as part of raising awareness:

- White Ribbon Day 2016 - an event was held at Remount Road Depot, where Aldermen and Executive Team members joined the outdoor workforce to take the white ribbon oath and make donations to the program.
- White Ribbon Day 2017 - a campaign was promoted across the organisation via the Hot Potato with White Ribbon sales available along with donation boxes placed across workplaces.

It is intended that the Council will continue these efforts and identify further means by which it can raise awareness on the impact of violence against women and domestic violence in general, however, at this stage it is not intended to formally undergo White Ribbon Accreditation as a workplace.

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)

12 COMMITTEE REPORTS**12.1 Municipal Emergency Management Committee Meeting - 30 November 2017****FILE NO:** SF3177**AUTHOR:** Bev Allen (Municipal Emergency Management Coordinator)**DIRECTOR:** Bruce Maclsaac (Director Facilities Management)

DECISION STATEMENT:

To receive and consider a report from the Municipal Emergency Management Committee.

RECOMMENDATION:

That Council receives the report from the Municipal Emergency Management Committee Meeting held on 30 November 2017.

REPORT:

The Meeting of the Municipal Emergency Management Committee (the Committee) held on 30 November 2017 discussed:

1. Members reports.
Members provided a verbal update on their current activities.
2. Terrorism in Crowded Places.
Members discussed the forum recently held at Silverdome and the work City of Launceston is undertaking in future planning and event management. The Committee did not see the requirement for a subcommittee of the MEM Committee to be formed given that Tasmania Police are the management authority for prevention, mitigation, preparedness and response.
3. Municipal Emergency Management Plan.
The Committee were advised the Municipal Emergency Management Plan and Risk Assessment will be provided for comment and sign off at the March 2018 Meeting.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

**12.1 Municipal Emergency Management Committee Meeting - 30 November 2017
...(Cont'd)**

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 5 - A city that values its environment
Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards
Key Direction -
3. To enhance community awareness and resilience to uncertain weather patterns

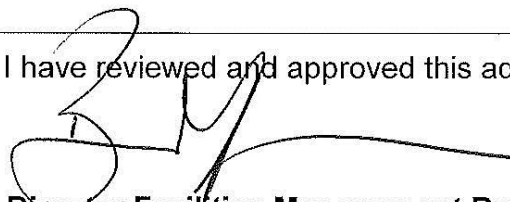
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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.



Director Facilities Management Bruce Maclsaac

13 COUNCIL WORKSHOPS

Council Workshops conducted on 11 December 2017 were:

- Fees/Charges/Capex/Major Operations
- Kings Meadows Traffic Matters
- Show Society Report 2017 Launceston Royal Show
- St Leonards Project
- Cityprom Discussions Regarding Strategy, Budget and Cityprom Agreement 2018-2020
- Public Speaking Permit Review

14 NOTICES OF MOTION

Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)

No Notices of Motion have been identified as part of this Agenda

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 CORPORATE SERVICES DIRECTORATE ITEMS

20.1 Delegation from Council to General Manager - *Environmental Management and Pollution Control Act 1994 (Tas)*

FILE NO: SF6203/SF2295/SF0113

AUTHOR: Leanne Purchase (Governance and Planning Coordinator)

DIRECTOR: Paul Gimpl (Acting Director Corporate Services)

DECISION STATEMENT:

To consider the delegation from Council to General Manager of particular powers and functions under the *Environmental Management and Pollution Control Act 1994 (Tas)*.

RECOMMENDATION:

That Council:

1. Pursuant to section 22 of the *Local Government Act 1993 (Tas)*, determines to delegate the following Council powers and functions contained in the *Environmental Management and Pollution Control Act 1994 (Tas)* to the holder of the position of General Manager -
 - s20A Duty of Council to prevent pollution
 - s20B Council may ask Board to exercise powers
 - s21 Council officers
 - s22(1A) Registers of environmental management and enforcement instruments
 - s23(1)(2) Trade secrets
 - s24(1) Council must refer application to the Board if directed to do so
 - s44(4) Environment protection notices
 - s47(3)(4) Action on non-compliance with environment protection notice
 - s48(1) Civil enforcement proceedings
 - s61 Reports in respect of alleged contraventions
 - s74 Environment Impact Assessment Principles
 - s94 Provisions relating to seizure
 2. As provided for by section 64(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council.
 3. Notes that the delegations at 1. will be effected by an instrument of delegation from Council to General Manager, that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that the delegation is in writing.
-
-

20.1 Delegation from Council to General Manager - Environmental Management and Pollution Control Act 1994 (Tas) ...(Cont'd)

REPORT:

This report is prepared for Council's consideration as part of a process to review and update the delegation of functions and powers at City of Launceston.

The *Environmental Management and Pollution Control Act 1994 (Tas)* (EMPCA) is Tasmania's primary environment protection legislation. At the City of Launceston, Council's functions and powers around the prevention, reduction and remediation of environmental harm, as prescribed by EMPCA, fall mainly within the portfolio managed by the Environmental Services department of the Development Services Division.

Many of Council's obligations under EMPCA are operational in nature. Delegation of the following functions and powers from Council to the General Manager is sought -

- s20A Duty of Council to prevent pollution
- s20B Council may ask Board to exercise powers
- s21 Council officers
- s22(1A) Registers of environmental management and enforcement instruments
- s23(1)(2) Trade secrets
- s24(1) Council must refer application to the Board if directed to do so
- s44(4) Environment protection notices
- s47(3)(4) Action on non-compliance with environment protection notice
- s48(1) Civil enforcement proceedings
- s61 Reports in respect of alleged contraventions
- s74 Environment Impact Assessment Principles
- s94 Provisions relating to seizure

A complete version of EMPCA can be viewed at www.thelaw.tas.gov.au.

Council's authority to delegate

Section 22 of the *Local Government Act 1993 (Tas)* permits delegation by Council and is reproduced below.

22. Delegation by council

(1) Subject to subsection (2), a council, in writing, may delegate with or without conditions to the general manager, controlling authority, a council committee or a special committee, any of its functions or powers under this or any other Act, other than—

- (a) this power of delegation, unless authorized by the council; and*
 - (b) the powers referred to in subsection (3).*
-

20.1 Delegation from Council to General Manager - Environmental Management and Pollution Control Act 1994 (Tas) ...(Cont'd)

(2) A council, in writing, may delegate any of the following powers only to the general manager or a council committee and only on condition that the council has determined appropriate policies and procedures to be followed in relation to those powers:

- (a) the collection of rates and charges under Part 9;*
- (ab) the postponement of rates and charges;*
- (b) the remission or rebate of rates and charges;*
- (ba) the writing off of any debts owed to the council;*
- (c) the making of grants or the provision of benefits.*

(3) A council must not delegate any of its powers relating to the following:

- (a) the borrowing of money or other financial accommodation;*
- (b) the determination of the categories of expenses payable to councillors and any member of any committee;*
- (c) the establishment of council committees, special committees, controlling authorities, single authorities or joint authorities;*
- (d) the revision of the budget or financial estimates of the council;*
- (e) the revision of the strategic plan and the annual plan of the council;*
- (f) the appointment of the general manager;*
- (fa) the sale, donation, exchange or other disposal of land or public land;*
- (fb) the decision to exercise any power under section 21(1);*
- (g) the making of by-laws;*
- (h) the making of rates and charges under Part 9;*
- (i) any other prescribed power.*

The further delegation from the General Manager to an employee of the Council is permitted with Council's authorisation, as provided for in section 64 of the *Local Government Act 1993 (Tas)*, reproduced below:

64. Delegation by general manager

The general manager, in writing, may delegate to an employee of the council –

- (a) any functions or powers under this or any other Act, other than this power of delegation; and*
- (b) any functions or powers delegated by the council which the council authorized the general manager to delegate.*

Section 22(1) of the *Local Government Act 1993 (Tas)* requires that delegation is made in writing. This condition is satisfied by an instrument of delegation from Council to the General Manager, which will be executed by the Mayor if Council determines to delegate.

ECONOMIC IMPACT:

Not considered relevant to this report.

20.1 Delegation from Council to General Manager - Environmental Management and Pollution Control Act 1994 (Tas) ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goal - To ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information
4. To continually improve our service delivery and supporting processes

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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



Paul Gimpl: Acting Director Corporate Services

21 GENERAL MANAGER'S DIRECTORATE ITEMS

21.1 City of Launceston Priority Projects

FILE NO: SF5210

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To determine the Council's strategic priorities which deliver on the policy directions and objectives of the Greater Launceston Plan and which promote the economic, social and environmental sustainability of the City of Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 November 2017 - Annual Plan Presentation - Needs and Priorities

RECOMMENDATION:

That Council adopts the following Priority Projects which direct the strategic advocacy of the Council in its engagement with the State and Federal Government and the community and which collectively promote the economic, social and environmental growth and sustainability of the City of Launceston:

PROJECTS	TOTAL (\$)	COUNCIL ROLE	REFERENCE TO GREATER LAUNCESTON PLAN
1. Funded Projects			
UTAS Relocation	\$260m	PP	GLP Reference Projects D.4, F.3, F.5
Launceston City Deal - Jobs Pathway Directive (Funded over two years)	\$320k	AP	GLP Policy Directions - Creativity and Innovation, Economic Development
Launceston City Deal - Smart Cities	\$2.4m	PP	GLP Policy Directions - Creativity and Innovation, Economic Development, Land Use Transport and Infrastructure; Connected and Networked Region
North Bank Implementation	\$9.15m	COP	GLP Reference Project F.2
CH Smith Site Development Finalisation	\$9m	PP	GLP Policy Directions - Economic Development; Liveability and amenity

21.1 City of Launceston Priority Projects ...(Cont'd)

2. Projects Strategically Committed			
Launceston City Deal - City Heart Stage 2	\$20m	COP	GLP Reference Project F.1; G.1
Launceston City Deal: Inveresk Precinct Masterplan (UTAS Relocation)	\$3m	COP	GLP Reference Project F.2
Launceston City Deal - Northern Suburbs Revitalisation Plan	TBS	PP	GLP Reference Project G.2, G9
Hawthorn Agreement	Internal Resources	AP	GLP Reference Project F.3
Transport and Parking Strategies	TBS	COP	GLP Policy Directions - Economic Development; Liveability and amenity; Land Use Planning and Infrastructure
Development of a Cultural Strategy, including the funding of QVMAG	QVMAG \$3m Cultural Strategy TBS	COP	GLP Reference Project F.1 and F.3
Re-Imagining the Cataract Gorge	\$4.2m	COP	GLP Reference Project B.5
Regional Sport and Recreation Plan	\$2.9m	COP	GLP Policy Directions - Liveability and amenity; Social Inclusion and Equality, Land Use Planning and Infrastructure
Albert Hall Upgrade	\$5.5m	COP	GLP Policy Directions - Liveability and amenity; Social Inclusion and Equality, Land Use Planning and Infrastructure
Traffic Signal Upgrades (Funded over three years)	\$3m	PP	GLP Policy Directions - Land Use Planning and Infrastructure

21.1 City of Launceston Priority Projects ...(Cont'd)

3. Strategic Planning Projects			
Master Planning - Relbia, St Leonards, Residential Growth Areas and Central Area Development Plan	\$500k	COP	GLP Reference Project G3; G6, G7, G9 , G10
Launceston Flood Studies and Implementation	Internal resources	COP	GLP Policy Directions - Land Use Planning and Infrastructure, Governance, Environmental sustainability
Regional Resource sharing/ Local Government Reform position	Internal Resources	COP	GLP Reference Project A1, A.2, A.3
Sustainability/Climate Change	TBS	COP	GLP Reference Projects E.1, E3, E4
4. Strategic Future Projects			
Launceston City Deal - Tamar Estuary	\$85m	PP	GLP Reference Projects B.1 and E.2
Review of the Greater Launceston Plan	TBS	PP	GLP Reference Project A1, A.2, A.3
Review of the Council's Waste Strategy	Internal Resources	COP	GLP Policy Directions - Land Use Planning and Infrastructure, Governance, Environmental sustainability
Development of a Population Strategy	Internal Resources	COP	GLP Reference Project A.1

COP: Council owned project: Council will undertake the project with funding support

PP: Partner Project: Council will partner with others to Plan, advocate and in some cases undertake the project

AP: Advocacy Project: This project is strategically important for the City's future and Council will advocate strongly for its implementation by others

TBS: To be scoped

21.1 City of Launceston Priority Projects ...(Cont'd)

REPORT:

In preparation for the 2018/2019 Council plan and budget and the forthcoming State Government election in early 2018 it is appropriate for the Council to review its Priority Projects Program in order that the Aldermen representing the community may direct the strategic priorities and advocacy of the Council as it seeks to engage with the State and Federal Government and communicate to the community the future strategic direction in seeking to promote the economic, social and environmental growth and sustainability of the Launceston Municipal Area.

The Priority Projects have been formulated into four distinct categories of projects which reflect the strategic rationale ensuring that concurrently the Program forms a cyclic framework of projects:

1. Funded Projects

Projects have received funding commitment from either or all of the State, Federal Government and the Council and are proceeding to implementation.

2. Projects Strategically Committed

The Council has strategically committed to the projects which have completed, or are nearing completion of the planning stage and are being actively advocated for funding support from State and Federal Governments to enable implementation. These projects will typically also involve future budget commitments in Council budgets.

3. Strategic Planning Projects

Strategic Planning projects that have received a policy commitment from the Council as an important element of planning for the sustainable prosperity of the City. Specific projects requiring funding and/or advocacy to other responsible authorities, State or Federal Government may result from undertaking the Strategic Planning projects.

4. Strategic Future Projects

Projects resulting from planning that has been undertaken, or on which specific planning will be undertaken as the initial phase of the project, which are seen as future priority projects.

Funding for these projects will be sought from State and Federal Governments and Council future budgets to enable these projects to be progressively implemented as the next phase of the Funded Projects category.

It is important that a consensus position is reached on the project priorities for the City of Launceston. This will enable a strategic focus and consistency in advocacy of these priorities to both the State and Federal Governments. A unity of purpose in these matters will promote sound prospects of success in securing funding commitments from Government.

21.1 City of Launceston Priority Projects ...(Cont'd)

Aldermen will note that specific reference is made to the Greater Launceston Plan (GLP) in cross referencing the individual projects on the Priority Projects program to the major GLP objectives.

A key element in delivering the GLP is through the City of Launceston's Priority Projects program. The priority projects seek to deliver on the broad strategic direction sought through the GLP by identifying key infrastructure and planning projects that are required to ensure a sustainable economic, social and environmental future for the City of Launceston and which will enable to City to fulfil its crucial regional service centre role for Northern Tasmania as a critical part of the Tasmanian economy.

Attachment 1 provides a presentation on the Council Priority Projects as detailed in the recommendation.

ECONOMIC IMPACT:

Consideration contained in report.

ENVIRONMENTAL IMPACT:

Consideration contained in report.

SOCIAL IMPACT:

Consideration contained in report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way; to continue to meet our statutory obligations and deliver quality services and to continue to ensure the long-term sustainability of our Organisation

Key Directions -

2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives
 3. To ensure decisions are made on the basis of accurate and relevant information
 6. To maintain a financially sustainable organisation
-

21.1 City of Launceston Priority Projects ...(Cont'd)

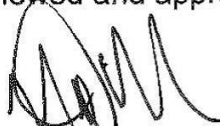
BUDGET & FINANCIAL ASPECTS:

Consideration contained in 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 Stretton: General Manager

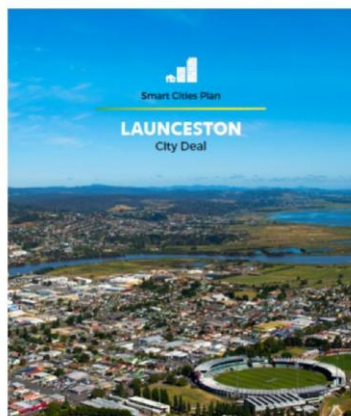
ATTACHMENTS:

1. Priority Projects 2017 - City of Launceston
-

Attachment 1 - Priority Projects 2017 - City of Launceston



City Deal



- UTas Relocation (incl automobile Museum relocation, Newnham campus outline development plan)
- Inveresk Precinct Masterplan
- Tamar Estuary
- Regional Economic Development Plan
- Entrepreneurship facilitator
- Jobs pathway Director
- Hub national Institute for Forest Product Innovation
- Smart cities
- City Heart
- Northern Suburbs Revitalisation Plan

North Bank Development



- This \$9.15M project will transform the North Bank area into a major new recreational space.
- The space will feature a network of walking and cycling trails, a pedestrian bridge to the Seaport, car parking, historic interpretation, and a cutting-edge regional playground for children of all abilities.
- Construction is about to commence with the pedestrian bridge.

UTAS Re-location



- Currently preparing Inveresk Precinct Masterplan;
- The Masterplan will drive significant works within the precinct including transport improvements (pedestrian, parking and junctions) – Particularly the Goderich/ Lindsay Street intersection (\$approx \$3M);
- Currently exploring the potential for further regional recreational facilities on the site;
- Also exploring the potential for attracting businesses to the site, including the ground floor activation of UTAS stadium;

City Heart Project – Stage 1



- Construction of Stage 1 works commenced February 2016, with the Quadrant Mall.
- Civic Square, the second project in the stage 1 works commenced construction in June 2017 with a program completion date of May 2018. To date all works are proceeding in accordance with the design and the contract.
- The Brisbane Street Mall is planned for construction in 2018, commencing after Easter 2018 with a completion date in late October/early November.
- Other Stage 1 projects, such as St John Street, Wayfinding and WiFi are either in the final stages of detailed investigation and design or approaching implementation in the next few months.

City Heart Project – Stage 2



Cost: \$20M

- Seeking tripartite funding of \$5.5M by Federal, State and Local Government
- Application being prepared for Building Better Regions Fund
- Project includes:
 - Cameron Street – linking the CBD to the Inveresk and UTAS
 - St John street North
 - Brisbane Street (The Avenue)
 - Charles Street Central North
 - Paterson Street east
 - George Street central North

Reimagining the Gorge Project



Reimagining the Gorge Project

Reimagining the Gorge Infrastructure Projects - \$4.2M

- LED replacement programme - \$70K
- Upgrade lighting infrastructure - \$100K
- Path and track upgrades \$200K
- Duck Reach Power Station cultural and heritage attraction – improved interpretation and access - \$200K
- Aboriginal Interpretation Signage - \$80K
- Visitor and Interpretation development of the Cottage and Rotunda. \$100K
- Upgrade toilet facilities for accessible access- \$100K
- Digital interpretation and App development – \$80K
- Weed & Bushfire management – ongoing
- Entrance signage and access improvements (Cliff Grounds) \$100K yearly
- Mountain Bike trails – \$100K
- Play space development – raising the play space from the flood prone area - \$1M

- Investigations are still underway for nigh-time activation within the Gorge through a potential lighting show/ guided storytelling/ interactive. Significant private development interest seeking to leverage off this Public infrastructure spend, \$2M.

Tamar Estuary

- Divert West Launceston/ Trevallyn separated sewage direct to Ti Tree Bend (\$5M).
- New Margaret St Pump Station pump upgrade, new rising main to Ti Tree Bend, new wet weather storage at old Ti Tree Bend silt ponds (\$27M).
- Storage (underground tanks) (\$25M).
- Divert South Launceston separated sewage direct to Ti Tree Bend (\$18M).



QVMAG – Cultural Strategy



- Currently QVMAG is primarily funded by the City of Launceston on behalf of the Northern Region.
- Currently completing feasibility work for centralising QVMAG on one site as part of the development of our Cultural Strategy.
- State Government contribute \$1.4m indexed.
- Would like to work with state Government towards a more equitable funding arrangement consistent with the Tasmanian Museum and Art Gallery.
- Recurrent annual funding of \$3M is sought.

Regional Recreational Planning



Churchill Park Sports Complex - \$1.5M

- \$320,000 State Growth Community Infrastructure Fund - for car parking area.
- \$900,000 allocated by CoL over 3 years
- Development of two additional soccer/cricket fields, as per attached master plan.
- Relocation of car parking to the southern part of the site to enable development of new fields, as per attached car park plan.
- Regional soccer and softball facility.
- Expansion to include Cricket.

Royal Park Skate Park - \$1.2M renewal

- 2020 Olympic Games sport.
- Not funded in Council's forward Capital Works Program.
- Incredibly well used and well located facility that is nearing the end of its useful life.

Regional Recreational Planning



AFL/ Cricket grounds - \$1.5M upgrades

- Funding spread across all CoL grounds to upgrade floodlights and off-field amenities, particularly for female participation, in accordance with priorities identified in state-wide AFL Tasmania Facilities Audit.

NTCA Ground - \$1.7M renewal and upgrades

- \$1.2m - To rebuild No.1 Ground, including drainage, irrigation, growing medium, turf, centre wicket square.
- \$0.5m - Northern Rangers FC require a major investment in spectator facilities and public toilets at No.2 Ground.

Northern Suburbs Revitalisation Strategy

- A Project Plan is currently being developed as Stage One of the Project.
- Stage two will include development of strategy and Implementation of urban renewal initiatives, guided by the Project Plan – costing currently being determined.



Albert Hall

- Upgrade and refurbishment to make the venue more of multi-use / multi- user facility. \$5.5M



Master Planning

- Master Planning – Relbia, St Leonards, Residential Growth Areas and Central Area Development Plan - \$500k



Complete List of Current Strategic Priorities (Nov '17)

- Launceston City Deal (Organised strategy to reinvigorate the city)
 - UTas Relocation (incl automobile Museum relocation, Newnham campus outline development plan, potential show relocation)
 - Inveresk Precinct Masterplan
 - Tamar Estuary
 - Regional Economic Development Plan
 - Entrepreneurship facilitator
 - Jobs pathway directive
 - Hub national Institute for Forest Product Innovation
 - Smart cities
 - City Heart - St John Street & Stage 2
 - Northern Suburbs Revitalisation Plan
- Hawthorn Agreement
- Transport and Parking Strategy development
- Development of a Cultural Strategy, including the funding of QVMAG
- North Bank Implementation
- CH Smith Site Development Finalisation

Continued over page..



Complete List of Current Strategic Priorities (Nov '17)

Continued..

- Re-Imagining the Cataract Gorge
- Albert Hall Upgrade
- Regional Sport & Recreation Plan Launceston Flood studies & Implementation
- Economic development initiatives
- Master Planning – Relbia, St Leonards, Residential Growth Areas and Central Area Development Plan
- Renegotiating combined Drainage agreement (current 4 Year arbitrated agreement expires next year)
- Regional Resource sharing/ Local Government Reform position
- Traffic Signal Upgrades
- Sustainability/ Climate Change
- Review of the Council's Waste Strategy
- Development of a Population Strategy

21.2 Civic Square Public Toilets**FILE NO:** SF0598**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To note the background to a proposed public amenity facility in Civic Square and to determine whether to proceed with the proposal with its current design and location.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 11 September 2017 - Civic Square Public Amenity Building - Concept

RECOMMENDATION:

That, in respect to the proposed public amenity facility in Civic Square, the Council:

1. Notes that the following actions have been completed:
 1. Identified that there is a need for further public toilets in Civic Square as access to the existing public toilets is restricted to the opening hours of surrounding buildings;
 2. Completed an investigation into viable location options within the square, which involved consultation with the stakeholders surrounding Civic Square;
 3. Undertook a procurement process for the design of the public amenity;
 4. Worked with Architectural firm S Group, Council staff, Heritage Tasmania staff and Civic Square stakeholders to complete the design;
 5. Considered the proposal in a Workshop in September 2017;
 6. Presented the proposal to the Launceston Heritage Advisory Committee in August 2017;
 7. Publicly advertised the proposal as part of a Development Application Process, receiving only limited objections, some of which were addressed in meetings with Council staff;
 8. Included a condition on the planning permit to apply a pre-cast pattern to the building walls to ensure that it has a material character that is complementary to the adjacent heritage building; and
 9. Re-released the proposal for public consideration via Facebook, radio and print media receiving minor feedback.
 2. Resolves to continue with the development as approved in Development Application DA0466/2017.
-
-

21.2 Civic Square Public Toilets ...(Cont'd)

REPORT:

The Proposal

The Council has proposed and received Planning Approval for the construction of a public amenity facility in the south-western corner of Civic Square, to be positioned within a refurbished raised garden bed situated between the Macquarie House, fountain pond and Charles Street (Attachment 1).

The building is proposed to have a floor area of approximately 38m² and a height of approximately 4.25m.

The facility is proposed to comprise four individual toilets which will consist of two ambulant toilets and two accessible toilets. The two accessible toilets will also provide baby change facilities. A storage cavity has been incorporated at the rear of the three toilet rooms to be used in association with Civic Square.

While the Council has informally considered the public amenity facility at a Workshop on 11 September 2017, it has not formally considered the proposal at a Council Meeting. The purpose of this report is to provide an opportunity for the Council to consider the proposal, including the outcomes of the recent public submissions which have been made in respect to the proposal.

Background

The Launceston City Heart (LCH) project aims to create and develop a clear vision for the city with the community setting a bold framework for improving liveability, tourism, recreation and employment opportunities, with a strong heritage and environmental framing.

The LCH Stage 1 Masterplan includes a design for Civic Square which was approved by the Council earlier this year. Since its construction in the early 1980s, Civic Square has become a well-tracked thoroughfare between Charles and Cameron Streets, with people on the whole using it to visit the various government buildings in the area. However, it has struggled to become a vibrant area of the CBD in its own right because there are few places to sit or meet friends, there's little shelter from elements and the infrastructure has aged. The Council wants to encourage people to linger in Civic Square, and in order to do that it is important to create a much more flexible space; one that can be enhanced to host contemporary events, one that provides suitable public lighting, seating and greenery, one that provides shelter from the sun, wind and rain.

The concept design for Civic Square provides for the space to be redeveloped to be the city's central area for community gathering and major events by enhancing landscaping features, replacing pavers and providing new seating, a play space area, a flexible event area, lighting and contemporary wayfinding signage.

21.2 Civic Square Public Toilets ...(Cont'd)

New garden beds, walls and edges will be provided, along with new bollards and grassed areas. While existing elements like the bronze Tasmanian tiger and bird sculptures will be retained and relocated and the Japanese garden will also remain. The Mirek Marik water sculpture will be relocated to Home Point.

In April 2017 the Council approved the Development Application for a major redevelopment of Launceston's historic Macquarie House. With the assistance of a Federal Government commitment of \$3m, the building will be transformed into a technology and innovation hub through the construction of a four-storey extension at the rear of the building which will incorporate a lift, staircase, service ducts, mechanical plant and toilet facilities (Figure 1). In conjunction with the redevelopment of Civic Square, this project promises to create a new future for both the historic building and our talented young entrepreneurship, which is a significant project for the City as the building has sat vacant for many years. However, a result of these changes will mean that the existing public toilets located at the basement level will no longer be available to the public.



Figure 1: Macquarie House Redevelopment

The Council believes that the provision of public toilets make a vital contribution to the functionality of any major public space. As part of the LCH project, Civic Square aims to increase the overall use throughout the year for events, activities and overall increased activity. While there are public toilets currently provided within buildings around Civic Square (Town Hall, Henty House and the Launceston LINC), access to these toilets is limited to the opening hours of the respective buildings and therefore there is a need to suitably locate a public toilet facility within Civic Square to provide for wider community usage.

21.2 Civic Square Public Toilets ...(Cont'd)

The Council identified that a new public toilet facility would be required in Civic Square as part of the Macquarie House re-development design process and subsequently undertook an investigation into viable location options within the square to locate the facility, which involved consultation with the stakeholders surrounding Civic Square. Seven location options were considered prior to the selection of the proposed location. Overall, the proposed location was deemed to be optimal for the public amenity facility for the following reasons:

- The location will not impact on the function of Civic Square;
- The location provides adequate passive surveillance and accessibility;
- The location is adjacent to accessible parking spaces to be relocated within Charles Street; and
- The location is within an area that is subject to high volumes of foot traffic due to the connectivity of Civic Square.

The other options and the factors that influenced the exclusion of these locations is summarised in the table below. A concept plan detailing the location options is included as Attachment 2.

Option	Location	Reason for exclusion
2	Southern side of Tasmania Police building	<ul style="list-style-type: none"> • Lacks adequate passive surveillance • Located too close to Tasmania Police building • Secluded location encourages anti-social behaviours which would reduce public use
3	Northern side of LINC building within Civic Square	<ul style="list-style-type: none"> • The location would impact upon the useable public space • Not supported by stakeholders/landowner
4	Parallel to western side of St John Street	<ul style="list-style-type: none"> • Location too close to play space area • Would restrict visual connectivity from St John and Cameron Streets within the heritage context and setting
5	Northern side of St Andrews Church	<ul style="list-style-type: none"> • As above
6	Western side of St Andrews Church adjacent to laneway	<ul style="list-style-type: none"> • Lacks adequate passive surveillance • Not supported by stakeholders/landowner
7	Parallel to northern side of Paterson Street	<ul style="list-style-type: none"> • Not supported by stakeholders/landowner

A Council procurement process for the design was carried out in June 2017, seeking three local architectural submissions specialising in contemporary heritage design. S. Group were the successful tenderer and were appointed to deliver design services for the public amenity building.

21.2 Civic Square Public Toilets ...(Cont'd)

The S Group worked with Council staff, Heritage Tasmania staff and Civic Square stakeholders to complete the design, which was considered by the Council at a Workshop on Monday, 11 September 2017. The proposal was also considered by the Launceston Heritage Advisory Committee in August 2017. The Committee Meeting Minutes read as follows:

" ...*The Committee provided feedback on the design as follows:*

- *Generally agreed that the design complements both Macquarie House and Henty House.*
- *Recommended making the space behind the toilets more useable.*
- *Suggested enhancing this area around the fountain by providing boxed seating..."*

The proposal progressed to a development application in late September 2017 and was publicly advertised for a two week period. The application received one public representation raising concerns with the development, while another individual raised concerns at a Council Meeting which were addressed during a subsequent meeting with Council staff. Given the low level of public concern with the proposal and the fact that Heritage Tasmania had signed off the proposal, an external land use planning consultant completed a planning assessment, including consideration of the representation and recommended that a planning permit be issued. A planning permit was subsequently issued by the Planning Authority under delegation from the Council in November 2017.

Following the issuance of a Planning Permit the Council received some public criticism of the proposal with a view being expressed that the toilet building would detract from the appeal of Macquarie House. Given the fact that the proposal had already been through a community consultation process, the Council took a decision to 're-test' the proposal with the community to determine whether there is widespread community opposition.

The proposal was subsequently re-tested on the Council's Facebook page and received coverage on a local radio program as well as *The Examiner* newspaper. This process has identified that while there is a small pocket of opposition to the proposal, there is no widespread community opposition. The Council received seven comments, together with 38 Facebook reactions (one angry, two love and 35 likes). Most of these comments were either positive towards the proposal or asked questions about the proposal. A summary of the main points raised in opposition to the proposal is as follows:

- The toilet block will degrade the significant Macquarie House;
 - The contemporary design and colour scheme of the toilet facility is not suitable for the location;
 - The proposed wrap around blank wall should be face-concrete, to relate to Henty house, not textured block; and
 - The Planning scheme does not permit blank walls.
-

21.2 Civic Square Public Toilets ...(Cont'd)

The initial design intentionally left walls blank in Development Application to seek recommendation from the Planning Authority and Heritage Tasmania. As part of the early discussions, there was no clear direction to preference of materiality and treatment.

Now that advice and conditional consent has been provided and approval given, the detailed design process will be considering a range of precast patterns and options to create an interesting facade within the context to ensure that the new building has a material character that is complementary to the adjacent heritage building. The reason for the use of concrete is to tie in with the overall site, Henty House and cost and outcome benefits in the final build.

The following condition has been applied to the planning permit:

"The texture coat block walls to the new public amenity facility must be coloured to be visually recessive and sympathetic to the colours of Macquarie House. Samples of the proposed colours must be submitted to Heritage Tasmania and be to the satisfaction of the Works Manager before the building works commence."

Discussion

Whilst it would have been desirable for the proposed public amenity facility to have been included in the initial Civic Square Masterplan, the need for the facility was only identified through the planning and design process for the redevelopment of Macquarie House which was finalised in April. Subsequent to this process, the Council has:

1. Identified that there is a need for further public toilets in Civic Square as access to the existing public toilets is restricted to the opening hours of surrounding buildings;
 2. Completed an investigation into viable location options within the square, which involved consultation with the stakeholders surrounding Civic Square;
 3. Undertook a procurement process for the design of the public amenity;
 4. Worked with Architectural firm S Group, Council staff, Heritage Tasmania staff and Civic Square stakeholders to complete the design;
 5. Considered the proposal in a Workshop in September 2017;
 6. Presented the proposal to the Launceston Heritage Advisory Committee in August 2017;
 7. Publicly advertised the proposal as part of a Development Application Process, receiving only limited objections, some of which were addressed in meetings with Council staff;
 8. Included a condition on the planning permit to apply a pre-cast pattern to the building walls to ensure that it has a material character that is complementary to the adjacent heritage building; and
 9. Re-released the proposal for public consideration via Facebook, radio and print media receiving very limited feedback.
-

21.2 Civic Square Public Toilets ...(Cont'd)

It is considered that the Council has completed a robust investigation and design process for the public amenity facility and has subjected this design to various forms of community consultation, receiving very limited community input. Whilst it is clear that for some members of the community the building would be incompatible with the proposed location, the assessment by professionals including the Council's Town Planners, Consultant Town Planners, together with Heritage Tasmania and the Launceston Heritage Advisory Committee have all determined that the proposal is suitable for the location. Accordingly, without any meaningfully compelling reason to do otherwise, it is recommended that the Council proceed with the proposal.

ECONOMIC IMPACT:

The public amenity facility will directly support established retail, community service and commercial activities within the surrounding area by providing an accessible, safe and modern toilet and baby changing facility within proximity to the Launceston Central Business District.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

There is a clear need for further public toilet facilities in Civic Square as access to the existing public toilet facilities is limited by the opening hours of the buildings in which they are located.

The proposed public amenity facility has been designed and sited to take advantage of high volumes of pedestrian movement through Civic Square. The building has been oriented towards Civic Square to encourage greater usage and activity between the Civic Square thoroughfare and the building interface.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way

Key Direction -

2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives

21.2 Civic Square Public Toilets ...(Cont'd)

Greater Launceston Plan - Liveability and Amenity; Land Use Planning and Infrastructure.

BUDGET & FINANCIAL ASPECTS:

Funding for the proposal of \$500,000 has been included in the 2017/2018 capital budget for construction of the proposal. The additional operational costs associated with the facility are minimal and can be largely accommodated within existing resources.

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.

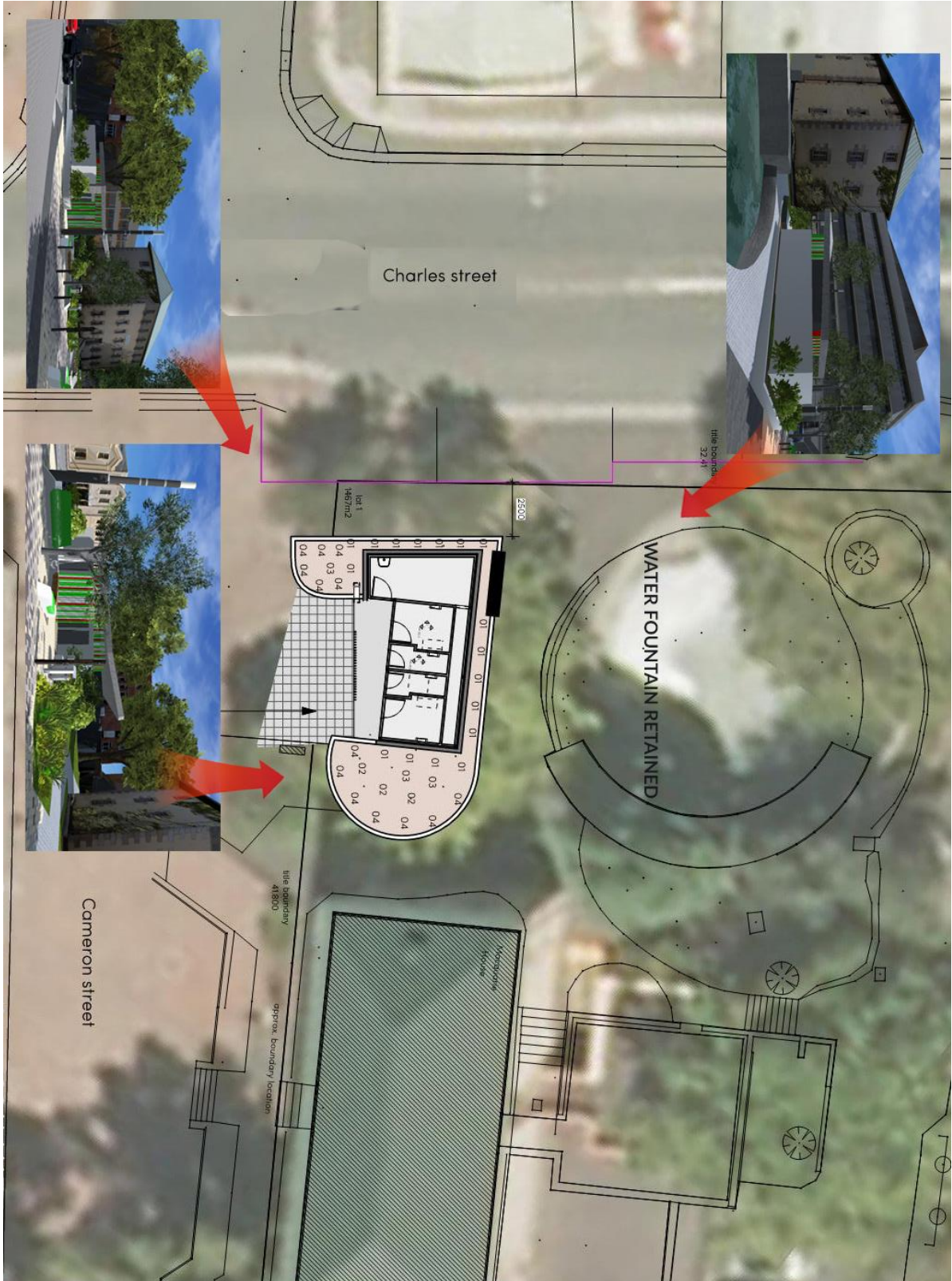


Michael Stretton: General Manager

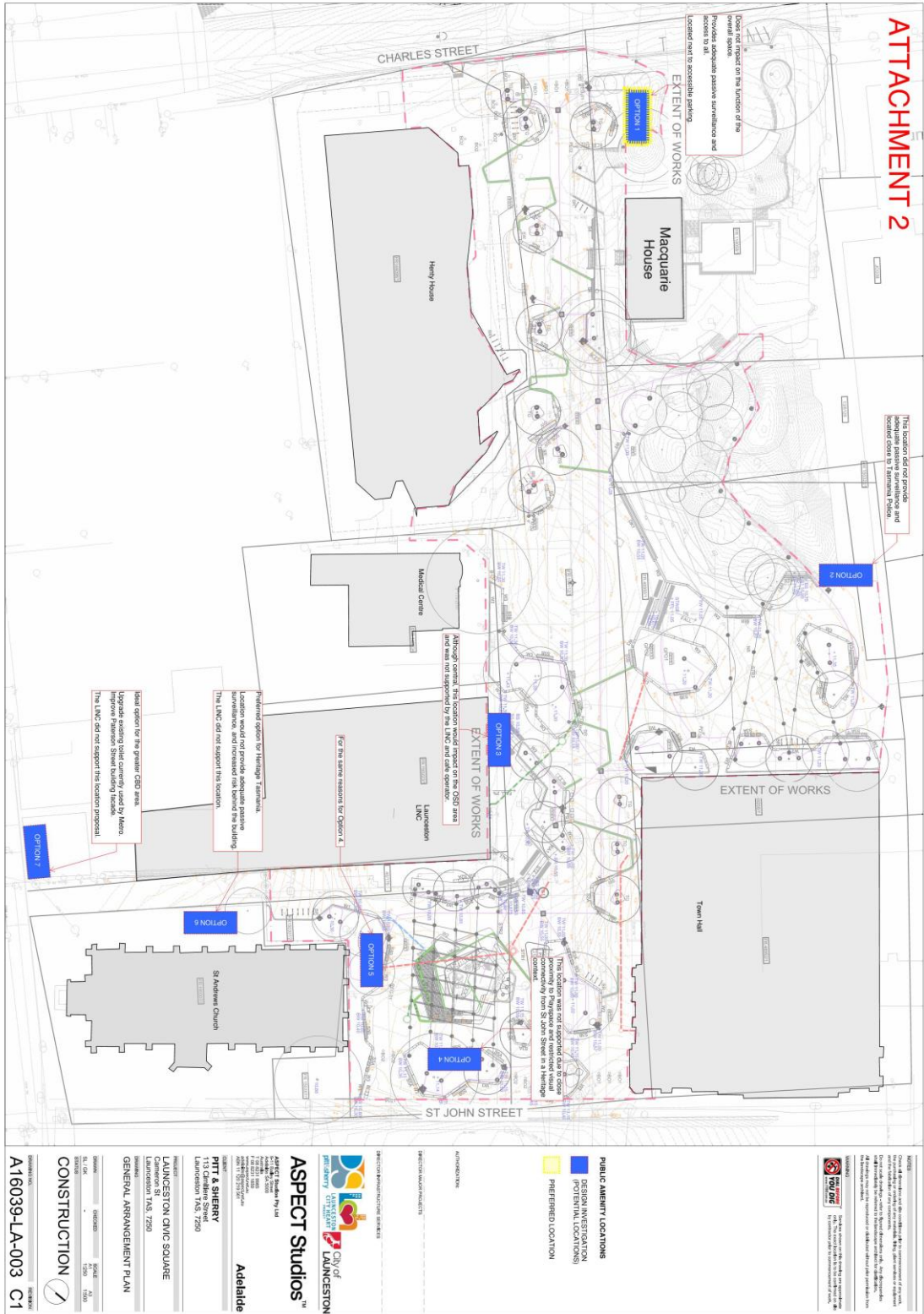
ATTACHMENTS:

1. Public Amenity Building - Proposed
 2. Public Amenity Building Location - Investigations
-

Attachment 1 - Public Amenity Building - Proposed



Attachment 2 - Public Amenity Building Location - Investigations



21.3 Action in Respect of the Strategic Planning and Policy Committee**FILE NO:** SF3108**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To consider disbanding the Strategic Planning and Policy Committee.

PREVIOUS COUNCIL CONSIDERATION:

Pre-Council Workshop - 4 December 2017

RECOMMENDATION:

That Council disbands the Strategic Planning and Policy Committee.

REPORT:

The General Manager met with Aldermen on 4 December 2017 to discuss the possibility of disbanding the Strategic Planning and Policy Committee (SPPC).

The SPPC has been in operation for many years having initially been established as a Special Committee under section 24 of the *Local Government Act 1993* (the Act).

The Council's *former* Governance Arrangement Policy and Strategic Planning and Policy Committee Policy initially set out the parameters of the Committee, namely that:

- Its role was to consider and discuss significant long-term policy matters and make recommendations to Council;
- It comprised membership of Aldermen and Council Directors;
- Was provided with no delegated authority; and
- Its Meetings were to be held in closed session.

In 2013 the Council revised the arrangements for the SPPC to achieve compliance with the former *Local Government (Meeting Procedures) Regulations 2005* (Regulations). The revised arrangements included the following changes:

21.3 Action in Respect of the Strategic Planning and Policy Committee ...(Cont'd)

- The Committee was formed under section 23 of the Act as a Council Committee and therefore the representatives were limited to Aldermen;
- Notices of meetings were published in *The Examiner*;
- Meetings were open to the public;
- An ability for the Committee to make a decision to enter into a Closed Meeting;
- Minutes to be generated and managed in accordance with the regulations.

Since this time the Council has operated the SPPC under the above-mentioned terms, however, it has also conducted Aldermen Workshops following the conclusion of the Council Committee Meetings.

In practice, the opening up of the SPPC Meetings to members of the public has caused fewer and fewer matters to be directed to these Meetings. This is due to the public nature of the Meetings which has made it difficult for Aldermen and staff to freely discuss and work through matters. Indeed, the public nature of these Meetings has caused issues for the Council whereby matters are being prematurely released into the public realm before the Council and Council officers are able to thoroughly work through issues together.

Accordingly, it is considered that the current SPPC is not fulfilling its primary purpose of providing a forum for Aldermen and Senior Officers to 'consider significant long-term policy matters' and as such it may be a more appropriate use of time and resources to dissolve the SPPC Special Committee in favour of Council Workshops.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

21.3 Action in Respect of the Strategic Planning and Policy Committee ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way; to continue to meet our statutory obligations and deliver quality services; and to continue to ensure the long-term sustainability of our Organisation

Key Direction -

4. To continually improve our service delivery and supporting processes

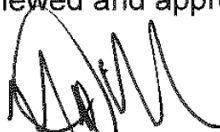
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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 Stretton: General Manager

21.4 Council Meetings Schedule 2018

FILE NO: 14-Rfx-009

AUTHOR: John Davis (Manager Corporate Strategy)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider the Council Meeting Schedule for 2018.

Pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015* (Meeting Procedures Regulations) the passing of this item requires an absolute majority of Council.

RECOMMENDATION:

That, pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, Council approves the following Council Meeting Schedule for 2018:

DAY	DATE	MEETING	TIME
JANUARY			
Monday	22 January	Council	1.00pm
FEBRUARY			
Monday	5 February	Council	1.00pm
Monday	19 February	Council	1.00pm
MARCH			
Monday	5 March	Council	1.00pm
Monday	19 March	Council	1.00pm
APRIL			
Monday	9 April	Council	1.00pm
Monday	23 April	Council	1.00pm
MAY			
Monday	7 May	Council	1.00pm
Monday	21 May	Council	1.00pm
JUNE			
Monday	4 June	Council	1.00pm
Monday	18 June	Council	1.00pm
JULY			
Monday	2 July	Council	1.00pm
Monday	16 July	Council	1.00pm
Monday	30 July	Council	1.00pm
AUGUST			
Monday	13 August	Council	1.00pm
Monday	27 August	Council	1.00pm

21.4 Council Meetings Schedule 2018 ...(Cont'd)

SEPTEMBER			
Monday	10 September	Council	1.00pm
Monday	24 September	Council	1.00pm
OCTOBER			
Monday	8 October	Council	1.00pm
Monday	22 October	Council	1.00pm
NOVEMBER			
Thursday	8 November	Council	1.00pm
Thursday	22 November	Council	1.00pm
DECEMBER			
Thursday	6 December	Council	1.00pm
Thursday	6 December	Annual General Meeting	5.30pm
Thursday	20 December	Council	1.00pm

REPORT:

The Council Meeting Schedule for 2018 follows the same process as it did for 2017, until after the Council elections which will be held in October 2018.

It is a requirement of the Meeting Procedures Regulations (reg. 6(1)) that for a Council Meeting to commence before 5:00pm Council must determine to do so by an absolute majority.

At a pre-Council Workshop on Monday, 4 December 2017 the General Manager discussed the possibility of changing the Council day from Monday to later in the week to take effect from the 2018 Council elections. It was argued that Monday is not an ideal day for Council Meetings for a range of reasons, including:

- Aldermen generally receive their Agenda on Wednesdays to achieve the necessary four clear days prior to the Meeting, however, two of these days are over the weekend. This limits their ability to access Council staff to seek clarification on matters and importantly, to identify if there is a need for any alternate motion, particularly in respect to land use planning matters,
- The current timing places undue pressure on Aldermen to thoroughly review and understand the Agenda within the first two days of receipt in order to properly act on any matters, particularly land use planning matters which can require alternative planning advice to justify an alternate motion, and
- The mornings before a Council Meeting are a stressful time for both Aldermen and staff as there is (almost always) a rush to address Agenda matters which are identified, but which are not capable of being addressed over the weekend.

21.4 Council Meetings Schedule 2018 ...(Cont'd)

For these reasons it was suggested that a different day, later in the week, would provide better opportunity for Aldermen to engage with staff regarding matters in the Agenda. This would ensure that any amendments or questions regarding specific Agenda items could be addressed prior to the Council Meeting. There was general agreement around the table that Thursday would be an appropriate Council Meeting day.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation

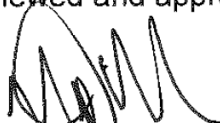
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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 Stretton: General Manager

21.5 Report on Council's 2017 Annual General Meeting**FILE NO:** SF0098**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To report on the Council's 2017 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993 (Tas)*, on Monday, 4 December 2017 at 5.30pm at the Council Chambers, Town Hall.

RECOMMENDATION:

That Council, in respect of the Annual General Meeting held on Monday, 4 December 2017 at 5.30pm at the Council Chambers, Town Hall, notes the following motions passed at that Meeting:

- (i) That the Minutes of the Annual General Meeting held on 5 December 2016 be accepted as a true and correct record.
 - (ii) That the City of Launceston Annual Report for the year ended 30 June 2017 be adopted, together with the Annual Reports for the following City of Launceston entities and Authorities:
 - 1. Queen Victoria Museum and Art Gallery;
 - 2. York Park and Inveresk Precinct Authority; and
 - 3. Launceston Flood Authority.
-

REPORT:

In compliance with section 72B(1) of the *Local Government Act 1993 (Tas)* (the Act), the Annual General Meeting (AGM) of the City of Launceston was held in the Council Chambers, Town Hall on Monday, 4 December 2017 at 5.30pm.

Notice of the Meeting was published in *The Examiner* on 11 November 2017.

Submissions on the 2016-2017 Annual Report, motions for consideration, or questions on notice were invited - none were received.

A quorum of the Council was present at the AGM, made up of the Mayor, Alderman A M van Zetten, Alderman R L McKendrick, Alderman R J Sands, Alderman D H McKenzie, Alderman J Finlay, Alderman S R F Wood, and Alderman E K Williams. The attendance of Council Officers and electors was recorded.

21.5 Report on Council's 2017 Annual General Meeting ...(Cont'd)

Section 72B(6) of the Act requires that a motion passed at the AGM is considered at the next Meeting of the Council. The motions passed at the AGM were:

- (i) That the Minutes of the Annual General Meeting held on 5 December 2016 be accepted as a true and correct record (moved Aldermen R L McKendrick, seconded Alderman D H McKenzie).
- (ii) That the City of Launceston Annual Report for the year ended 30 June 2017 be adopted, together with the Annual Reports for the following City of Launceston entities and Authorities:
 - 1. Queen Victoria Museum and Art Gallery;
 - 2. York Park and Inveresk Precinct Authority; and
 - 3. Launceston Flood Authority.
(Moved Alderman J Finlay, seconded Alderman R J Sands)

Section 72B(7) of the Act requires the General Manager to keep minutes of the AGM. The Minutes of the AGM will be published at www.launceston.tas.gov.au, and an audio recording of the proceedings is available, also via www.launceston.tas.gov.au.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Directions -
1. To develop and consistently use community engagement processes

21.5 Report on Council's 2017 Annual General Meeting ...(Cont'd)

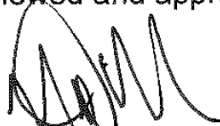
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this 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 Stretton: General Manager

22 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Agenda.

23 CLOSED COUNCIL

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(2)

23.1 Confirmation of the Minutes

23.2 RNAPS Report to Council

RECOMMENDATION:

That, pursuant to the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session to consider the following matters:

23.1 *Confirmation of the Minutes*

Regulation 34(6)

23.2 *RNAPS Report to Council*

Regulation 15(2)(c)

15(2)(c) commercial information of a confidential nature that, if disclosed, is likely to:

- (i) prejudice the commercial position of the person who supplied it; or
- (ii) confer a commercial advantage on a competitor of the council; or
- (iii) reveal a trade secret;

24 MEETING CLOSURE
