



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 21 AUGUST 2017
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 21 August 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: 21 August 2017

Time: 1.00pm

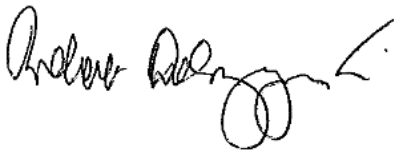
Section 65 Certificate of Qualified Advice

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.



Robert Dobrzynski
General Manager

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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.)

No Declarations of Interest were identified as part of this Agenda

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 7 August 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

No Petitions have been identified as part of this Agenda

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 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings

FILE NO: DA0321/2017

AUTHOR: Chloe Lyne (Consultant 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:	Zane Alexander Bull
Property:	7 Cartiere Place, Newstead
Zoning:	General Residential
Receipt Date:	6/07/2017
Validity Date:	6/07/2017
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	17/08/2017
Representations:	8

PREVIOUS COUNCIL CONSIDERATION:

N/A

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 refused, for (Residential – multiple dwellings; construction of two dwellings at 7 Cartiere Place, Newstead for the following reasons:

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

1. The proposed residential density does not satisfy P1 of Clause 10.4.1 as the density proposed is not compatible with the density of the surrounding area which is characterised by predominantly single dwellings interspersed with multiple dwelling development at a lesser density than proposed;
 2. The reduced front setback does not satisfy P1 of Clause 10.4.2 as it is not compatible with the prevailing setback of the dwellings in the street or broader area;
 3. The increased building envelope does not satisfy P3 of Clause 10.4.2 and will cause unreasonable loss of amenity to neighbouring lots through loss of sunlight and visual impact due to the scale and bulk of the dwellings units when viewed from adjoining lots;
 4. The increased density combined with the encroachment on the allowable building envelope means the proposed development fails to satisfy P1 of E7.6.2 – Scenic Management Areas in that the increased residential density proposed combined with the design of the dwellings and their overall building mass will be visually prominent in the prominent hillside location.
-

REPORT:**1. THE PROPOSAL**

The application seeks approval to use and develop the land at 7 Cartiere Place, Newstead for the purposes of two dwellings.

Each dwelling comprises a garage, laundry and store room on the lower floor, two bedrooms each with ensuites and an open plan kitchen/dining/living room on the upper floor with a rooftop private open space area accessed via internal stairs from the upper floor. The rooftop deck will have a skillion roof over the western portion of it, meaning the dwellings are effectively three storeys high.

The proposed floor areas for each dwelling area as follows:

- Lower floor: 67m²
- Upper floor: 99.6m²
- Roof top deck: 99.6m²
- Upper floor stairs and landing: 11.6m²

Each dwelling unit is to be accessed via a separate driveway crossover onto Cartiere Place and will be provided with a double garage.

Unit 1 is to be sited at the front of the lot and setback a minimum of 2.2 metres from the Cartiere Place boundary and 1.5 metre from the south western boundary. Unit 2 is to be setback 3 metres from the rear boundary and 3 metres from the north eastern boundary.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the south eastern side of Cartiere Place on the higher side of the street in the developing Eastmans Green subdivision. The lot to the east is currently vacant whilst the lot to the west is developed with a two storey dwelling (currently under construction). There are a number of dwellings recently approved or under construction within the subdivision. The site abuts the Punchbowl Reserve to the rear.

Further north and south of the subdivision there are established residential areas. Punchbowl Primary School and the Punchbowl Reserve are nearby to the west and south and Penquite Road is to the east.

The site is irregular in shape and has an area of 606m² and falls from west to east away from the street. The site is currently vacant but is connected to full reticulated services.

Access to the site is directly off the Cartiere Place via a sealed crossover.

The street is sealed and drained to Council standard

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.

The proposal is to construct two dwellings on a vacant allotment. The proposal furthers the zone purpose statements by providing for dwelling diversity and increasing densities in an area where full infrastructure services are available. Whilst the character of the subdivision is still developing it is characterised by predominantly single dwellings.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Local Area Objectives - There are no local area objectives.

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

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.
A1 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.
P1 Commercial vehicles must not unreasonably impact on the amenity of nearby sensitive uses, having regard to: (a) the extent and timing of traffic generation; (b) the hours of delivery and dispatch of goods and materials; and (c) the existing levels of amenity.

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.
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.
P1 Noise, odours, fumes or vibration generated must not cause unreasonable loss of amenity to adjoining or immediately opposite sensitive uses, having regard to: (a) the characteristics and frequency of any emissions generated; (b) the nature of the proposed use; (c) the topography of the site; (d) the landscaping of the site; and (e) any mitigation measures proposed.

10.3.3 Light spill and illumination

Objective: To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.
A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and (b) contain direct light from external light sources within the boundaries of the site.
P1 Floodlighting or other external lighting used on the site must not cause an unreasonable loss of amenity to nearby sensitive uses, having regard to: (a) the number of light sources and their intensity; (b) the proximity of the proposed light sources to nearby sensitive uses; (c) the topography of the site; (d) the landscaping of the site; (e) the degree of screening between the light source and the sensitive uses; and (f) existing light sources nearby.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

10.3.4 External storage of goods

Objective:
To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.

A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.

P1 Storage of goods and materials, other than for retail sale, or waste must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, having regard to:

- (a) the nature of the use;
- (b) the type of goods, materials or waste proposed to be stored;
- (c) the topography of the site;
- (d) the landscaping of the site; and
- (e) any screening proposed.

10.3.5 Commercial vehicle parking

Objective:
To ensure that parking of commercial vehicles does not detract from the amenity of the area.

A1 Commercial vehicles must be parked within the boundary of the site.

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.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

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

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

Not Consistent

The objective is not obtained as the proposed residential density is not compatible with the surrounding suburban area.

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

- (a) 325m² or
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.

Relies on Performance Criteria

Each dwelling has a site area of 303m² therefore the application relies on the performance criteria.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

P1 Multiple dwellings must only have a site area per dwelling that is less than 325m², or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:

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

Does not comply

The proposed dwelling units will not exceed the capacity of infrastructure services. However, whilst there are several multiple dwelling developments approved in the area, it is considered that the proposed density is greater than any of the other approved multiple dwelling developments within Cartiere Place or Aram Court, all of which meet the minimum dwelling density criteria of 325m² per lot. The proposal to increase the density to 303m² per dwelling is therefore an increase in density for the area and the application fails to justify why it meets P1 (a). It is noted that the area is predominantly characterised by single dwellings on lots. The Zone Purpose Statements provide guidance in terms of the exercise in discretion for dwelling density. Statement 10.1.1.4 encourages residential development that respects the existing and desired neighbourhood character. It is submitted that the proposed density of the two dwelling units exceeds the existing and prevailing density in the neighbourhood and therefore is out of character. The failure of the proposed design to meet the standards in relation to front setback and building envelope is evidence that the proposed design of the multiple dwellings is not suitable for the lot.

The proposal does not comply with (b) as it is not within 400 metres walking distance of a public transport stop nor any of the listed zones.

As the application does not meet either P1(a) or (b) it does not comply with the Performance Criteria.

10.4.2 Setbacks and building envelope for all dwellings

Objective:

To control the siting and scale of dwellings to:

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

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>The proposed scale and siting of the two dwellings for the size of the lot means they are not consistent with the objective. The reduced front setback and the minimal level of glazing on the front façade means that proposed unit 1 will dominate the street frontage.</p>
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.
<p>Relies on Performance Criteria Unit 1 has a setback to Cartiere Place of 2.2 metres.</p>
<p>P1 A dwelling must:</p> <ul style="list-style-type: none"> (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
<p>Does not comply The proposed reduced front boundary setback to 2.2 metres is not compatible with the prevailing setback of the approved dwellings within the developing street. The approved dwelling at 9 Cartiere Place has a setback of 4.5 metres and the proposed (currently being assessed) dwelling at 5 Cartiere Place has a proposed setback of 4.5 metres. It is evident that many of the other dwellings developed within the subdivision also have compliant front setbacks. The site does not have any topographical constraints which prevent the permissible front setback from being obtained. The reduced front setback is proposed as the density of development exceeds what can be supported under the Planning Scheme provisions for a site of 606m².</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5 m, or alternatively 1 m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.
<p>Complies The garage for unit 1 is setback 5.8 metres and unit 2 is situated to the rear of unit 1.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).
<p>Does not comply</p> <p>Proposed unit 1 being sited only 2.2 metres from the front boundary and effectively 3 storeys in height at the western boundary, which it is setback 1.5 metres from has a significant portion of the front of the building and the skillion roof over the roof top deck outside the permitted building envelope.</p> <p>Proposed unit 2, being setback 3 metres from the rear boundary has a significant portion of the rear of the dwelling outside of the building envelope.</p>
<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Does not comply

It is noted the application does not contain any supporting material to justify the proposed discretions, particularly with respect to loss of sunlight and overshadowing of adjoining lots.

The following assessment is made against each of the matters to be considered under the Performance Criteria:

(a)

- (i) The siting and design of the proposed multiple dwellings will cause a reduction in sunlight to the main living area of the adjoining dwelling at 9 Cartiere Place. Given it is the only eastern facing window for this dwelling and the dwelling has been designed to avoid overlooking from the adjoining property to its west, is considered the combined impact is unreasonable and will cause loss of amenity.
- (ii) Some overshadowing of the courtyard at 9 Cartiere Place will occur as a result of the proposed development, however this courtyard would be partially overshadowed by building development within the same site and shadow diagrams prepared by Council indicate that the overshadowing as a result of the adjoining development will only occur for a few hours in the morning. On this basis, the impact of overshadowing is considered acceptable.
- (iii) Whilst there is currently an application for a single dwelling on the adjoining vacant lot at 5 Cartiere Place, it must be considered as vacant for the purpose of this assessment. It is assessed that the level of overshadowing of the vacant lot will be acceptable and not cause unreasonable loss of amenity. Much of the shadow impact from the rear unit will be to the adjoining Punchbowl Reserve to the rear.
- (iv) The visual bulk of the proposed units when viewed from the adjoining 9 Cartiere Place will be significant. Due to the reduced front and rear boundary setbacks, the units effectively span the depth of the lot and this coupled with the overall height being in excess of the allowable 8.5 metres, means they will present a significant building mass when viewed from 9 Cartiere Place and even more so from 5 Cartiere Place which is at a lower elevation than the subject site. The protrusion beyond the building envelope of unit 2 (rear unit) effectively means that the eastern facing main window to the living area of the adjoining dwelling on 9 Cartiere Place will be completely dominated by a relatively blank, large building mass. Compliance with the building envelope in terms of rear boundary setback in this location would reduce the visual impact and for this reason, the proposed design is deemed unacceptable.

(b) The separation between the units and the side boundaries is not inconsistent with the prevailing setbacks in the area.

Overall it is considered that the proposed discretion in terms of height and setback is too great and the reduction of sunlight and visual impact of the scale and bulk of the building is not justified by the proponent.

10.4.3 Site coverage and private open space for all dwellings

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; and (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is integrated with the living areas of the dwelling; and (d) private open space that has access to sunlight.
<p>Consistent The proposed roof top decks, whilst not immediately adjacent to the living areas, do provide each dwelling unit with compliant areas of private open space.</p>
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.
<p>Complies The proposed units each have a roofed area of 112m² which given a site area of 606m² results in a site coverage of 37% and therefore meeting A1(a). Each unit is provided with a rooftop deck constituting private open space with an area of 99m², complying with A1 (b). Approximately 272m² (45%) of the site is free from impervious surfaces, complying with A1 (c).</p>
<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (b) reasonable space for the planting of gardens and landscaping.
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

- (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and
- (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and
- (f) has a gradient not steeper than 1 in 10; and
- (g) is not used for vehicle access or parking.

Does not comply

Neither the rooftop deck or the ground level private open space is directly accessible from and adjacent to a habitable room and therefore compliance with A2 (c) is not achieved.

P2 A dwelling must have private open space that:

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

Complies

The rooftop decks will be accessible via stairs from the main living area within each unit and given their position on the roof of the units, will receive full sunlight.

10.4.4 Sunlight and overshadowing for all dwellings

Objective:

To provide:

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

Consistent

Adequate separation is achieved between the dwellings on the site to enable compliance with all Acceptable Solutions.

A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).

Complies

The window to the living room on the northern elevation of each dwelling unit complies with A1.

P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):
 - (i) at a distance of 3m from the window; and

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- (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.
- (c) That part, of a multiple dwelling, consisting of:
 - (i) an outbuilding with a building height no more than 2.4m; or
 - (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.

Complies

The north facing window to the living room of unit 2 is situated within the eastern portion of the building and the offset between the two dwelling units means compliance is achieved.

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

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

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

Complies

The offset between the two dwelling units and the location of the private open space at rooftop level means that compliance is achieved.

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

10.4.5 Width of openings for garages and carports for all dwellings

Objective:

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

Consistent

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

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<p>Complies The garage door to unit 1 is within 12 metres of a primary frontage and has a width of 5 metres whilst the lot width is approximately 20 metres, therefore compliance with A1 is achieved.</p>
<p>P1 A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>
<p>10.4.6 Privacy for all dwellings</p>
<p>Objective: To provide reasonable opportunity for privacy for dwellings.</p>
<p>Inconsistent The proposed design will result in an unreasonable loss of privacy to the adjacent dwelling to the west.</p>
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
<p>Does not comply The roof terrace to unit 1 is within 3 metres of the western side boundary, however the balustrading will be solid and at a height of 1.8 metres along this boundary. The proposed timber screen on the southern side of the roof deck to unit 1 will ensure privacy to the roof deck of unit 2. The roof terrace of unit 2 is non-compliant as it is setback 3 metres from the rear boundary and the balustrading along the southern side has a height of 1.2 metres.</p>
<p>P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> (a) a dwelling on an adjoining lot or its private open space; or (b) another dwelling on the same site or its private open space; or (c) an adjoining vacant residential lot.
<p>Complies The lower balustrade on the southern side of the roof terrace of unit 2 will not impact on privacy of any adjoining lot as it abuts the Punchbowl Reserve in this location.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.
<p>Does not comply</p> <p>The bedroom windows to unit 1 with a floor level of 4.4 metres are setback 1.5 metres from a side boundary and therefore do not comply with A2 (a)(i). The window to bedroom 1 of unit 2 is setback 3 metres from the rear boundary and therefore does not comply with A2 (a) (ii).</p>
<p>P2 A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling; and (c) an adjoining vacant residential lot.
<p>Complies</p> <p>The western facing bedroom windows of unit 1 sit directly opposite a garage on the adjoining lot to the west. The contour level at the location of the windows is approximately 34 metres, which means the western facing windows sit at between approximately 36.8 metres and 37.6 metres in elevation. Whilst the garage of number 9 Cartiere Place sits immediately opposite the western facing windows, the main area of private open space for 9 Cartiere Place sits at around 34 metres, which means, even with the garage blocking the view, there will be some overlooking between the bedrooms and private open space. However, it is considered that even if the setback to the side boundary were increased, that some degree over overlooking would occur and that the existence of the garage between the courtyard and the subject site provides some screening.</p> <p>The reduced setback of glazing of unit 2 to the rear boundary wont cause any impacts at the Punchbowl reserve is located to the rear of the site.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

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

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

Complies

The driveway to unit 2 is within 2.5 metres of the windows to the living/dining/kitchen of unit 1, however the sill height is a minimum of 4 metres above the driveway level.

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

10.4.7 Frontage fences for all dwellings

Objective:

To control the height and transparency of frontage fences to:

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

Consistent

No front fence is proposed.

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

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

Not applicable

No front fence is proposed.

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

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

10.4.8 Waste storage for multiple dwellings

Objective:

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

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>Consistent The units are provided with for adequate storage for waste and recycling bins for multiple dwellings.</p>
<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5m from a frontage; and (ii) is at least 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</p>
<p>Complies The store room proposed at ground level for each unit meets the requirements of A1.</p>
<p>P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is: (a) capable of storing the number of bins required for the site; and (b) screened from the frontage and dwellings; and (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</p>
<p>10.4.9 Site facilities for multiple dwellings</p>
<p>Objective: To provide adequate site and storage facilities for multiple dwellings.</p>
<p>Consistent Adequate site storage is provided for each multiple dwelling.</p>
<p>A1 Each multiple dwelling must have access to 6 cubic metres of secure storage space not located between the primary frontage and the facade of a dwelling.</p>
<p>Complies Each unit is provided with a ground floor storage room of 9.5m².</p>
<p>P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents, having regard to: (a) the location, type, and size of storage provided; (b) proximity to the dwelling and whether the storage is convenient and safe to access; (c) any impacts on the amenity of adjacent sensitive uses; and (d) the existing streetscape.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p>Complies Each unit is provided with a mailbox at its entrance.</p>
<p>P2 Mailboxes must be provided for each dwelling, having regard to: (a) the convenience and safety of the location; and (b) the siting and access needs for mail delivery.</p>
<p>10.4.10 Common property for multiple dwellings</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Objective: To ensure that common areas are easily identified.
Consistent
A1 Site drawings must clearly delineate private and common areas, including: (a) driveways; (b) parking spaces, including visitor parking spaces; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.
Complies There is effectively no common property as each dwelling unit is provided with separate access, letterboxes and storage areas.
P1 No performance criteria.
10.4.11 Outbuildings, swimming pools and fences
Objective: To ensure that: (a) outbuildings, swimming pools and fences: (i) do not detract from the character of the surrounding area; and (ii) are appropriate to the site and respect the amenity of neighbouring lots; (b) dwellings remain the dominant built form.
Consistent No outbuildings, swimming pools or fences are proposed.
A1.1 The combined gross floor area of outbuildings must be no greater than 45m ² ; and A1.2 Outbuildings (other than for single or multiple dwellings) must meet the setback and building envelope acceptable solutions of Clause 10.4.2, as if the development were for a dwelling.
Not applicable No outbuildings are proposed.
P1 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 overshadowing of adjoining lots; (c) the size and location of outbuildings on adjoining lots; (d) existing buildings on the site; and (e) the topography of the site.
A2 A swimming pool must be located: (a) no closer to the primary frontage than the main building; or (b) in the rear yard.
P2 A swimming pool must be designed and located having regard to: (a) the topography of the site; (b) the streetscape; (c) any overlooking or overshadowing of adjoining sensitive uses; (d) any existing or proposed screening; and (e) the character of the surrounding area.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>A3 Fences must be no higher than 2.1m on a side or rear boundary adjoining a public reserve.</p>
<p>Not applicable No boundary fencing is proposed.</p>
<p>P3 Side and rear boundary fences do not cause an unreasonable loss of amenity to adjoining public reserves having regard to:</p> <ul style="list-style-type: none"> (a) the purpose and use of the reserve; (b) the need for security; (c) the need and opportunity for passive surveillance; (d) the materials and finish of the proposed fence; (e) the topography of the site; (f) any overshadowing; and (g) the character of the surrounding area.
<p>10.4.12 Earthworks and retaining walls</p>
<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent</p>
<p>A1 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 900mm 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>Does not comply There are several retaining walls proposed across the site that are both within 900mm of a boundary and greater than 1 metre in height. The retaining walls proposed on the eastern side of the driveway to both units extend to the front boundary with no detail provided on the height of the walls at this location. Retaining walls up to 1.2 metres high will form part of the western elevation of the dwellings.</p>
<p>P1 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) 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.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Complies

The proposed earthworks and retaining walls are of a reasonable extent considering the slope of the site. The adjoining property to the east is currently vacant and the proposal will not unduly impact the future development of that site. The proposed retaining walls wont impact the dwelling to the west. Any risk of impacting stormwater, groundwater and soil erosion can be managed adequately.

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

Compliance with the Acceptable Solutions is evidence the objective is met.

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.

Complies

The driveway to unit 2 is setback a minimum of approximately 1.9 metres from the windows to the living/kitchen/dining area of unit 1.

P1 Shared driveways or car parking spaces (other than for single dwellings) must be located to not unreasonably impact on the amenity of the adjoining habitable rooms, having regard to:

- (a) the width of the driveway;
- (b) the location of the existing dwellings and habitable rooms;
- (c) the location of car parking spaces;
- (d) the number of car spaces served by the driveway; and
- (e) any noise mitigation measures including screening or landscaping.

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.

Complies

Car parking is provided for within the garage for each unit.

No turning areas are provided for.

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) landscaping of the car parking or turning area location; and
- (g) construction methods and pavement types.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

10.4.14 Development for discretionary uses

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.

A1 No acceptable solution

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:

- (a) the setback of the building to a frontage;
- (b) the streetscape;
- (c) the topography of the site;
- (d) the height, bulk and form of the building;
- (e) the height, bulk and form of adjacent buildings and buildings in the surrounding area;
- (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.

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.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 500m² ; and
- (b) be able to contain a rectangle measuring 10m by 15m; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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

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.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

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:

- (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.

10.4.16 Frontage and access

Objective:
To ensure that lots provide:

- (a) appropriate frontage to a road; and
- (b) safe and appropriate access suitable for the intended use.

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.

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.

A2 No acceptable solution.

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.

10.4.17 Discharge of stormwater

Objective:
To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:

- (a) the location of the discharge point (if any);
- (b) stormwater flow paths both internal and external to the site;
- (c) the location of building areas within the site;
- (d) the topography of the site;
- (e) the characteristics of the site, including rainfall;
- (f) the development on the site and adjoining land;
- (g) the additional runoff from the subdivision development and likely future development of the land; and
- (h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

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.

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- (a) the location of the discharge point (if any);
- (b) stormwater flow paths both internal and external to the site;
- (c) the topography of the site;
- (d) the characteristics of the site, including rainfall;
- (e) the development of the site;
- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

10.4.18 Water and sewerage services

Objective:
To ensure each lot provides for appropriate water supply and wastewater disposal.

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

P1 No performance criteria.

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

P2 No performance criteria.

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.

A1 Subdivision does not create any new road, public open space or other reserves.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

P1 Subdivision must be designed to enhance the amenity of the area having regard to:

- (a) the topography of the site;
- (b) any significant natural and cultural features of the site;
- (c) access to public open spaces and roads;
- (d) the retention of existing vegetation;
- (e) linking areas of significant local habitat; and
- (f) the character of the surrounding area.

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.

P1 Subdivision provides roads, footpaths or public open spaces that are designed to provide safe and convenient walking and cycling networks, having regard to:

- (a) linkages to any existing pedestrian and cycling networks;
- (b) connection of footpaths, shared paths, cycle paths and bicycle lanes;
- (c) access for cycling and walking to activity centres, community facilities, bus stops and public transport routes and public open spaces;
- (d) the road network and public open spaces; and
- (e) passive surveillance.

10.4.21 Lot diversity

Objective:

To provide a range and mix of lot sizes to suit a variety of dwelling and household types.

A1 Subdivision is for 10 lots or less.

P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:

- (a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use;
- (b) the topography of the site;
- (c) demand for a variety of housing types;
- (d) the proximity of activity centres;
- (e) the proximity and access to public open space;
- (f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes; and
- (g) the character of the surrounding area.

10.4.22 Solar orientation of lots

Objective:

To provide for solar orientation of lots and solar access for future dwellings.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

A1 Any lot for residential use with an area of less than 500m², in a subdivision of 10 or more lots, must have the long access between 30 degrees west of north and 30 degrees east of north.

P1 Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:

- (a) the size, shape and orientation of the lots;
- (b) the topography of the site;
- (c) the extent of overshadowing from adjoining land;
- (d) any development on the site;
- (e) the location of roads and access to lots; and
- (f) the existing pattern of subdivision in the area.

10.4.23 Neighbourhood road network

Objective:

To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.

A1 Subdivision does not create any new road.

P1 The road network provides for convenient and safe movement for motor vehicles, pedestrians, cyclists and public transport, having regard to:

- (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes;
- (b) the function of the road and its relationship to arterial and neighbourhood road types;
- (c) the speed limits on roads in the area;
- (d) the location of activity centres;
- (e) the volume of traffic in the area;
- (f) access for service and emergency vehicles; and
- (g) the topography of the site.

10.4.24 Public transport network

Objective:

To provide for access to public transport.

A1 Subdivision does not create any new road.

P1 The subdivision provides for adequate access to public transport, having regard to:

- (a) the number of lots proposed;
- (b) the walking distances from the lots to public transport route;
- (c) any public transport strategy or plan for the area; and
- (d) the likelihood of the provision of public transport for the area.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Consistent

The Code applies to the use or development of land that will require a new vehicle crossing, junction or level crossing, that intensifies the use of an existing access or that involves a sensitive use, a building, works or subdivision within 50m of a Utilities zone that is part of a rail network or a category 1 or 2 road. A second, new access to the site will be created as part of the development and therefore assessment against the code is required.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Consistent

The applicable standards are satisfied.

A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

P1 Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;
- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any written advice received from the road authority.

A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

P2 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature and efficiency of the access or the junction;
- (d) the nature and category of the road;
- (e) the speed limit and traffic flow of the road;
- (f) any alternative access to a road;
- (g) the need for the use;
- (h) any traffic impact assessment; and
- (i) any written advice received from the road authority.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Complies The existing access will service one of the proposed dwellings. It is generally accepted that a two bedroom dwelling will generate nine vehicle movements per day. Whilst there is currently no development on the site generating vehicle movements, it is approved as a residential lot and therefore the number of vehicle movements expected at the existing access will not increase by more than 40 vehicle movements per day.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>E4.5.2 Existing level crossings</p>
<p>Objective: To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.</p>
<p>A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>P1 Any increase in vehicle traffic at an existing access across part of a rail network, must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the use and frequency of the rail network; (d) any alternative access; (e) the need for the use; (f) any traffic impact assessment; and (g) any written advice received from the rail authority.
<p>Not Applicable</p>

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Objective:

To ensure that development adjacent to category 1 or category 2 roads or the rail network:

- (a) ensures the safe and efficient operation of roads and the rail network;
- (b) allows for future road and rail widening, realignment and upgrading; and
- (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.

A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:

- (a) new buildings;
- (b) other road or earth works; and
- (c) building envelopes on new lots.

A1.2 Buildings must be:

- (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or
- (b) an extension which extends no closer than:
 - (i) the existing building; or
 - (ii) an immediately adjacent building.

P1 The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:

- (a) the proposed setback;
- (b) the existing setback of buildings on the site;
- (c) the frequency of use of the rail network;
- (d) the speed limit and traffic volume of the road;
- (e) any noise, vibration, light and air emissions from the rail network or road;
- (f) the nature of the road;
- (g) the nature of the development;
- (h) the need for the development;
- (i) any traffic impact assessment;
- (j) any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and
- (k) any written advice received from the rail or road authority.

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>
<p>Does not comply The proposed development requires the addition of a new crossover to the lot. Each unit will be provided with its own access point providing both entry and exit to the associated unit.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies The proposed addition of a second driveway has been assessed by Council's Infrastructure Services Directorate and subject to a minor alteration in driveway design is assessed as compliant. No on-site turning is provided for. It is noted that the addition of a second driveway within close proximity to the existing driveway is not ideal, given the close proximity of the driveway to 5 Cartiere Place resulting in 3 crossovers along a distance of approximately 15 metres. The cul-de-sac, being largely undeveloped at this stage is relatively quiet, however this will change as more dwellings are developed on the vacant lots. Both crossovers are afforded good sight distance and are considered capable of providing adequate access and egress to each of the two bedroom units they are associated with. The safety and efficiency of the roads will not be impacted due to the low traffic environment and low speed limit.</p>
<p>E4.6.3 New level crossings</p>
<p>Objective: To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.</p>
<p>A1 No acceptable solution.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>P1 Level crossings must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the rail network; (c) the location of the level crossing; (d) any alternative access; (e) the need for the level crossing; (f) any traffic impact assessment; (g) any measures to prevent access to the rail network; and (h) any written advice received from the rail authority.
<p>Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p>Not Applicable The applicable standards are satisfied.</p>
<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Complies Table E4.6.4 requires provision of 80 metres sight distance to the east, however 80 metres cannot be provided to the west given the cul-de-sac head terminates approximately 25 metres west of the new driveway.</p>
<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.
<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.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>Consistent The access and parking arrangements are appropriate for the site and the proposal</p>
<p>E6.5 Use Standards E6.5.1 Car parking numbers</p>
<p>Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent An appropriate level of car parking is provided to service the proposed use and development.</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 2 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>Complies Table E6.1 requires provision of 2 on-site spaces per two bedroom dwelling. The internal garage for each dwelling has two parking spaces.</p>
<p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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; <p>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:</p> <ul style="list-style-type: none"> (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 <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

Complies
A2 The number of accessible car parking spaces for use by persons with a disability for uses that require 6 or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.
Not applicable
P2 No performance criteria.
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.
Not applicable Provision for bicycle parking is not required for residential uses.
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.
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.
E6.5.3 Taxi spaces
Objective: To ensure that access for taxis is provided to meet the needs of the use.
A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.
P1 Taxi parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the availability and accessibility of taxi spaces on the road or in the vicinity; and (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.
E6.5.4 Motorcycle parking
Objective: To ensure that motorcycle parking is provided to meet the needs of the use.
A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

P1 Motorcycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;
- (b) the availability and accessibility of motorcycle parking spaces on the road or in the vicinity; and
- (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

E6.5.5 Loading bays

Objective:

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

A1 A loading bay must be provided for uses with a gross floor area greater than 1 000m² in a single occupancy.

P1 Adequate space for loading and unloading must be provided, having regard to:

- (a) the types of vehicles associated with the use;
- (b) the nature of the use;
- (c) the frequency of loading and unloading;
- (d) the location of the site;
- (e) the nature of traffic in the surrounding area;
- (f) the area and dimensions of the site; and
- (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

Complies

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

To ensure that parking areas are constructed to an appropriate standard.

Consistent

The car parking area is designed to an appropriate standard to demonstrate compliance with the applicable standards.

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

All parking access ways manoeuvring and circulation spaces have a gradient of 10% or less, are to be formed and paved, will be drained to the public stormwater system and be provided with an impervious all weather seal.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

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.

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 car parking area is designed to an appropriate standard to demonstrate compliance with the applicable standards.

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 4 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 3 or more car parking spaces; and
- (e) have a vertical clearance of not less than 2.1 metres 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 6 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.

Complies

The proposal provides a total of 4 parking spaces with separate driveways for each dwelling. Onsite turning is not required and the parking and access widths comply with the requirements.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

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;
- (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

E6.6.3 Pedestrian access

Objective:

To ensure pedestrian access is provided in a safe and convenient manner.

Consistent

The site has adequate pedestrian access to service a residential need.

A1.1 Uses that require 10 or more parking spaces must:

- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:
 - (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
 - (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and

A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.

P1 Safe pedestrian access must be provided within car parks, having regard to:

- (a) the characteristics of the site;
- (b) the nature of the use;
- (c) the number of parking spaces;
- (d) the frequency of vehicle movements;
- (e) the needs of persons with a disability;
- (f) the location and number of footpath crossings;
- (g) vehicle and pedestrian traffic safety;
- (h) the location of any access ways or parking aisles; and
- (i) any protective devices proposed for pedestrian safety.

E6.6.4 Loading bays

Objective:

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

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

A1 The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
P1 Loading bays must have area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; and (e) the location of the site and nature of traffic.
A2 It must be demonstrated that the type of vehicles likely to use the site can enter, park and exit the site in a forward direction, without impact or conflicting with areas set aside for parking or landscaping, in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.
P2 Access for vehicles commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.

E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate facilities.
Consistent
A1 Uses that require 5 or more bicycle spaces by Table E6.1 must provide 1 shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.
P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to: (a) the location of the proposed use; (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) whether there are facilities on the site for other reasons that could be used by cyclists; and (g) the opportunity for sharing bicycle facilities on nearby sites.

E6.6.6 Bicycle parking and storage facilities

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

<p>Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>
<p>A1 Bicycle parking and storage facilities for uses that require 5 or more bicycle spaces by Table E6.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
<p>P1 Bicycle parking and storage facilities must be provided in a safe, secure and convenient location, having regard to:</p> <ul style="list-style-type: none"> (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking storage facilities for bicycles; (g) the nature of the bicycle parking and storage facilities; (h) whether there are other parking and storage facilities on the site; and (i) the opportunity for sharing bicycle parking and storage facilities on nearby sites.
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>P2 Bicycle parking spaces and access must be convenient, safe and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; (d) the proposed measures to secure bicycles; and (e) the provisions of AS 2890.3 1993 Parking facilities - Bicycle parking facilities.

E6.7 Parking Precinct Plans

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

E6.7.1.3 Local area provisions

<p>Objective: To limit on-site car parking within the Launceston Central Business District Parking Exemption Area.</p>
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8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

A1 On-site car parking is:
 (a) not provided; or
 (b) not increased above existing parking numbers.

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

E7.5 Use Standards

Not used in this Code.

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.

Inconsistent

The density, bulk and form of the proposed development will be visually intrusive within a prominent hillside location within the Eastmans Green subdivision.

A1 Development (not including subdivision), must not be visible when viewed from the scenic road.

Complies

P1 The visual impact of development (not including subdivision) should be minimised when viewed from the scenic road, having regard to:
 (a) the impact on skylines, ridge lines and prominent locations;
 (b) the proximity to the scenic road and the impact on views from the road;
 (c) the need for the development to be prominent to the scenic road;
 (d) the specific requirements of the development;
 (e) the retention or establishment of vegetation to provide screening;
 (f) the need to clear existing vegetation;
 (g) the requirements for any hazard management;
 (h) the need for infrastructure services;
 (i) the existing landscape character and the scenic qualities of the site; and
 (j) the design treatment of development including:
 (i) the bulk and form of buildings, including materials and finishes;
 (ii) earthworks for cut or fill; and
 (iii) complementing the physical (built or natural) characteristics of the site.

Not applicable

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

The site is not located within a scenic road corridor.
A2 Subdivision must not alter any boundaries within the scenic road corridor.
<p>P2 Subdivision that alters any boundaries within the scenic road corridor must have regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the lot; (b) the density of potential development on lots created; (c) the need for the clearance or retention of vegetation; (d) the requirements for any hazard management; (e) the need for infrastructure services; (f) the extent of works required for roads or to gain access to sites, including cut and fill; (g) the specific requirements of the subdivision; (h) the physical characteristics of the site and locality; (i) the pattern of development in the surrounding area; and (j) the scenic qualities of the site.
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>
Consistent
A1 No acceptable solution.
Relies on Performance Criteria
<p>P1 Development (not including development that involves only the clearance or removal of vegetation, or 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 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: <ul style="list-style-type: none"> (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.
Does not comply

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

The site is located in the Car Villa and Punchbowl Reserve Precinct. No vegetation is required to be removed to facilitate the development. Management objective (d) states that:

Increased residential density is encouraged, but only where development does not lesson the ability of the site to maintain significant vegetation. The favoured form of this type of development is one building, with shared driveways and gardens to maximise the open space available for vegetation. Development must be sited to have minimal impact on existing vegetation, in particular vegetation links between the Carr Villa and Punchbowl reserves, which provide an important wildlife corridor and are to be preserved or enhanced.

Whilst no vegetation is proposed to be removed, it is considered that the proposed density of development which does not meet the density requirement in the General Residential zone, coupled with the fact that the proposed dwellings are effectively three storeys high, does not meet management objective (d).

Whilst the proposed development will not impact the skyline, it is situated in a prominent hillside location within the subdivision and the proposed scale, bulk and form of the building which has no break in building form, will be visually prominent and no attempt has been made in the design to break up the building mass nor provide any form of screening via landscaping measures.,

A2 No vegetation is to be removed.

Complies

No vegetation is proposed to be removed. The lot is already cleared of vegetation.

P2 Development that involves only the clearance or removal of vegetation must have regard to:

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the physical characteristics of the site;
- (c) the location of existing buildings;
- (d) the type and condition of the existing vegetation;
- (e) any proposed revegetation; and
- (f) the options for management of the vegetation.

A3 Subdivision is in accordance with a specific area plan.

P3 Subdivision must have regard to:

- (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;

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

- (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.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Conditions recommended in relation to damage to council infrastructure, works within the road reserve, vehicular crossings, soil and water management works, soil and water management plan and car parking construction, and construction of footings adjacent to a drainage easement.
Environmental Health	Conditional consent provided. Conditions recommended relating to amenity
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01064-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 19 July 2017 to 2 August 2017. Seven (7) representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

ISSUE	COMMENT
Concerned about two large, three storey townhouses on a small (600m ²) lot which is sited high on the hill.	The concerns of the representor are valid as the proposed development does not comply with a number of planning scheme provisions in relation to dwelling density (clause 10.4.1) and building envelope (clause 10.4.2)
The townhouses will be extremely visually prominent from all areas of the subdivision	The proposed dwellings will be visually prominent from most areas of the subdivision, but the location of the lot on the hillside means this will invariably be the case for any development on this site. However, the increased density and extent of building outside of the building envelope will increase the visual prominence of the dwelling units and the design does not attempt to break up the building mass nor provide screening in any way.
Concerned about increased traffic from a multiple dwelling and the lack of adequate parking at the end of the cul de sac. Concerned about increased traffic in terms of safety.	The proposal has been assessed as compliant with the Road and Railway Asset Code and the Parking and Sustainable Management Code. Adequate on-site parking is provided for in accordance with the requirements under the Planning Scheme.
The provision of two driveways will add to congestion.	The provision of two driveways does mean there are three driveways provided across a distance of 15 metres. However, Infrastructure Services has assessed the proposed additional driveway as meeting safety and design requirements.
Loss of privacy and noise impacts from outdoor entertaining areas on the third level.	The third level entertaining area meets the acceptable solution in terms of privacy of roof terraces with the exception of the southern balustrade for unit 2. Given this abuts the Punchbowl Reserve, compliance with the corresponding performance criteria is assessed as being met. Given the use is permitted, the use standards in relation to noise are not applicable.
Size of building will cast a shadow across the area.	There will be some overshadowing impacts caused by the proposed units, however the level of overshadowing alone is not considered a justifiable reason for refusal.
The proposed unit development does not meet the performance criteria P3 for Clause 10.4.2 – building envelope for the following	The representor has correctly identified that the application fails to meet P3 of Clause 10.4.2 – building envelope.

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

ISSUE	COMMENT
<p>reasons: a. Unit 1 will overshadow the courtyard of 9 Cartiere Place. b. Unit 2 will overshadow the main living area window of 9 Cartiere Place.</p>	
<p>Insufficient information has been provided to determine the level of overshadowing that the units will cause on the adjoining properties and therefore compliance with the performance criteria. The representor has provided their own shadow diagrams depicting the level of overshadowing that will occur.</p>	<p>The lack of shadow diagrams provided with the application is a deficiency in terms of being able to determine compliance with P3 of 10.4.2.</p>
<p>The adjacent 9 Cartiere Place is already significantly impacted by a dwelling that was approved outside of the building envelope at 11 Cartiere Place.</p>	<p>This issue is noted and the assessment of the proposal has determined that it impacts on 9 Cartiere Place unreasonably in terms of loss of sunlight and visual impacts.</p>
<p>The visual impacts caused by the encroach in terms of scale, bulk and proportions will diminish amenity afforded to neighbours. The wall of unit 1 will be almost 7-7.5m high, 9 metres in length and setback 1.5 metres from the boundary with 9 Cartiere Place.</p>	<p>The application is assessed as failing to meet P3 of Clause 10.4.2 – building envelope in part due to the visual impacts as identified by the representor.</p>
<p>The rear boundary encroachment of unit 2 will dominate the neighbouring dwelling.</p>	<p>Both the proposed reduced rear and front boundary setbacks combined mean that the proposed dwelling units do not comply with the planning scheme and will result in unreasonable impacts on each of the adjoining lots.</p>
<p>Representor is aware that protection of view is outside of the planning scheme, however note that when they designed their residence (9 Cartiere Place), it was designed to ensure its indoor and outdoor living spaces did not impact adjoining development, however the proposed units will cause a visual impact in terms of bulk and scale.</p>	<p>The application is assessed as failing to comply with P1 of Clause 10.4.6 Privacy for all dwellings due to its impact on the privacy of 9 Cartiere Place and Clause 10.4.2 due to its visual impact.</p>

8.1 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(Cont'd)

ISSUE	COMMENT
Unit 2 will overshadow the adjoining property to the east.	The extent of overshadowing of the adjoining property to the east combined with other impacts has meant the proposed dwellings have been assessed as failing to comply with P3 of Clause 10.4.2 building envelope.
The design aesthetic of the units does not relate to the adjoining Punchbowl reserve.	The design aesthetic is not a matter to be considered under the Planning Scheme except in relation to the scenic management code. The assessment has determined that the increased density coupled with the design which is essentially two large blocks, does not meet management objective (d) for the Carr Villa and Punchbowl Reserve Precinct.
Representor understood that multiple dwellings could only be constructed on lots with an area of 650m ² or greater.	The permitted standard in relation to dwelling density is that each dwelling unit is to be provided with a site area of 325m ² , which the proposal fails to meet. There is discretion to consider applications for densities greater than the permissible standard. However, the assessment of the proposed density against the relevant performance criteria P1 to Clause 10.4.1 has determined that the proposed density is out of character with the area and therefore non-compliant.
Representor wont be able to grow a high enough screen to block out views from proposed units due to bushfire buffer restrictions. Does unit 2 meet this restriction?	A review of the planning permit for both the subdivision did not reveal any bushfire plans endorsed as part of the subdivision permit.

6. CONCLUSION

The proposed multiple dwelling development has failed to demonstrate compliance with a number of Performance Criteria in relation to residential density, front setback, building envelope and scenic management. Failure to meet one or more Performance Criteria means the application must be recommended for refusal.

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 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings...(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.

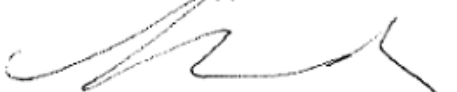
BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. 7 Cartiere Place, Newstead - Locality Map
 2. 7 Cartiere Place, Newstead - Plans of Proposal (distributed electronically)
 3. 7 Cartiere Place, Newstead - TasWater SPAN
 4. 7 Cartiere Place, Newstead - Representations (distributed electronically)
 5. 7 Cartiere Place, Newstead - Shadow Diagram
-

Attachment 1 - 7 Cartiere Place, Newstead - Locality Map

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LOCALITY MAP 7 CARTIERE PLACE, NEWSTEAD



Locality Map
Scale: This Map Is Not to Scale

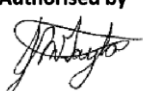
Attachment 3 - 7 Cartiere Place, Newstead - TasWater SPAN



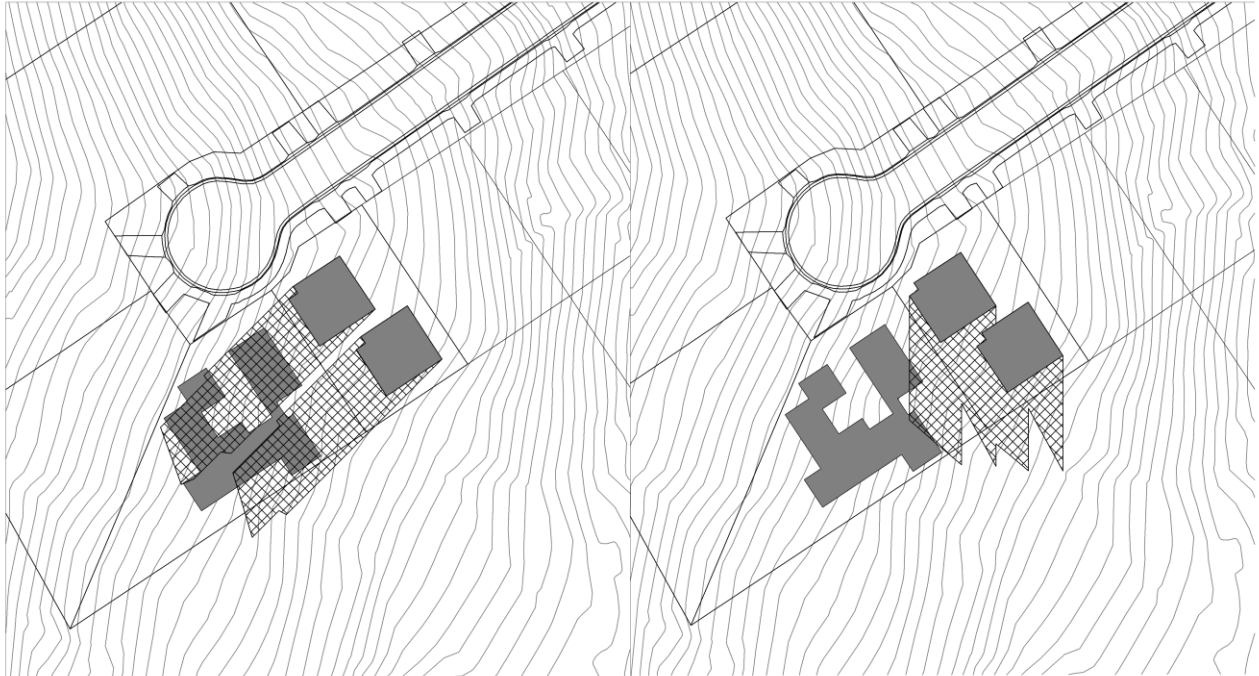
Submission to Planning Authority Notice

Council Planning Permit No.	DA0321/2017	Council notice date	7/07/2017
TasWater details			
TasWater Reference No.	TWDA 2017/01064-LCC	Date of response	12/07/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	7 CARTIERE PL, NEWSTEAD	Property ID (PID)	3363640
Description of development	Multiple dwellings		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
MV Consulting (TAS) Pty Ltd	DYN0617 Sheets 2 &	3	04/07/2017
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost. 3. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows: <ol style="list-style-type: none"> a. \$206.97 for development assessment. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> 			



Advice			
General			
For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards			
For application forms please visit http://www.taswater.com.au/Development/Forms			
The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
Authorised by			
			
Jason Taylor Development Assessment Manager			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Attachment 5 - 7 Cartiere Place, Newstead - Shadow Diagram
7 CARTIERE PLACE - SHADOW DIAGRAMS



9am 21st June
1:500

12noon 21st June
1:500

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance**FILE NO:** DA0225/2017**AUTHOR:** Iain More (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:	Cohen & Associates Pty Ltd
Property:	21 Waverley Road, Waverley
Zoning:	Low Density Residential
Receipt Date:	12/05/2017
Validity Date:	19/05/2017
Further Information Request:	30/05/2017
Further Information Received:	18/07/2017
Deemed Approval:	21/08/2017
Representations:	5

PREVIOUS COUNCIL CONSIDERATION:

The site has had several approved applications previously, including subdivision DA0026/2007 to create 25 lots. This previous subdivision however was not acted on and so lapsed.

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 DA0225/2017 - Residential - Subdivision; Subdivide lot to create two lots plus balance at 21 Waverley Road, Waverley, subject to the following conditions:

1. CLEARANCE OF VEGETATION

No vegetation is to be cleared without prior consent or approval of Council unless undertaken in accordance with the approved Bushfire Assessment Report.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00741-LCC) (attached).

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

3. PART 5 (SECTION 71) AGREEMENTS

Prior to this permit becoming effective, a Section 71 agreement must be executed, that provides for the following:

- a. Registered on the neighbouring property providing for the affected land to be managed in accordance with Bushfire Hazard Management Plan approved as part of this application.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.

All cost associated with preparing and registering the Agreement must be borne by the applicant.

4. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

5. 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. Plan of Subdivision, prepared by Cohen & Associates P/L, Ref: 220-46(7209), dated 12-5-2017;
- b. Bushfire Site Assessment, prepared and signed by Accredited Practitioner Bill Armstrong (BFP - 132) on 11/04/2017.

6. 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.

7. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

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, bylaws and legislation relevant to the development activity on the site.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

9. 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.

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 including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
 - 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.
-

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

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:

- 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 150 connection to the lowest point of each lot,
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. Provision of a single vehicular crossing for each lot within the subdivision,
- d. Electricity, Communications & Other Utilities
 - i. Connections to the existing electricity and telecommunications system 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 & Hand-Over.

12. 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.
 - d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.
-

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

13. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres 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 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

14. 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**A. General**

This permit was issued based on the proposal documents submitted for (DA0225/2017). 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 (03 6323 3000).

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

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**

It is proposed to subdivide an existing single lot into 3 lots. The subdivision will result in a single lot being subdivided into 3, with proposed lots 1 and 2 being able to be developed for residential purposes, whilst the balance lot will be able to be further subdivided in the future. A description of the lots is as follows:

Proposed Lot 1:

Size: 2,502m²

Frontage: 6.0 metres

Shape: Battle axe lot, generally rectangular in shape

Proposed Lot 2:

Size: 1,589m²

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Frontage: 4.0 metres

Shape: Battle axe lot, generally rectangular in shape

Proposed Lot 3 (Balance):

Size: 3ha

Frontage: 20.0 metres

Shape: Irregular

All lots are able to be connected into all reticulated services, however only proposed lots 1 and 2 will obtain connections post approval. It is also noted that the access into these lots will be upgraded to the relevant Australian standard, whilst the balance lot will maintain its current crossover.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Site Description

The site is located at 21 Waverley Road, Waverley and is zoned Low Density Residential. The site is 3.40 hectares in size and is an irregular shape. It has two existing access points on Waverley Road. It has a steep slope, generally flat when entering off Waverley Road sloping upwards towards the rear of the property. The site contains minimal vegetation, but it is noted it is within a scenic management area. The site is able to connect into all reticulated services.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

12.0 Low Density Residential Zone

12.1.1 Zone Purpose Statements

12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.

12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.

12.1.1.3 To provide for development that is compatible with the natural character of the surrounding area.

Consistent

Consistency with the Zone Purpose has been achieved as the residential subdivision has been assessed as meeting all the required zone standards, including the provision of larger lots with appropriate and capable infrastructure.

12.4 Development Standards

12.4.5 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the intended use of the lots; and
 - (b) adjoining land is protected from adverse impacts.
-

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Consistent

Consistency with the objective has been achieved as each proposed lot is able to exceed the minimum lot size with sufficient room for future development without adversely impacting adjoining properties, and as such has been assessed as compliant.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 1,500m² ; and
- (b) be able to contain 25m diameter circle with the centre of the circle no greater than 25m from the frontage; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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

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.

Relies on Performance Criteria

The proposal is for a subdivision (1 into 3) resulting in the following dimension:

Proposed Lot 1: 2,502m²

Proposed Lot 2: 1,589m²

Proposed Lot 3: 3Ha

Whilst each lot will be able to provide for a 25 metre diameter circle, it will be greater than 25 metres from the frontage and as such is reliant on the Performance Criteria.

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:

- (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 of private open space; and
- (g) the existing pattern of development in the area.

Complies

Due to the existing layout of the site, only containing 2 access points, no lot would be able to meet the 25 metres setback for building area. However, each lot has sufficient area to provide for a building envelope that is compliant with all relevant Acceptable Solutions and relevant provisions within the zone.

12.4.6 Frontage and access

Objective:

To ensure that lots:

- (a) provide appropriate frontage to a road; and
- (b) provide safe and appropriate access suitable for the intended use.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as each lot has sufficient access and frontage to a Council maintained road, and as such has been assessed as compliant.</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 4m.</p>
<p>Complies Proposed lot 1 will have a 6 metre wide frontage, proposed lot 2 a 4 metre wide frontage and proposed lot 3 a 10 metre frontage to Waverley Road.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be 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.</p>
<p>Complies Each new lot is capable of reasonable vehicular access.</p>

12.4.7 Discharge of stormwater

<p>Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent Consistency with the objective has been achieved as the subdivision layout has been designed to allow for the drainage of stormwater and as such has been assessed as compliant.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system</p>
<p>Complies Each lot is able to connect into the reticulated stormwater system.</p>
<p>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.</p>
<p>Complies Consent has been provided under delegation based on the information provided by Cohen & Associates, and accordingly it has been assessed that the Acceptable Solution has been met.</p>

12.4.8 Water and sewerage services

<p>Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.</p>
--

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the subdivision has demonstrated it is able to appropriately connect into the reticulated water and sewerage supply and as such has been assessed as compliant.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</p>
<p>Complies TasWater has provided conditions regarding the connection of water services under TWDA 2017/00741-LCC.</p>
<p>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</p>
<p>Complies TasWater has provided conditions regarding the connection of sewerage services under TWDA 2017/00741-LCC.</p>
<p>12.4.9 Integrated urban landscapes</p>
<p>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.</p>
<p>Consistent Consistency with the objective has been achieved as the subdivision will not result in the creation of new roads or public open space and as such maintains the character of the area, and is therefore assessed as compliant.</p>
<p>A1 Subdivision does not: (a) create any new road, public open space or other reserves; or (b) remove or clear native vegetation; or (c) modify, drain, pipe or disturb any natural watercourse or wetland.</p>
<p>Complies The proposed subdivision will not result in any new roads, open space or other reserves.</p>
<p>12.4.10 Walking and cycling network</p>
<p>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 and cycle lanes that are safe and accessible; and (c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>
<p>Consistent Consistency with the objective has been achieved as no new public infrastructure is being proposed, and is therefore assessed as compliant.</p>
<p>A1 Subdivision does not create any new road, footpath or public open space.</p>
<p>Complies The proposed subdivision will not result in any new roads, open space or other reserves.</p>

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

E1.0 Bushfire-Prone Areas Code

E1.1 The purpose of this code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Consistent

Consistency with the Code Purpose has been achieved as the application was submitted with a Bushfire Hazard Management Plan demonstrating the subdivision is appropriated designed to reduce risk to human life and property.

E1.6 Development Standards

Subdivision provides for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- (c) provide protection for lots at any stage of a staged subdivision.

Consistent

Consistency with the objective has been achieved as the hazard management area for the proposal will allow for future development of the lots, and as such has been assessed as compliant

E1.6.1 Subdivision: Provision of hazard management areas

A1

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

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Complies

A Bushfire Site Assessment, prepared and signed by Accredited Practitioner Bill Armstrong (BFP - 132) on 11/04/2017 was submitted with the application. The report has provided compliance against Acceptable Solution A1(b).

The report has also stated that due to the potential for future subdivision, it is envisaged that the management areas for lots 1 and 2 will be contained in the balance area and as such, require a Part 5 agreement.

E1.6.2 Subdivision: Public and fire fighting access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, firefighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Consistent

Consistency with the objective has been achieved as there is sufficient access into the proposed lots, and as such has been assessed as compliant.

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or
- (b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E1, E2 and E3, is included in a bushfire hazard management plan certified by the TFS or accredited person.

Complies

The submitted report has demonstrated compliance against Acceptable Solution A1(b) demonstrating access complies with tables E1, E2 & E3.

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective:

Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Consistent

Consistency with the objective has been achieved as the subdivision has allowed for compliant access and is able to provide for a reliable source of water for firefighting purposes through the subdivision and any future development.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

<p>A2 In areas that are not serviced by reticulated water by the water corporation:</p> <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.
<p>Complies The report has demonstrated compliance Against Acceptable Solution A2(b) stating that the water supply complies with Table E5.</p>
<p>E2.0 Potentially Contaminated Land Code</p>
<p>E2.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
<p>Consistent Consistency with the Code has been achieved as the applicant submitted a contamination report that ensured development will not be adversely affect by the potential contamination, and as such has been assessed as compliant.</p>
<p>E2.5 Use Standards</p>
<p>Objective: To ensure that potentially contaminated land is suitable for the intended use.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal has provided a contamination report that is consistent with the relevant provisions under the code.</p>
<p>A1 The Director, or a person approved by the Director for the purpose of this Code:</p> <ul style="list-style-type: none"> (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.
<p>Relies on Performance Criteria As no consent has been given the proposal is reliant on the Performance Criteria.</p>
<p>P1 Land is suitable for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health or the environment that includes: <ul style="list-style-type: none"> (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before any use commences; and (iii) a statement that the land is suitable for the intended use.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Complies

The applicant provided a report in relation to the potentially contaminated activities on site, prepared by Environmental Service & Design and dated 23 June 2017. It was concluded that potentially contaminated activities did not impact this site.

The proposal complies with the Performance Criteria.

E2.6 Development Standards

E2.6.1 Subdivision

Objective:

To ensure that subdivision of potentially contaminated land does not adversely impact on human health or the environment and is suitable for its intended use.

Consistent

Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.

A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code:

- (a) certifies that the land is suitable for the intended use; or
- (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.

Relies on Performance Criteria

As no consent has been given the proposal is reliant on the Performance Criteria.

P1 Subdivision does not adversely impact on health and the environment and is suitable for its intended use, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or
- (c) a plan to manage contamination and associated risk to human health and the environment that includes:
 - (i) an environmental site assessment;
 - (ii) any specific remediation and protection measures required to be implemented before any use or development commences; and
 - (iii) a statement that the land is suitable for the intended use or development.

Complies

The applicant provided a report in relation to the potentially contaminated activities on site, prepared by Environmental Service & Design and dated 23 June 2017. It was concluded that potentially contaminated activities did not impact this site.

E2.6.2 Excavation

Objective:

To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the proposal has demonstrated that any excavation will not adversely affect human health or the environment, and as such has been assessed as compliant.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Excavation does not adversely impact on health and the environment, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: <ul style="list-style-type: none"> (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.
<p>Complies The applicant provided a report in relation to the potentially contaminated activities on site, prepared by Environmental Service & Design and dated 23 June 2017. It was concluded that potentially contaminated activities did not impact this site.</p>
<p>E4.0 Road and Railway Assets Code</p>
<p>E4.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.
<p>Consistent Consistency with the Code Purpose has been achieved as it has been demonstrated the proposal will protect the safety and efficiency of the road network, and as such has been assessed as compliant.</p>
<p>E4.5 Use Standards</p>
<p>E4.5.1 Existing road accesses and junctions</p>
<p>Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
<p>Consistent Consistency with the objective has been achieved as the access into each lot will not reduce safety or efficiency, and as such has been assessed as compliant.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Complies

Whilst no formal traffic report has been provided, it is not expected such a proposal will result in more than 40 vehicle movements per day.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Complies

The subdivision will result in 3 lots each with separate access on a road with a speed limit of less than 60km/h.

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:

To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent

Consistency with the objective has been achieved as it has been demonstrated that the proposal meets all relevant site distance, and as such has been assessed as compliant.

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies

The site distances for each access will be in excess of 80 metres for a 50km/h road.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (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.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Consistent

Consistency with the Code Purpose has been achieved as the proposal is capable of supplying an appropriate level of car parking for a residential use that is consistent with the surrounding area. It should be noted however, that whilst the code is applicable, none of the provisions within the code relate to subdivision and are not applicable in this instance.

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

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

Consistency with the Code Purpose has been achieved as the subdivision has been designed to protect and complement the visual amenity of the area through consistent lot development, and as such has been assessed as compliant.

E7.6 Development Standards

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

Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.

A2 No vegetation is to be removed.

Complies

No vegetation is proposed to be removed.

A3 Subdivision is in accordance with a specific area plan.

Relies on Performance Criteria

As there is no specific area plan the proposal is reliant on the Performance Criteria.

P3 Subdivision must have regard to:

- (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;

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

- (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.

Complies

The following is an assessment against the relevant sections under the Performance Criteria. Subdivision must have regard to:

- (a) **the scenic management precinct existing character statement and management objectives in clause E7.6.3;** *The precinct is significant for its scenic and landscape values, being that it forms a significant part of the vista along many major roads on the eastern side of the city, particularly Blessington Road, the major tourist road to Ben Lomond Ski Fields. It is also significant for its historic, geological, botanical and recreational values. The Precinct's northern section has an agricultural character defined by cleared paddocks. Trees or other major vegetation are not common in these areas.*

The subject site is located within the northern section of the scenic management area. It is mostly cleared with a small portion of shrub remaining, which generally complies with the character statement of the precinct. Management Objective (b) is the most relevant objective for the current proposal and reads:

- (b) *Subdivision must only take place where it does not adversely affect the existing character of the Precinct.*

The size of the proposed new lots are generally consistent with those already existing within the management area, considering the area has a mix of small and large lots and it is not considered that subdivision will result in any lots that are out of character with the precinct. The balance lot does allow for future development, but would be subject to a future application and the relevant standards at that time. Works will be undertaken for access, including new crossovers, and the application has been lodged with Bushfire Hazard Management Plan. There are no agreements under Section 71 of LUPAA. It is not considered that the proposed subdivision is out of place or would affect the character of the precinct. It is further noted that any future development over the site will be required to address the scenic management code, including vegetation planting.

The proposal complies with the Performance Criteria.

E10.0 Open Space Code

E10.1 The purpose of this provision is to:

- (a) Ensure that the location and area of land required for public open space in subdivisions meets the reasonable ongoing needs of the community.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

Consistent

Consistency with the Code has been achieved as the applicant has demonstrated what whilst there is no capacity to provide for public open space, a cash in lieu option is suitable.

Not used in this Code.

E10.6 Development Standards

Objective:

To:

- (a) ensure that the location and area of land required for public open space meet the reasonable ongoing needs of the community; and
- (b) provide public open space which meets user requirements for outdoor recreational and social activities.

Consistent

Consistency with the objective has been achieved as a cash in lieu payment has been recommended as a condition of approval.

A1 No acceptable solution.

Relies on Performance Criteria

P1 The location, area and characteristics of public open space must meet the reasonable needs of the community, having regard to:

- (a) the physical characteristics of the land;
- (b) the needs of people with disabilities;
- (c) the range of recreational facilities in the surrounding area;
- (d) the existing public open space in the surrounding area and its relationship to any proposed public open space;
- (e) connectivity for pedestrians and cyclists;
- (f) the ability of the community to access the land;
- (g) any limitations imposed by services and utilities;
- (h) any drainage requirements, or the existence of wetlands;
- (i) public health and safety;
- (j) the likely cost of maintenance; and
- (k) the relationship and alignment with adjoining land uses, including fencing and landscaping.

Complies

There is no strategic desire to take open space in this location and in this instance the preference is for cash in lieu payment instead of the land. It is Council's policy to take contributions where lots are capable of residential development. For this application it is recommended to take contribution for the two new lots only, as there is potential for future development over the balance land.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	<p>The application was referred to Council's Infrastructure Department for comment. The following advice was provided:</p> <p><i>The report provided by Rebecca Green and Associates states that the General Managers advice in regards to Clause 12.4.7 of the Scheme has been provided and hence the acceptable solution has been met however this is not the case. There has been no written advice provided (evidenced by such not being provided in support of the claim).</i></p> <p><i>Pre lodgement discussions for this site have been undertaken with Geoff Brayford of JMG in relation to the servicing on these lots in terms of stormwater connections and driveway access.</i></p> <p><i>The advice provided was that a DN300 stormwater main would be required under the road to connect with the existing main running down the southern side of Waverley Road with a DN150 connection for each lot given that they are greater than 1,500m² in size.</i></p> <p><i>As the works required will need to be installed in the road reserve of Waverley Road it is necessary to secure the consent of the road owner.</i></p> <p><i>Road owner consent and consent for the discharge of stormwater was issued on 24 May 2017.</i></p> <p>Conditional consent provided.</p>
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00741-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 25 March 2017 to 10 April 2017. Three (3) representations were received.

The issues raised are summarised in the following tables. 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.

Representation 1

1	Trees have been cleared and as a result stormwater travels through the property.
It is acknowledged that the property has been cleared however the clearings do not warrant further investigation within the scope of this proposal. It is noted however that future development over the lots will be required to address the Scenic Management Code which will require the planting of new vegetation.	
2	Existing sewerage and stormwater issues from a different adjoining property and a leaking pipe.
Previous discussions with the submitter have occurred including the location of a sewer pipe from the adjoining northern property which runs through his property. This does not form part of the application and is a civil matter. It is noted that the sewer main is not a public main.	
3	Location of proposed sewerage and stormwater
The applicant provided a Sewer, Water and Stormwater Layout Plan with the application. The plan demonstrates the proposed locations of all future connections. The application was referred to TasWater who consented to the application with conditions. It is noted that no new connections are proposed for the balance lot as there is potential for this lot to be further subdivided, although it is noted the lot is capable of connecting to stormwater. If development is to occur over the balance lot service connections will be looks at when development is to occur.	

Representation 2

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(Cont'd)

1	Issues around the cleared trees and surface runoff
It is acknowledged that the property has been cleared however the clearings do not warrant further investigation within the scope of this proposal. It is noted however that future development over the lots will be required to address the Scenic Management Code which will require the planting of new vegetation.	
2	No infrastructure is located along the frontages of 21 Waverley Road to accommodate stormwater.
All levels of service, water, sewer, as well as stormwater are located along Waverley Road and able to be connected into.	
3	Kerb and channel finishes at a pit in front of 25 Waverley Road and the stormwater pipe is underground at the centre of Waverley Road. Council should take responsibility for overseeing the stormwater runoff and draining of the lots.
Conditions will be imposed regarding the construction and suitability of stormwater drainage.	

Representation 3

1	Who will be responsible for the connection to services to the lots.
Conditions will be imposed regarding the construction and suitability of stormwater drainage. It will be up to the applicant/owner to connect into these services.	
2	There is no kerb and channel along Waverley Road and it is not clear if access into the lots will be dirt or formed and paved.
Clause 14.2.6 under the planning scheme looks at frontage and access. The access points are currently existing, with the crossovers into proposed lots 1 and 2 to be upgraded and sealed. The access into the remaining balance lot is to remain unchanged. No kerb or channelling is being proposed.	
3	What will the balance lot be utilised for?
The balance lot is zoned Low Density Residential and has the capability of being subdivided in the future. However, there is currently no proposal for future development of this lot.	

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.

8.2 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance...(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:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. 21 Waverley Road, Waverley - Locality Map
 2. 21 Waverley Road, Waverley - Plans to be Endorsed (distributed electronically)
 3. 21 Waverley Road, Waverley - TasWater SPAN
 4. 21 Waverley Road, Waverley - Representations
-

Attachment 1 - 21 Waverley Road, Waverley - Locality Map

Launceston City Council
A Leader in Community & Government



LOCALITY MAP 21 WAVERLEY ROAD, WAVERLEY



Locality Map

Scale: This Map Is Not to Scale



Submission to Planning Authority Notice

Council Planning Permit No.	DA0225/2017	Council notice date	22/05/2017
TasWater details			
TasWater Reference No.	TWDA 2017/00741-LCC	Date of response	2 June 2017
TasWater Contact	Greg Clausen	Phone No.	(03) 6237 8242
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	21 WAVERLEY RD, WAVERLEY	Property ID (PID)	3026708
Description of development	Two lot subdivision plus balance		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
JMG	Proposed Subdivision Stage 1 Sewer, Water and and Stormwater Layout	P1	12/05/2017
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS) Section 56P(1)</i> TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost.			
ASSET CREATION & INFRASTRUCTURE WORKS			
3. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.			
4. Prior to applying for a Permit to Construct the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater’s satisfaction.			
5. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater’s satisfaction.			
6. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater’s requirements.			
7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater’s water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan “Proposed Subdivision, Stage 1 Sewer, Water and and Stormwater Layout”, are to be constructed at the expense of the developer to the satisfaction of			



- TasWater, with live connections performed by TasWater.
8. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
 9. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
 10. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
 11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
 12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
 13. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.
- FINAL PLANS, EASEMENTS & ENDORSEMENTS**
14. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
 15. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.
- DEVELOPMENT ASSESSMENT FEES**



16. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
 - a. \$246.00 for development assessment; and
 - b. \$133.25 for Consent to Register a Legal Document
17. The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

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

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

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

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the lots on the plan.

Declaration

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

Authorised by



Jason Taylor
Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Iain More

From: David Merrington [REDACTED]
Sent: Monday, 31 July 2017 3:18 PM
To: Contact Us
Cc: Contact Us
Subject: Notice of application for a Planning Permit. DA NO. DA0225/2017

LOCATION. 2 1 Waverley Road, Waverley
Proposal. Residential - subdivision two lots , plus balance

MR Jade Child, [REDACTED], purchased the parcel of land that links his original property
Since the purchase Mr Child has cleared all trees, as a result when heavy rain occurs storm water travels over our property.

The sewerage and storm water from Mr Child's house are connected via an earthenware 400mm pipe by 150 metre length into our property.

The pipe is almost directly under the the surface of the grass.

With respect to Mr Child, this was in place prior to his purchase of the property.

MR Child has applied to develop the land. Our concern is regarding the location of his sewerage and storm water.

We would appreciate the resolution of our current sewerage/storm water problem from Mr Child's house through our property. We consider that all waste should be routed through his own property.

David and Pamela Merrington

[REDACTED]
July 31 2017
Sent from my iP

1st July 2017

Ross Anthony

To Daini More

~~Launceston~~ Launceston City Council
PO Box 396 Launceston. 7250.

Re DA02 25/2017
Residential Sub division
2 lots + balance.

Dear Sir, I wish to enquire about the how or who is going to be responsible to connect the services to the lots & what is intended for the balance! There is no kerb & channel along Waverly Road & I would like to know if it is just going to be a dirt road into these blocks & nothing else & left for the purchasers to do all the connections themselves or is the present owner & Cohen & Associates who will undertake this work.

It seems to be a half baked approach to a subdivision to only be selling off 2 blocks with out any indication as to what is going to be done with the balance.

I think there is a need for enquiries to be undertaken before any authorisation is given to the subdivision in its current form.

Yours faithfully

Ross L Anthony

FILE No.	DA0225/2017		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
ROVD	03 AUG 2017	LCC	
Doc No.			
Action Officer	Noted	Replied	
C. Wronemork			

E-COPY I. MORE

FILE No.	DA0225/2017		
EO	OD	✓	Box ✓
RCVD 05 AUG 2017		LOG	
Doc No.			
Action Officer	Noted	Replied	
C. WRAHMORE			

1/08/2017

Stephen Hayes



E-COPY I. MORE

Attention: Iain More
 Planning Department
 Launceston City Council
 St John's Street
 Launceston 7250

RE: DA 0225/2017
 21 Waverley Road

Dear Sir,

We wish to enquire and bring to Councils attention the concerns we have with the application to subdivide to create lots 1 & 2 plus balance at lot 21.

Since the purchase of the subject land, the current owner has clear-felled the hill behind our property removing all trees. Late last year and the early months of 2017 the amount of surface run off (rain water) has been extreme in our experience since owning our land. We appreciate there were high rain falls in some of the months in 2016, but in our collective experience and enquiries with persons who have knowledge in these situations have said the surface run off was excessive due to the removal of vegetation.

There is no infrastructure on the frontages of lot 21 to Waverley Road to take away the storm water.

The kerb and channel finishes at a pit in front of number 25 Waverley Road. As you should be aware the storm water pipe is under ground and runs in the centre of Waverley Road. We ask you the council to take responsibility for the overseeing of the storm water runoff and draining of these lots. As the owner has demonstrated he has little or no regard for his neighbours concerns in this regard and there is no explanation in the application as to what Cohen and Associate have submitted.

Yours sincerely *AS Hayes*

Stephen Hayes and Norma Lane

COUNCIL AGENDA

Monday 21 August 2017

8.3 43 Los Angeles Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage

FILE NO: DA0260/2017

AUTHOR: Brian White (Graduate 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:	Thomas Forbes Bertram
Property:	43 Los Angeles Road Swan Bay
Zoning:	Rural Resource
Receipt Date:	7/06/2017
Validity Date:	7/06/2017
Further Information Request:	27/06/2017
Further Information Received:	05/07/2017
Deemed Approval:	21/08/2017
Representations:	3

PREVIOUS COUNCIL CONSIDERATION:

DA0398/2012 - Subdivision - subdivide one lot into two lots

DA0040/2014 - Residential - single dwelling; construction of a new dwelling

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 DA0260/2017 - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage at 43 Los Angeles Road, Swan Bay subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Locality Plan, Prepared by Garry Fleming, Drawing No. SK01, Dated April 2017 (plan to be amended).
 - b. Site Plan, Prepared by Garry Fleming, Drawing No. SK02, Dated April 2017 (plan to be amended).
-

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

- c. Elevations, Prepared by Garry Fleming, Drawing No. SK03, Dated April 2017.
- d. Covering Letter, Prepared by Tom and Ange Bertram, Dated 5/06/2017.
- e. Agricultural Report, Prepared by Macquire Franklin, Dated March 2017.
- f. Further Information Request Response, Prepared by Macquire Franklin, 19/906/2017.
- g. Further Information Request Response, Prepared by Macquire Franklin, 4/07/2017.
- h. Signage details, Prepared by Tom and Ange Bertram.
- i. Traffic Impact Statement, Prepared by GHD Pty Ltd, Dated June 2017.
- j. Landslide Risk Assessment, Prepared by Tasman Geotechnics, Dated 5/06/2017.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and/or use, amended plans must be submitted to show:

- a. The proposed driveway in compliance with the dimensional requirements set out in the recommendations of the development's Traffic Impact Statement.
- b. The batter works and vegetation removal on Windermere Road, as recommended in the development's Traffic Impact Statement.

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

3. WALL SIGN LOCATION

The proposed wall sign (sign number three) must be: located at the entrance to the property, located within the property boundaries and must not extend above the fence to which it is attached.

4. LANDSLIDE RISK ASSESSMENT RECOMENDATIONS

The recommendations in section 6 of the endorsed landslide risk assessment must be implemented.

5. USE LIMITATION

This permit allows the use for *Holiday Cabins* defined as *Visitor Accommodation* in the Launceston Interim Planning Scheme. Only short term accommodation is permitted. Any additional *Residential* use on the site is subject to further approvals.

6. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00862-LCC) (attached).

7. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
 - b. The content of the signage relating to the site.
 - c. Compliance with the requirements of the planning scheme.
-

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

8. NO SIGN ILLUMINATION

The signs must not be floodlit or otherwise internally illuminated.

9. CAR PARKING AND DRIVEWAY CONSTRUCTION

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed in accordance with the recommendations of the endorsed Traffic Impact Statement prepared by GHD Pty Ltd at page 5 to the satisfaction of the Director of Infrastructure Services

10. 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.

11. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the buildings must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

12. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

13. 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.

14. 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 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(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.

15. VEHICULAR CROSSING APPLICATION (RURAL STYLE DRIVEWAY)

Prior to the commencement of the use, the development must be provided with an adequate all weather access from the edge of the road pavement to the property boundary in accordance with LGAT-IPWEA Tasmanian Standard Drawings TSD-R03 Rural Roads typical property access and TSD-R04 Rural Roads typical driveway profile, unless specified otherwise.

An application for such work must be lodged electronically via the Councils eServices web portal or on the approved hard copy form.

All redundant crossovers and driveways must be removed prior to the occupation of the development. All new works must be constructed to Council standards. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading non trafficable trenches to trafficable standard and and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

16. 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.

17. 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.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

18. 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 (e.g. Launceston Waste Centre).

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. Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. Section 225. A copy of this planning permit should be given to your Building Surveyor.

C. 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.

D. General

This permit was issued based on the proposal documents submitted for DA0260/2017. 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 (03 6323 3000).

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

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.

H. On-Site Disposal of Effluent

This permit does not give permission for the installation of an on site waste water system on this site. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012) as well as a Plumbing Application (for the on-site wastewater system) with the Building Application. Before occupation of the dwelling, the required system must be commissioned.

REPORT:**1. THE PROPOSAL**

The applicant is seeking planning approval for the use and development of three (3), two bedroom, self-contained holiday cabins 43 Los Angelos Road, Swan Bay.

The development also includes constructing a new access and internal driveway from Windermere Road and three (3) signs located on the subject site.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

The Use

Clause 8.2.1 of the *Launceston Interim Planning Scheme 2015* ('the Interim Scheme') requires that each use or development must be categorised into a use class in Table 8.2. The visitor accommodation use class is assigned to the development which is defined in the Interim Scheme as:

use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed & breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel or serviced apartment.

The applicant has stated that they will own, operate and maintain the cabins from their existing dwelling on the north western end of the property. Dry cleaning of linen will be undertaken externally daily.

The cabins will operate all year. Guests will make reservations online or via phone; there is to be no on site reception. Breakfast items would be provided. Check in is to be 10am with checkout at 2pm.

The applicant claims that the project will diversify the farm by generating another source of income without constraining the agricultural productivity of the land.

The Development

The Cabins

The cabins will be located approximately 73m from the Windermere Road frontage and located on the northern part of the title which spreads over Windermere Road to the south (refer Figure 1 below).

8.3 43 Los Angeles Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

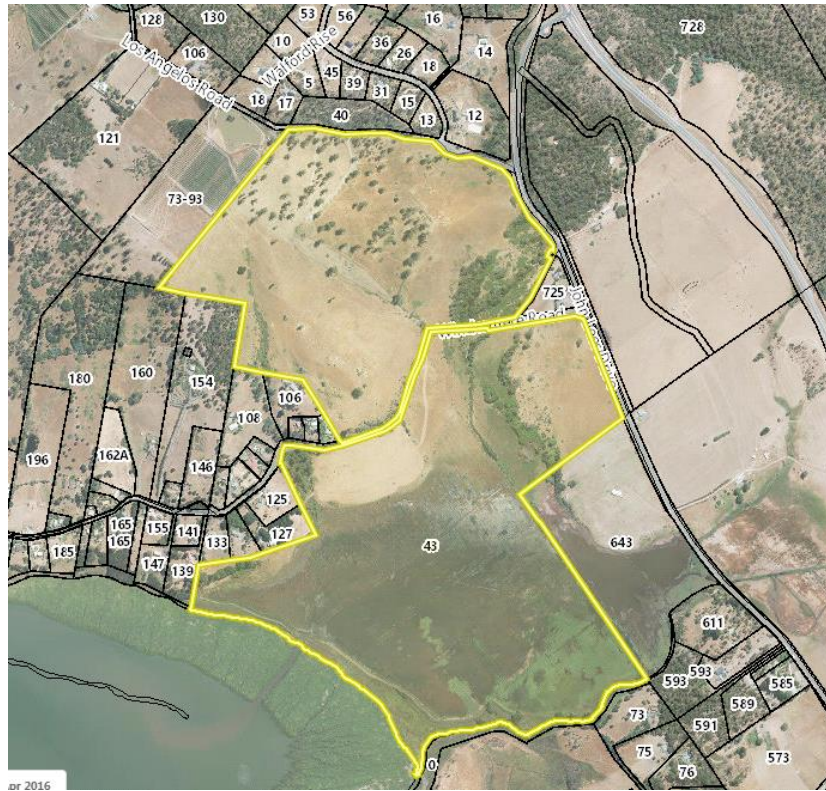


Figure 1 Locality Plan

The two bedroom cabins will each have kitchen, dining and lounge areas and an outdoor, covered timber decking area. The floor area of each would be approximately 130m² (including the decking area). The cabins will be located approximately 65m from the nearest existing sensitive use to the west.

The cabins will be constructed with a combination of timber and 'Corten Steel' cladding. The roofs are to be constructed of 'Zincalume Customorb' roof sheeting and flashings.

Each cabin will provide two (2) parking spaces which will be accessed via the proposed internal driveway and access point from Windermere Road. A vehicle turning circle will be provided to the east of cabin one (1).

The cabins will utilise an AWTs system to dispose of sewage.

The Access

The proposed access point will be from Windermere Road. Council required the applicant to undertake a Traffic Impact Statement ('TIS') to discuss the safety and efficiency of the access and driveway.

The location of the access and the proposed cabins is provided as Figure 2 below.

8.3 43 Los Angeles Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

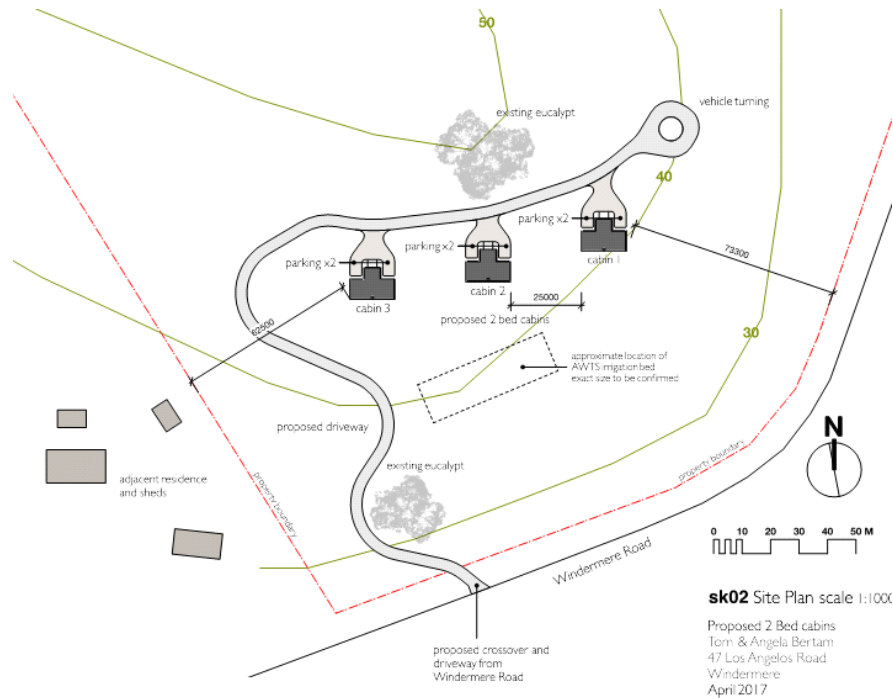


Figure 2 Location of cabins and new access

The driveway is to be sealed and will have an average gradient of approximately 7.5 per cent with a maximum gradient of 18 per cent. The TIS has recommended works to be undertaken in the road reserve to increase site distances which will be discussed in subsequent sections.

Signage

Three signs are proposed which are detailed below:

Sign one (1) and two (2)

- Ground based;
- 2.5m wide x 1.5m high with 1.5m high poles - total height 3m.
- Corner of Windermere Road and John Lees Drive;
- Name and direction; and
- Constructed of Corten Steel (rusted brown colour).

Sign two (2)

- Ground based;
- 2.5m wide x 1.5m high with 1.5m high poles - total height 3m.
- Corner of Los Angeles Road and John Lees Drive.
- Name and direction; and
- Constructed of Corten Steel (rusted brown colour).

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Sign Three (3)

- Wall based;
- 2.5m wide x 1.5m high;
- Fixed/ fastened to entrance (fence) of accommodation (Windermere Road);
- Name of accommodation only;
- Constructed of Corten Steel (rusted brown colour).

The sign is assigned as a wall based sign as it is to be affixed to a 'building' which is defined under LUPAA to include 'fences'.

**Conditions will apply to sign three (3) requiring it to not be higher than the fence, be within the property boundary and must not be illuminated.*

2. LOCATION AND NEIGHBOURHOOD CHARACTERSite and Surrounds

The site is located on the western side of John Lees Drive and has frontage to Los Angelos Road, John Lees Drive and Windermere Road. The subject title is divided into two (2) by Windermere Road (refer Figure 1). The northern part of the title is the land proposed to be developed. The southern part of the title is bound by the Tamar River.

The neighbouring properties are mostly developed with residential dwelling on a variety of lot sizes that best fit the description of rural living type uses. East of John Lees Drive there are some larger rural lots that appear to be used for grazing. These lots also mostly have established residential uses. There is an existing food services use abutting the site to the east.

The site is irregular shape with an area of 159.4ha. It is undulating and falls towards Windermere Road. The location of the proposed cabins is on a reasonably flat part of the site. Some parts of the site are mapped as being subject to landslide risk.

The site is currently developed with a single dwelling (approved by DA0040/2014) towards the north eastern boundary access from Los Angelos Road. The northern part of the property is mostly improved pasture and is currently used for resource development (grazing). The southern part of the site is a flood prone piece of land that is low lying marsh land. It appears that limited grazing occurs on this part of the site.

Windermere Road is a Council maintained, sealed, minor collector road which provides access to those residential areas of Windermere Road.

The site is connected to a reticulated water supply but must dispose of stormwater and waste water on site.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Land Capability

The applicant has provided a land capability report (and other supporting letters) of the subject site to provide an opinion on the suitability of the site for the proposed visitor accommodation use.

The report concluded that:

- *there is no prime agricultural land on the property;*
- *the most likely future primary industry use of the land was its current and historic land use - grazing (agriculture);*
- *the majority of the site was class 5 and 6 land which is unsuitable for cropping;*
- *the property would be incapable of supporting any other primary industry use and that resource processing would also be highly unlikely;*
- *the property is incapable of supporting a commercially viable agricultural enterprise (both livestock and cropping); and*
- *the class 4 land on the site is heavily constrained for future cropping due to:*
 - *poor soils (Dermosol and raw sand over impermeable clay);*
 - *lack of current or potential irrigation;*
 - *topography;*
 - *commercial viability/ limited available area; and*
 - *location of existing sensitive uses within 100m.*

These matters will be discussed further in assessing the relevant use and development standards of the Rural Resource Zone.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose****26.0 Rural Resource Zone****26.1.1 Zone Purpose Statements**

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

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

26.1.1.3 To provide for uses that add value to primary industries.

26.1.1.4 To provide for uses that support or service rural communities.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Consistent

In determining a discretionary use, the planning authority is required to *have regard* to the purpose of the zone pursuant to clause 8.10.2 (a) of the Interim Scheme.

The Resource Management and Planning Appeal Tribunal in *R Brown & T Shaw v Launceston City Council & Bullock Consulting [2014] TASRMPAT 15* found that 'have regard to' means that the use must be *in harmony* with the zone purpose statements and *satisfies* the relevant performance criteria. However, the zone purpose statements are not to supplant the specific (use and development) standards of the Scheme. A discussion of the use standards is therefore provided below.

Clause 26.1.1.1

The agricultural consultant stated that the site is unlikely of supporting any other primary industry activity apart from its current agricultural use.

The table below discussed the likelihood of those primary industry uses described in Clause 26.1.1.1 from occurring

Primary Industry	Likelihood	Constraints
Aquaculture	<i>Unlikely</i>	Insufficient access to water resources
Forestry	<i>Unlikely</i>	Insufficient land, proximity to sensitive use
Viticulture	<i>Unlikely</i>	Unsuitable soils, topography, lack of irrigation
Mining	<i>Unlikely</i>	No mining leases - proximity to sensitive uses
Resource Processing	<i>Unlikely</i>	Proximity of sensitive uses

It is therefore considered the applicant has demonstrated that the sustainable use of the property for agriculture will not be jeopardised by the proposal.

Clause 26.1.1.2

The current resource development use occurring on the site is agriculture for livestock grazing production. Future cropping of the limited class 4 land on the property is unlikely. Therefore, it is considered that the proposal will not constrain the current or future resource development use of the land (grazing).

Clause 26.1.1.3

Farm Stays have become an effective way for landowners to broaden/ supplement economic returns and can assist in bringing tourists into rural areas. It is considered that the proposal can value add to the agricultural industry both on the subject site and the region more broadly.

Clause 26.1.1.4

The proposed tourism endeavour may assist in supporting the local economy via the multiplier effect and diversify the areas tourism offering.

It is therefore considered that the proposal is *in harmony* with the zone purpose statements.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

26.3 Use Standards

26.3.1 Location and intensity

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated; (b) minimise the conversion of non-prime agricultural land to a non- primary industry uses; (c) ensure that non-primary industry uses are located appropriate to the zone; (d) discourage non-primary industry uses that can be reasonably located on land zoned for that purpose; (e) provide for uses that are co-located with a dwelling and are of similar intensity to a home-based business; (f) provide for tourism uses to enhance the experience and promotion of touring routes and natural and cultural features; (g) locate uses so that they do not unreasonably confine or restrain the operation of primary industry uses; and (h) provide for uses that are suitable in the locality and do not create an unreasonable adverse impact on existing uses or local infrastructure.

<p>Consistent The proposal is assessed as being consistent with the performance criteria and therefore with the intent of the clause.</p> <p>The site is constrained for future intensified agricultural use such as cropping and other primary industry uses. The use will not constrain the current or future primary industry use of the subject site (livestock grazing production) or the primary industry use of surrounding land.</p> <p>The location of the development is on unproductive agricultural land and is situated nearby to other sensitive uses along Windermere Road so is considered appropriate. The proposed access is also considered to be appropriate and not likely of causing adverse amenity impacts on surrounding residential uses nor impact upon local infrastructure.</p>

A1 If for permitted or no permit required uses.

<p>Relies on Performance Criteria Visitor accommodation is a discretionary use in the zone.</p>
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<p>P1 Uses (except for a single dwelling) are established at a location and at an intensity that is appropriate in the zone, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use, including: <ul style="list-style-type: none"> (i) the scale and extent of the use; (ii) the utilisation of existing buildings and infrastructure; (iii) the number of employees; (iv) the customer visitation and deliveries; (v) the hours of operation;

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

- (vi) the nature of any emissions;
- (vii) external storage of goods, materials or waste; and
- (b) the area of the site proposed to be used, including:
 - (i) the existing use and development;
 - (ii) the surrounding use and development;
 - (iii) its capacity for productive agricultural use;
 - (iv) the topography of the site;
 - (v) current irrigation practices and the potential for irrigation;
 - (vi) the effect, if any, of the loss of the site on the continuing or potential agricultural use of the site and the surrounding area; and
- (c) the potential to confine or constrain adjoining primary industry uses;
- (d) the location being reasonably required for operational efficiency;
- (e) the need to locate on the site;
- (f) the capacity of the local road network to accommodate the traffic generated by the use; and
- (g) the capability of the site to accommodate all aspects of the use.

Complies

The existing uses of the property are residential and dryland pasture for grazing.

The agricultural report has deemed that the site is constrained for any other agricultural or primary industry use apart from grazing due to soil types, lack of irrigation, topography and the proximity to existing sensitive uses. Therefore it is unlikely the proposal will constrain the continued use of the land for this purpose.

There are sensitive uses located to the west less than 100m from the development site. There is an established pattern of smaller rural resource zoned lots containing existing residential uses along the Windermere Road frontage which clearly already constrains future primary industry uses. South of the site the land has a capability of 6 so is unsuitable for agricultural uses. North and east of the site are pockets of class 4 land located nearby to rural living lots so are somewhat constrained for intense agricultural uses and other primary industry uses given potential land use conflict concerns.

The development is to be on land with low fertility sandy soils with limited pasture productivity. The agricultural consultant has found that the property cannot support a viable commercial enterprise in its own right. Losing 1% of the total land to the proposed use will therefore have little impact on the overall agricultural activity on the site.

The location is considered appropriate being alongside other residential type uses and which takes advantage of the river views. The site is located on a flat part of the site and is separated from the remainder of the site (and class 4 land) by a 10m contour that runs along the rear of the proposed cabins.

A geotechnical report has found the site is suitable in regard to landslide concerns and has also confirmed that waste water is able to be disposed of via an AWTS system.

It is considered the performance criteria P1 is met.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

A2 If for permitted or no permit required uses.
Relies on Performance Criteria Visitor accommodation is a discretionary use in the zone.
P2.1 Use of prime agricultural land for Utilities, Extractive industry and controlled environment agriculture not dependent on the soil as a growth medium must be minimised, having regard to: (a) the area of land converted; (b) impacts on surrounding agricultural use; and (c) the location being reasonably required for operational efficiency; or
P2.2 Use of prime agricultural land for uses other than Utilities, Extractive industry or controlled environment agriculture not dependent on the soil as a growth medium uses, must demonstrate a significant benefit to the northern region having regard to the economic, social and environmental costs and benefits of the proposed use.
Complies There is no prime agricultural land on the site.
26.4 Development Standards 26.4.1 Building height, setback and siting
Objective: To ensure that: (a) buildings minimise the impact on the visual character of the area; and (b) buildings for sensitive uses do not constrain primary industry uses.
Consistent The proposal is assessed as being consistent with the performance criteria and therefore with the intent of the clause. The setback of the proposed cabins will not constrain adjoining primary industry use given that the properties to the west are residential, the low capability of the land to the south and the distance to the properties to the east of John Lees Drive.
A1 Building height must be no greater than: (a) 12m; or (b) 8m for dwellings.
Complies The cabins have a maximum height of approximately 4m.
A3 Buildings for a sensitive use: (a) must be setback no less than 200m from the frontage, side and rear boundaries; or (b) must be setback no less than 50m to frontage, side and rear boundaries for extensions to existing buildings; or (c) where the setback of an existing building is less than 50m to a frontage, side or rear boundary, the extension must be setback no less than the existing building.
Relies on Performance Criteria The buildings will be setback approximately 74m - 90m from the frontage and 63m from the western boundary.
The applicant relies on the performance criteria to demonstrate compliance with the standard.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

P3 Buildings for sensitive uses must be setback so as not to constrain adjoining primary industry uses, having regard to:

- (a) the topography of the site;
- (b) the prevailing setbacks of existing buildings on nearby lots;
- (c) the location of existing buildings on the site;
- (d) the visual impact of the building when viewed from an adjoining road;
- (e) any proposed upgrading of adjoining roads;
- (f) the retention of vegetation within the front setback;
- (g) the existing use on adjoining and immediately opposite sites;
- (h) nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots;
- (i) any proposed attenuation measures; and
- (j) any buffers created by natural or other features.

Complies

The discretion relates to the frontage and western side setback

The likelihood of the site for supporting primary industry has been discussed previously. It found that agriculture was the most likely primary industry use to occur on the site.

In regard to the frontage setback; the land to south has a land capability of 6 and is subject to flooding so is unlikely of being capable of supporting a primary industry use apart from limited grazing. It is therefore highly unlikely that emissions from that use would cause issues with the proposed use.

There is a row of vegetation along the frontage that will act as a visual buffer looking north from the road. Additionally, the finish of the cabins will be natural further minimising any unlikely visual impacts.

The land immediately adjoining to the west is characterised by existing residential uses with limited capability for future primary industry use. The development is uphill from the properties to the west which acts as a topographical (visual) buffer.

It is therefore considered that the likelihood of the departure from the setback requirements constraining adjoining primary industry is remote.

The performance criteria P3 is met.

A4 Where the site is located on the boundary of the General Residential, Village, Urban Mixed Use or Low Density Residential zones, new buildings or alterations to existing buildings must have side and rear setbacks no less than 30m from the zone boundary.

Complies

The site is not within 30m of such a boundary.

E3.0 Landslide Code

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

E3.1 The purpose of this provision is to:

- (a) ensure that use and development subject to risk from landslide is appropriately located and managed; and
- (b) ensure that use and development does not cause, or have potential to cause an increased risk of landslide.

Consistent

The proposal is on land mapped as being class 4 landslide so is subject to the provisions of the Landslide Code pursuant to clause E3.2.1 (a) of the Interim Scheme.

The site is not subject to Section 67 of the *Building Act 2016* as it is not considered to be *works in hazardous areas*.

The applicant has provided a Landslide Risk Assessment which concludes that the proposed development presents a low level of risk provided the limitations/ recommendations are incorporated in the design.

It is therefore considered that the proposal is consistent with the purpose of the code.

E3.6 Development Standards

E3.6.1 Development on Land Subject to Risk of Landslip

Objective:

To ensure that development is located and constructed to manage landslide risk through suitable measures to avoid the risk of injury to, or loss of human life, or damage to land, property and public infrastructure.

Consistent

The proposal meets the performance criteria due to submitting a landslide risk assessment that found the level of risk from the development was low.

A1 No acceptable solution.

Relies on Performance Criteria

P1 Human life, land, property and public infrastructure is protected from landslide risk, having regard to:

- (a) the level of risk identified in a landslide risk management assessment;
- (b) any declaration of a landslip area under Part 9A of the Mineral Resources Development Act 1995;
- (c) measures proposed to mitigate the risk;
- (d) the nature, degree, practicality and obligation for any management activities to mitigate the risk;
- (e) the need for and permanency of any on-site or off-site maintenance arrangements;
- (f) the responsibility for and the permanency of any on-site or off-site maintenance arrangements;
- (g) impacts on public infrastructure; and
- (h) the impact of any mitigation works on the character of the area.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Complies

The proposal meets the performance criteria due to submitting a landslide risk assessment that found the level of risk from the development was low so complies with (a).

Conditions apply requiring that the recommendations of the report are implemented.

It is considered the performance criteria P1 met.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The proposal includes the construction of a new access point on Windermere Road as well as an internal driveway. The code therefore applies pursuant to clause E4.2.1 (a) of the Interim Scheme.

Council required the applicant to undertake a TIS to allow consideration under the relevant performance criteria of the code in regards to a new access onto a road with a speed limit greater than 60km/h and site distances.

The TIA concluded that the access point was supported on traffic grounds and road safety grounds subject to recommendations which include:

- *Driveway dimensions to comply with the requirements of Clause E6.6.2-A1.2;*
- *Batter works to create a sight triangle having minimum dimensions of 5x40 metres on the west side of the access as demonstrated in Figure 6 (of the report); and*
- *Removal of low-lying vegetation along the edge of the road reserve for a distance of 40 metres either side of the access point.*

Council's Infrastructure Services have provided conditional support for the access.

It is therefore considered that the proposal is consistent with the intent of the code.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

The proposal is considered to meet the relevant performance standards. The TIS has found that the access will not jeopardise the safety and efficiency of the surrounding road network given the modest increase in traffic volumes anticipated.

A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Relies on Performance Criteria

The new access is a section of Windermere Road with a speed limit of 70km/h. Performance criteria assessment is required.

P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the nature of the road;
- (c) the speed limit and traffic flow of the road;
- (d) any alternative access;
- (e) the need for the access or junction;
- (f) any traffic impact assessment; and
- (g) any written advice received from the road authority.

Complies

The TIS has stated that the proposed three (3) cabins are to generate approximately 1-2 vehicle movements per hour during peak periods. This was considered to be a 'negligible increase' in traffic volumes.

Given this modest increase the TIS found that no unreasonable impacts on traffic efficiency on Windermere Road or surrounding roads area anticipated as a result of the new access. The safety of the access is mostly covered in the assessment against site distances.

Council's Infrastructure services have provided conditional support for the access.

It is therefore considered that the compliance test of P1 is met subject to conditions.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Complies

The speed limit is 70km/h at the proposed access.

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:

To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent

The proposal is considered to meet the compliance test of the performance criteria (subject to conditions) as sufficient site distances are achieved at the proposed access point.

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Relies on Performance Criteria

The proposal is unable to meet the acceptable solution for site distances which require a site distance of 140m on roads with a speed limit of 70km/h.

The available site distances are:

- Eastbound - 90m (subject to batter works); and
- Westbound - 120m.

The proposal is therefore required to be assessed under the performance criteria.

P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the road or rail network;
- (c) any alternative access;
- (d) the need for the access, junction or level crossing;
- (e) any traffic impact assessment;
- (f) any measures to improve or maintain sight distance; and
- (g) any written advice received from the road or rail authority.

Complies

The report found that likely (average) vehicle speeds at the access point are approximately:

Eastbound (as in from west to east)

Between 50 and 55 km/h for cars and around 50km/h for trucks.

These vehicle speeds were based on the preceding road alignment, change in speed zone from 50km/h to 70km/h located just to the west of the proposed access point and the uphill gradient combined with horizontal curves.

Westbound (as in from east to west)

Between 60 and 65km/h for cars and less than 50km/h for trucks.

It was identified that there were several geometric constraints to the east of the access point on Windermere Road that influence traffic speeds including:

- a one lane bridge;
- a tight corner with an advisory speed of 35km/h;
- steep uphill gradient with narrow road width; and
- a final corner with radius approximately 120m to the site distance point.

It was found that speeds would be less than 70km/h at the proposed access given the limited opportunities to accelerate to the 70km/h limit.

The TIS has relied upon the Austroads publication - *Guide to Road Design - Part 4A: Unsignalised and signalised intersections, 2010* which provides Safe Intersection Site Distances (SISD) requirements for accesses and junctions using the Extended Design Domain (EDD).

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

The EDD is below the normal design domain (using lower values for site distances) and referred to in the publication as being *"..necessary in certain circumstances, usually for existing roads in constrained situations"* (p. 2-20-21). The TIA considers that the EDD should apply to the application due to the constrained existing geometric environment and the low use of the junction (less than 10 movements).

The site distances have been assessed in the TIS against the EDD which is included below:

	Eastbound	Westbound
Estimated Vehicle Speed		
Car	50-55 km/h	60-65 km/h
Truck	~50 km/h	< 50 km/h
Available Sight Distance	90 m (subject to batter works)	120 m
EDD SISD Requirement		
Car	72 m	91 m
Truck	76 m	76 m
Complies	✓	✓

Figure 3 Site Distances based on the EDD

Compliance with the EDD is therefore achieved.

*The TIS has recommended that the following works be undertaken to achieve the 90m site distance to the west:

- Batter works to create a sight triangle having minimum dimensions of 5x40 metres on the west side of the access as demonstrated in Figure 6 (of the TIS); and
- Removal of low-lying vegetation along the edge of the road reserve for a distance of 40 metres either side of the access point.

Therefore given the noted geometric and site specific constraints of the nearby road; the site distances are considered to meet the compliance test provided by P1 subject to conditions.

Infrastructure services have provided support subject to conditions.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (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.

Consistent

The proposal is considered to be consistent with the intent of the code. An appropriate level of car parking is provided to service the use. The spaces as well as the driveway are considered to be adequate. The TIS has also addressed the code

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

The proposal meets the acceptable solution.

A1 The number of car parking spaces must:

- (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 2 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.

Complies

Each cabin provides two (2) parking spaces. Table E6.1 requires one (1) space per cabin which therefore complies with (c).

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

To ensure that parking areas are constructed to an appropriate standard.

Consistent

The proposal is considered to comply with the performance criteria. The submitted TIA has found that the driveway complies with the relevant Australian Standard (in terms of gradient) and is also considered appropriate due to the (low frequency) nature of the use.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (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.
<p>Relies on Performance Criteria The driveway is to have an approximate grade of around 18% so cannot meet the 10% requirement. Performance criteria assessment is therefore required.</p>
<p>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:</p> <ul style="list-style-type: none"> (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.
<p>Complies The submitted TIS has stated that the application complies with Australian Standard AS2890.1. Additionally, a relaxation of the driveway gradient requirements is considered to be warranted given the expected low use of the driveway (1-2 vehicle movements per hour during peak). It is therefore considered that the application meets the performance standard P1. Conditions will apply.</p>
<p>E6.6.2 Design and layout of parking areas</p>
<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal meets the acceptable solution subject to conditions.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 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 3 or more car parking spaces; and (e) have a vertical clearance of not less than 2.1 metres above the parking surface level. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p>

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

<p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are 6 spaces or more.</p> <p>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.</p>
<p>Complies</p> <p>The parking layout allows for vehicles to enter and leave in a forward direction via the vehicle turning area (a).</p> <p>The submitted TIS makes specific recommendation for the design of the driveway to assist in compliance with A1.1 (b):</p> <ul style="list-style-type: none"> • <i>A minimum width of 4.5 metres for the first 7 metres from the edge of Windermere Road; and</i> • <i>Passing bays with minimum width of 5.0 metres at minimum 30 metre intervals.</i> <p>The spaces have widths of approximately 4m, lengths of approximately 6m and manoeuvring areas of approximately 14m so complies with (c) and (d).</p> <p>The performance criteria of A1.1 is met subject to conditions.</p>
<p>E18.0 Signs Code</p> <p>E18.1 The purpose of this provision is to:</p> <ol style="list-style-type: none"> (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity; (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
<p>Consistent</p> <p>The proposal includes three (3) signs previously discussed (two (2) ground based signs and one (1) wall sign). The signs are considered to be consistent with the code and appropriate to provide directions to the use. Conditions apply.</p>
<p>E18.5 Development Standards</p> <p>E18.5.1 Unacceptable signage</p>
<p>Objective: To prevent unacceptable signage.</p>
<p>Consistent</p> <p>The proposal meets the acceptable solution.</p>
<p>A1 Signage must not be for the following sign types:</p> <ol style="list-style-type: none"> (a) an above awning sign; (b) bunting (flag and decorative elements); (c) a flashing lights sign; (d) a roof sign; (e) a sky sign; or (f) a third party sign.
<p>Complies</p> <p>No such signage is proposed.</p>

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

E18.5.2 Design and siting of signage

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and (b) ensure that the design and siting of signs achieves the purpose of this code.
<p>Consistent The proposal meets the acceptable solution by condition.</p>
<p>A1 A sign must:</p> <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
<p>Complies <u>Ground based</u> Ground based signs are applicable in all zones; wall signs are applicable in the rural resource zone. The ground based signs will be: 2.5m wide x 1.5m with a 1.5m gap between the sign and the ground. The ground based signs comply with A1. <u>Wall based</u> The wall based sign is to be affixed to the entrance (fence) at the driveway. It is to have a maximum area of 3.75m². It is not likely that it will extend beyond the wall (fence) and would not occupy more than 25% of the wall area. Conditions will apply requiring that the sign does not extend above the top of the fence. It is considered the wall sign complies subject to conditions. Infrastructure services have required the sign be located at the entrance, as opposed to the TIA, which recommended it be on the southern side. Conditions will require that the sign be located within the property boundary and must not be illuminated. The proposal meets the acceptable solution.</p>
<p>A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.</p>
<p>Complies The signs are not within 2m of those zones.</p>
<p>A3 A building or tenancy must have:</p> <ul style="list-style-type: none"> (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than 3 individual signs in total.
<p>Complies The proposal will have two (2) ground based signs so requires performance criteria assessment.</p>

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

<p>P3 Visual clutter must be reduced where multiple signs of the same type are proposed, having regard to:</p> <ul style="list-style-type: none"> (a) the number of signs; (b) replacement of existing signs with fewer, more effective signs; and (c) duplication of messages or information on the same frontage.
<p>Complies Given the significant distance between the two (2) proposed ground based sign it is not expected visual clutter will occur. The performance criteria is met.</p>
<p>A4 A sign must not be illuminated.</p>
<p>Complies The wall sign is said to be lightly illuminated. However, a condition will require that the wall sign (and the ground based signs) must not be illuminated. The proposal is considered to meet the acceptable solution by condition.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Conditions recommended primarily in relation to the proposed access and works within a road reserve which require the recommendations of the traffic impact assessment be indicated on amended plans.
Environmental Health	Conditional consent provided. Conditions recommended primarily relating to amenity and the onsite disposal of effluent.
Heritage/Urban Design	N/A
Building and Plumbing	Notes provided requiring building approvals.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00862-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 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

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 12 July 2017 to 26 July 2017. Three (3) representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue	Comment
<p>Queries relating to the average speed limits calculated in the Traffic Impact Assessment and site distances.</p>	<p>The author of the Traffic Impact Statement was asked to comment on this issue and provided a statement. The estimates for eastbound traffic speeds (50 and 55 km/h for cars) was based on:</p> <ul style="list-style-type: none"> • <i>preceding road alignment (three curves with the most severe having a radius of approximately 65m);</i> • <i>change in speed zone from 50km/h to 70km/h located immediately before the proposed access is visible to approaching vehicles;</i> • <i>Uphill gradient of approximately 8 per cent combined with horizontal curves.</i> <p>A similar assessment was undertaken for westbound traffic which estimated at between 60 and 65 km/h for cars due to the preceding horizontal alignment and gradients. The author has stated that there is sufficient site distance to the access point for vehicle speeds up to 65km/h eastbound (subject to batter works) and up to 80km/h westbound. The author is satisfied that the residual risk at the access is low subject to the recommendations in the traffic impact assessment. It is also noted that a maximum of nine (9) trips a day are expected at the new access which is considered modest. Conditions will apply requiring that the batter works/ tree removal is indicated on amended plans.</p>
<p>Queries regarding location of the access/ development</p>	<p>The applicant has stated that the location of the development has been chosen to take advantage of Windermere Road, an area of low land capability and views of the river.</p>

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(Cont'd)

Issue	Comment
Loss of amenity to nearby residents	The proposed development is to be located approximately 100m from any nearby dwelling. The cabins will face south so it is not expected that overlooking would occur. Additionally, only a low amount of traffic is expected to be generated and the properties are also separated by topographical features.
Safety of pedestrians	The issue of pedestrian safety appears to be an ongoing issue at Windermere Road. This is currently under investigation by Council. It appears that the 70km/h speed limit is not entirely suitable for an increasingly urbanised area. Nonetheless, the proposed access point will not impact upon pedestrian safety given the low amount of vehicle movements expected.
Land Capability Concerns	The information provided by the agricultural consultant has found that the proposal will not constrain the current or future likely primary industry use of the land (grazing) or adjoining properties. Losing a small amount of class 5 land will not impact upon the viability of the farm as it already cannot be a commercially viable enterprise in its own right.
Landslide concerns and movement of rock wall nearby to frontage.	A geotechnical report has been provided which deems that the risk of landslide is low. The land on the road frontage referred to in the representations is not mapped as being subject to landslide risk. The traffic impact assessment has recommended that the existing rock wall is to be retained.
Infrastructure / flooding concerns	Stormwater will be contained on the site. The geotechnical report found that the site is suitable for an Aerated Wastewater Treatment System. A site suitability report will be required at the building stage. The development site is not mapped as being flood prone.

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.

8.3 43 Los Angelos Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage...(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:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

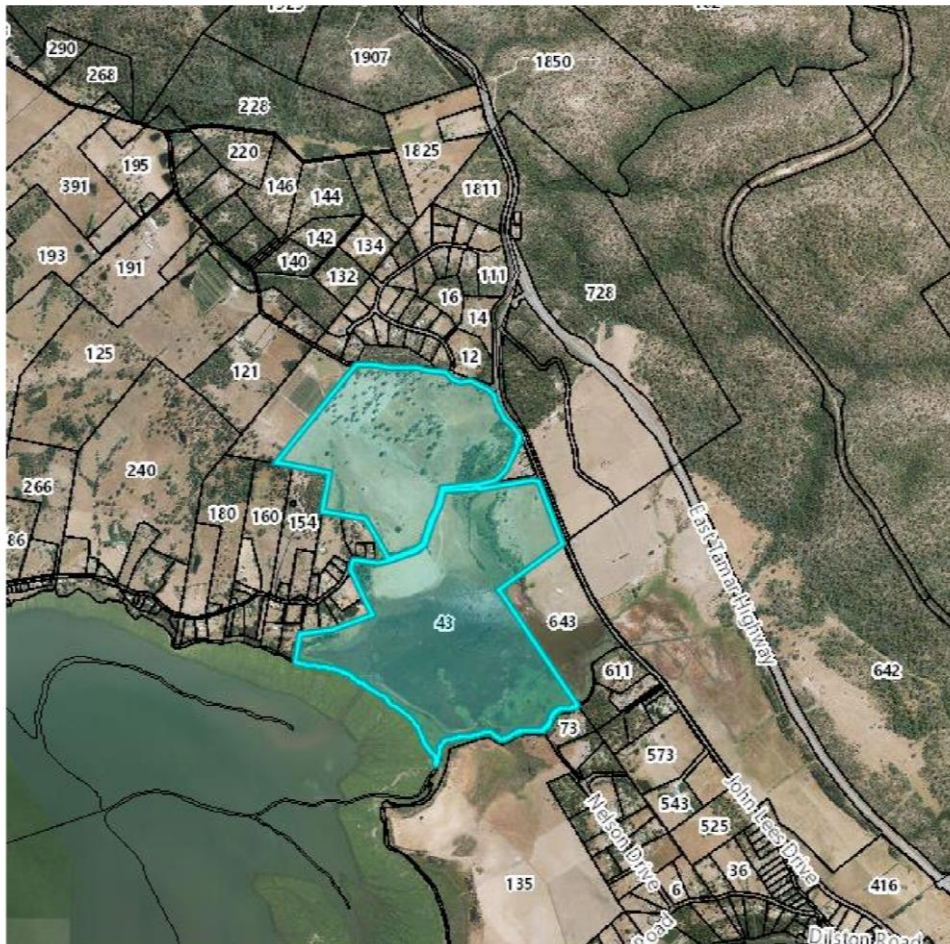
1. 43 Los Angelos Road, Swan Bay - Locality Map
 2. 43 Los Angelos Road, Swan Bay - Plans and Supporting Documents (distributed electronically)
 3. 43 Los Angelos Road, Swan Bay - Representations (distributed electronically)
 4. 43 Los Angelos Road, Swan Bay - Applicants' response to representations
-

Attachment 1 - 43 Los Angeles Road, Swan Bay - Locality Map

Launceston City Council
A Leader in Community & Government



LOCALITY MAP
43 LOS ANGELOS ROAD, SWAN BAY



Locality Map

Scale: This Map Is Not to Scale

Attn: Launceston City Council

PO Box 396, Launceston Tas 7252

RE: DA 0260/2017

Response to traffic/access concerns for proposed development:

Before lodging our proposed development application, contact was made with Launceston City Council in regard to potential site access points for the proposed accommodation. Launceston City Council requested a Traffic Impact Statement be prepared for the point of access to the proposed site. To assess the proposed point of access and complete the report we engaged a qualified Traffic Management Engineer (GHD).

Given the proposed site access location has been assessed and deemed both suitable and safe by a qualified industry professional, we trust that all factors have been considered prior to deeming it a suitable site access point to the accommodation.

Tom and Ange Bertram

Attn: Launceston City Council
Po Box 396, Launceston Tas 7250

RE: DA 0260/2017

In response to objection titled Rep 2:

- 1) The land where the proposed development will sit does **not** 'flood'.
There has been a Landslide Risk Assessment completed by a qualified Geotechnical Engineer (Tasman Geotechnics Pty Ltd) which confirms the site is **not** of 'high risk erosion or prone to mass movement'.
- 2) The objector fails to state *how* the proposed development will effect local infrastructure, therefore we cannot address this concern specifically. It is our opinion that the proposed accommodation would not have a significant effect on local infrastructure.
- 3) Macquarie Franklin did not need to respond to the capacity of the local road network to accommodate traffic generated, as they were engaged to complete an Agricultural Report. This report was to examine the land capability, classification and suitability in respect to development of tourism accommodation on the property, not to assess the capacity of the local road network.
- 4) The GHD Traffic Impact Statement Report does **not** state that the access point introduces high level risk as stated by the objector.
- 5) Since the proposed development will include a new access point on Windermere Road within the 70km/hr zone, the proposed development relies on performance criteria. As per the GHD Traffic Impact Statement, the proposed site access is considered safe and will not unreasonably impact on the efficiency of the road in compliance with clause E4.6.2-P1.
- 6) Mapping shows the exact proposed development location on the property.

In response to remaining objector concerns:

- The objector states a concern in regard to 'water run off inundating properties 98, 100, 102 and 106 Windermere Road'. This is opinion only. Storm water run-off from accommodation would be minimal due to the size of the proposed development. Grey water and effluent will be retained on site which will not cause any run off.
 - Objector claims interference to banks would be 'catastrophic to surrounding properties due to landslip'. A qualified Geotechnical Engineer (Tasman Geotechnics Pty Ltd) was engaged to prepare a Landslide Risk Assessment for the proposed site. (Document Reference: TG17078/1). This risk assessment covers potential hazards and risks to both the proposed site and nearby properties. The risk level of any potential landslip is **Low** as stated in the risk assessment in Table 2. Landslide risk profiles.
 - The existing rock wall outside 98 Windermere Road would not be modified in any way. This is stated in the Traffic Impact Statement.
 - Objector refers to the site as a 'volatile piece of ground'. This is opinion only, not supported by the reports we have supplied. (All reports completed by qualified professionals)
-

- The mention of foggy conditions in winter, regularly broken speed limits and corner cutting on Windermere Road is not applicable to the development.
To reiterate, the Traffic Impact Statement does not state that 'the access point introduces high risk' as stated by the objector.
- Claim of 'loss of privacy, peace and the enjoyment of natural landscape' are opinions only. The proposed site is 172 meters from the dwelling at 106 Windermere Rd and 101 meters from the closest dwelling, 98 Windermere Rd. As the proposed accommodation is facing south, the guests will not be directly overlooking neighbouring properties. Our intention is to provide an experience for guests that allows them to enjoy a private, rural aspect, therefore all efforts will be made to ensure 'privacy, peace and enjoyment' is ongoing for both guests and neighbouring properties.
- The objector has stated that the proposed site is 'kilometres' away from our residence, and selected for the reason to be 'put as far away from the Bertram's as possible'. This is simply not true. If our intention were to put the proposed site 'as far away' from our residence as possible it would have been located 1.67 kilometres away on our property to the south of Windermere Road. We wish to clarify that the location is 540 meters from our residence, chosen for the river views, limited land capability and access to Windermere Road.
- The objector has questioned the need for more accommodation based on several unsupported, personal opinions (claims current local holiday lets are under-utilised and of studio units now being rented to the general public due to lack of tourists). Even if there was evidence to support these claims, we thank the objectors for their concern in regard to our decision to invest in the tourism industry but feel this is irrelevant to the suitability of this location for the proposed development.
- The photos provided by the objector of 'active landslip' of various random areas on Windermere Road are not related to the sites suitability, and again the images and comments are of the objector's opinion only. We reiterate that there is a Landslide Risk Assessment prepared by a qualified Geotechnical Engineer to verify the sites suitability.

Tom and Ange Bertram



04 August 2017

Brian White
 City of Launceston
 e: Brian.White@launceston.tas.gov.au

Our ref: 3218480-26754
 Your ref:

Dear Brian

**47 Los Angelos Road, Windermere
 Response to Representations**

Further to our discussions on 3 August 2017 regarding the proposed development of three new 2-bedroom cabins to be developed at 47 Los Angelos Road, Windermere, please find below my response to representations raised in relation to the development.

Table 1 Response to Representations

Issue Raised in Representations	Response
Vehicle speed estimates	<p>The Traffic Impact Statement report estimates vehicle speeds travelling eastbound at between 50 and 55 km/h for cars and around 50 km/h for trucks. This estimate has been undertaken based on:</p> <ul style="list-style-type: none"> • The preceding road alignment which consists three curves with the most sever having a radius of approximately 65 m • The change in speed zone from 50 km/h to 70 km/h located immediately before the proposed access is visible to approaching vehicles • Uphill gradient of approximately 8% combined with horizontal curves <p>A similar assessment was undertaken for westbound traffic, with vehicle speeds estimated at between 60 and 65 km/h for cars and less than 50 km/h for trucks due to the preceding horizontal alignment and gradients.</p> <p>It is noted that the critical point at which vehicle speeds should be taken is the point where the access becomes visible to approaching vehicles, rather than the access point itself. That is, vehicles will not continue accelerating towards the access if a stationary or turning vehicle is observed at the point of conflict (the access).</p>

Issue Raised in Representations	Response
	<p>Notwithstanding the vehicle speed estimates, there is sufficient sight distance to the access point for vehicle speeds up to 65 km/h eastbound (subject to batter works) and up to 80 km/h westbound.</p> <p>Subject to the recommendations of the Traffic Impact Statement, the access is considered to provide sufficient sight distance for the prevailing vehicle speeds on Windermere Road.</p>
<p>The GHD traffic impact statement report states the access point introduces high level risk</p>	<p>The Traffic Impact Statement does not state that the access point introduces 'high risk', rather any potential risk introduced by the access is minimised by implementation of the recommendations of the Traffic Impact Statement including:</p> <ul style="list-style-type: none"> • Batter works to create a sight triangle having minimum dimensions of 5x40 metres on the west side of the access • Removal of low-lying vegetation along the edge for the road reserve for a distance of 40 metres either side of the access point • Signage provided on Windermere Road at the proposed access point to identify the proposed development and access location <p>Subject to implementation of the above, the residual risk at the access point is low.</p>
<p>Pedestrian activity</p>	<p>The quality of Windermere Road for walking is an existing issue and will not be impacted by the proposed development or access point. The addition of up to 9 vehicle movements per day (and peak of up to 1-2 vehicle movements per hour) will not significantly impact on pedestrian safety on Windermere Road. Furthermore, the proposed development is unlikely to result in additional pedestrian activity on the road.</p>
<p>Safety</p>	<p>The proposed development will not result in significant adverse impact to road safety on the basis that:</p> <ul style="list-style-type: none"> • Subject to batter works and other recommendations of the Traffic Impact Statement, sufficient sight distance is provided to the access point for the prevailing vehicle speeds

Issue Raised in Representations	Response
Traffic generation and impacts to residential amenity	<ul style="list-style-type: none"><li data-bbox="807 678 1297 757">• The existing pedestrian access issues on Windermere Road will not be impacted by the proposed development or access point <p data-bbox="807 779 1297 938">The proposed development is likely to generate up to 9 vehicles movements per day (and peak of up to 1-2 vehicle movements per hour) onto Windermere Road. The majority of this movement will be to/from the east, thereby avoiding existing residential areas of Windermere. The impacts to residential amenity are therefore low.</p>

If you have any questions regarding the above, please do not hesitate to contact me on the number below.

Regards
GHD Pty Ltd



Mark Petrusma
Traffic Engineer
+61 3 6332 5516

8.4 2 Invermay Road, Invermay - Subdivide one new lot**FILE NO:** DA0275/2017**AUTHOR:** Ashley Brook (Consultant Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors obo City of Launceston
Property:	2 Invermay Road, Invermay
Zoning:	Particular Purpose Zone 4 – Inveresk Site
Receipt Date:	13/06/2017
Validity Date:	15/06/2017
Further Information Request:	22/06/2017
Further Information Received:	5/07/2017
Deemed approval:	21/08/2017 (Extension of time granted by applicant)
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

N/A

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 DA0275/2017 - Educational and Occasional Care - subdivision; subdivide one (1) additional lot for the future use and development associated with a tertiary institution at 2 Invermay Road, Invermay, in accordance with the endorsed plans and subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

Proposed Subdivision – Site Plan, Prepared by PDA Surveyors, Drawing No. 274-15-P04, Dated 8/05/2017.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

2. TASMANIAN HERITAGE COUNCIL

The development must be undertaken in accordance with the conditions included in the Tasmanian Heritage Council (THC) 'Notice of Heritage Decision' for THC Works Ref. 5336 which forms part of this permit.

3. TASWATER

The development must be undertaken in accordance with the conditions included in the TasWater Submission to Planning Authority Notice TWDA 2017/00925-LCC which forms part of this permit.

4. WATER CONNECTION

A water connection must be provided to Lot 1. The works approved by this permit are limited to cutting off the existing water pipeline shown on the endorsed plan which is to be retained and shall provide Lot 1 with a connection to the reticulated water supply.

5. NO VEGETATION REMOVAL

The permit does not approve the removal of any vegetation or trees associated with the approved subdivision.

6. EASEMENTS

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

7. FINAL PLAN OF SURVEY

The final plan of survey will not be sealed until compliance with conditions has been achieved.

8. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. Such covenants or controls are expressly authorised by the terms of this permit; or
- b. Such covenants or similar controls are submitted for and receive written approval by the Manager Planning Services prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

Notes**A. Scope of the Permit**

This permit is based on the proposal documents submitted with DA0275/2017. It approves the creation of a separate title for Lot 1 for the purposes of future use and development associated with a tertiary institution. It does not approve the establishment of the use or

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

the planned development referenced in the application. It does not approve any works other than those involved in retaining a water connection for Lot 1 as identified in Condition 4 of the permit.

You should contact Council's Planning Department with any other use or developments to determine future approval requirements. Council's Planning staff can be contacted on 03 6323 3000.

B. Potentially Contaminated Site

The provisions of the Potentially Contaminated Land Code will apply to the future use and development of the site and may require an Environmental Site Assessment to be prepared, which would be required to accompany a future application for planning approval.

C. Local Historic Cultural Heritage Code

The listing of the Launceston Railway Station Complex and York Park Entrance Gates and Grandstand in Table E13.2.5 of the Local Historic Cultural Heritage Code relates to the land within the historical title boundaries of CT 156282/2. The land involved in the permit including Lot 1 and the balance will therefore continue to form part of the listing of the local heritage places under the Code.

D. Tas Gas Networks

Tas Gas Networks (TGN) has advised that its records identify a 63 mm gas main within the Existing Right of Way for CT 156282/1. It will be noted in the Right of Way for Lot 1.

The gas main is the service connection for the property CT 156282/1 and also extends past the right of way for CT 156282/1 to service the "School of Architecture" and "Academy of Arts" to the rear. Any future development of the Right of Way for Lot 1 or structures built in close proximity will need to address the requirements of TGN "DYBD Requirements of Works". The location of the gas main and a copy of these requirements can be obtained by performing a "Dial Before You Dig" at this location.

E. Permit Commencement

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.*

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

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>>

REPORT:

In accordance with Council Policy the assessment of this application has been outsourced to an independent consultant planner because the application was lodged on behalf of the City of Launceston and relates to Council owned land.

1. THE PROPOSAL

The development application seeks planning approval to subdivide one (1) new lot from the Inveresk Site at 2 Invermay Road, Invermay. The proposed Lot 1 has an area of 1.28ha and the balance will have an area of 24.63ha.

The proposed Lot 1 relates to an area of land known as the "old bike track". The application indicates that the lot is intended to be transferred by Council to the University of Tasmania for planned university development.

The works involved in the subdivision will be limited to cutting off an existing water pipeline which extends through the proposed Lot 1 and into the balance of the site. The pipeline will not be removed and is proposed to provide Lot 1 with a connection to the reticulated water supply in Invermay Road.

The existing sewer and stormwater connections that extend into the land associated with the proposed Lot 1 will be retained. The application does not affect the other water, sewer and stormwater connections associated with the site, which will also be retained.

The existing Invermay Road vehicular access and roadway adjoining to the south of the proposed Lot 1 will also be retained. A right of way benefitting Lot 1 is proposed over the western part of the roadway to ensure vehicular access into the lot is capable of being provided. A 3m right of footway is also proposed within Lot 1 along its entire southern boundary. This is intended to enable a footpath to be constructed in the future that will be able to be used in conjunction with the balance of the site.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

The application does not involve any buildings, structures or removal of vegetation or trees.

2. LOCATION AND AREA CHARACTER

The subject site is the major parcel associated with the Inveresk Site. It is comprised in Certificate of Title (CT) Volume 169278 Folio 200 and has area of approximately 26ha. The land within the subject site broadly extends from the Victoria Bridge (Tamar Street) to Forster Street between Invermay Road and the North Esk River.

The subject site contains a range of uses including the Inveresk Campus of the University of Tasmania, Queen Victoria Museum and Art Gallery, Tramway Museum, Tramsheds Function Centre, Freelif Church, Blue Café, University of Tasmania Stadium (York Park), Invermay Bowls Club and Community Club, Invermay Park (Mowbray Cricket Club) and part of the area associated with Launceston Showgrounds. The proposed Lot 1 relates to an area of land immediately to the south of University of Tasmania Stadium known as the "old bike track".

The subject site forms part of the property located at 2 Invermay Road which is owned by Launceston City Council. The property includes a number of other titles. This includes a currently undeveloped title (CT 169273/3) of 3,405 m² located on the southern side of Barnards Way in the south-west corner of the property. CT 41309/1 and CT 41309/2 in the northern part of the property adjacent to Forster Street have a combined area of 1.3 ha and include buildings and other areas associated with the Launceston Showground.

Council is the landowner of the property at 2 Invermay Road including the subject site. Council's General Manager has given permission for the lodgement of the application as it relates to the subject site, in accordance with Section 52(1B) of the *Land Use Planning and Approvals Act 1993*.

The adjacent properties within the Inveresk Site include The Big Picture School (4 Invermay Road), Youth Futures Inc. (6 Invermay Road), University of Tasmania – Inveresk Apartments (6 Barnards Way) and Crown land adjacent to the North Esk River.

The Inveresk Site previously accommodated the Launceston railyards. The Launceston Railway Station Complex includes the remaining buildings associated with the railyards. It is currently utilised by a number of the existing uses within the subject site, including the university campus. The boundary of the current heritage listing for the complex extends beyond the current site and includes CT 169273/3 (part of 2 Invermay Road), CT 169278/1 (6 Barnards Way) and CT 169278/100 (Barnards Way road reservation).

The Launceston Central Business District is located to the south west of the Inveresk Site. Commercial and retail premises along Invermay Road are located immediately to the west.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

3. PLANNING SCHEME REQUIREMENTS

The planning scheme requires a development to be categorised into a use class. The lot is intended for planned university development. The subdivision is therefore categorised into the educational and occasional care use class, which applies to tertiary institutions.

35.0 Particular Purpose Zone 4 – Inveresk Site

35.1.1 Zone Purpose Statements

35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses.

35.1.1.2 To provide for residential uses and developments associated with and supporting educational uses within the zone.

35.1.1.3 To locate use and development appropriately within the precincts of the zone.

Consistent

The subdivision is proposed to enable the land within Lot 1 to be transferred to the University of Tasmania for planned development involving an educational use. The range of cultural, educational, recreational and public purpose uses within the balance of the site will be retained. The application is therefore consistent with the Zone Purpose.

35.1.2 Local Area Objectives

Residential and commercial precinct

To provide opportunities for commercial developments on the southern and central portion of the site to complement the redevelopment within the other precincts.

To provide for the development of residential uses associated with and supporting the educational activities within the zone.

Consistent

The zone allows for a mix of cultural, educational, recreational, community and commercial uses in each precinct. The local area objectives provide guidance on the major uses intended to be retained or provided in each of the 4 precincts within the zone. The precincts broadly relate to the following areas within the Inveresk Site:

- Open space precinct – Showgrounds and open space to the east of Invermay Park and north of the university campus.
- Cultural and public purpose precinct – University campus, Queen Victoria Museum and Art Gallery, Tramsheds, Blue Café, Youth Futures Inc. and The Big Picture School.
- Recreational and leisure precinct - University of Tasmania Stadium, Invermay Park, Invermay Bowls Club and Community Club.
- Residential and commercial precinct - The “old bike track” and land to the south of Barnards Way including Inveresk Apartments (student housing) and the currently undeveloped CT 169273/3.

The establishment of the educational and occasional care use class in the residential and commercial precinct is subject to a discretionary permit. The application is for a subdivision and an approval would not permit the establishment of an educational use on Lot 1. The establishment of the use will require a separate application for planning approval which will require further assessment having regard to Clause 35.1.2.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

35.3 Use Standards

The use standards apply to the educational and occasional care use class in accordance with Table 35.3 of the Scheme. However, the application is for subdivision only and will not enable the establishment of an educational use without separate approval. The use standards for the zone, which relate to hours of operation for commercial vehicles and noise levels, are therefore not applicable to the application.

35.4 Development Standards

35.4.1 Building height

Objective
To ensure that development on the site is compatible with the character of the local area precinct.

Not applicable
The application does not involve a building development.

35.4.2 Location of car parking

Objective
To ensure that car parking is compatible with the character of the local area precinct.

Not applicable
The application will not affect the location of car parking within the site.

35.4.3 Active ground floors

Objective
To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.

Not applicable
The application does not involve a building development.

35.4.4 Lot size and dimensions

Objective
To ensure the area and dimensions of lots are appropriate for the zone.

Consistent
The acceptable solution is satisfied.

- A1.1 Each lot, or a lot proposed in a plan of subdivision, must:
- (a) have a minimum area of no less than 500m²; and
 - (b) be able to contain a 15m diameter circle with the centre of the circle no more 15m from the frontage; or
- A1.2 Each lot, or a lot proposed in a plan of subdivision, must:
- (c) 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
 - (d) 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
- 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.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

Complies

The proposed Lot 1 will have an area of 1.28ha. Its width will be 53.3m at the Invermay Road frontage and will increase into the body of the lot. Its depth will be approximately 150m. The lot will therefore be able to contain a 15m diameter circle having a centre no more than 15m from the frontage. The balance will also have an area significantly greater than 500m² and will be able to contain the diameter circle described in the acceptable solution. The application therefore complies with A1.1, and on that basis A1.2 does not apply. There are no relevant acceptable solutions for setbacks and the application therefore complies with A1.3.

35.4.5 Frontage and access

Objective

To ensure that lots provide:

- (a) appropriate frontage to a road; and
- (b) safe appropriate access suitable for the intended use of the new lot.

Consistent

The application seeks approval to create a separate title for the proposed Lot 1. It does not seek approval for the establishment of a use. The new lot will have frontage to Invermay Road though is proposed to utilise the existing Invermay Road vehicular access and roadway adjoining to the south of the lot. The application does not include any works involving a new vehicular access. It therefore will not result in changes to traffic flows.

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 6m.

Complies

The proposed Lot 1 has a frontage of 53.3m to Invermay Road. The balance will also have a frontage significantly greater than 6m to Invermay Road and to Forster Street. The application therefore complies with A1.

A2 No acceptable solution.

Relies on Performance Criteria

P2 Each lot, or a lot proposed in a plan of subdivision, must be 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, including pedestrians;
- (d) the character of the area; and
- (e) the advice of the road authority.

Complies

A right of way benefitting Lot 1 is proposed over the western part of the roadway adjoining to the south to ensure vehicular access into the lot is capable of being provided. The proposed vehicle access arrangements are reasonable having regard to the following:

- (a) The existing vehicular access is not subject to topographical constraints.
- (b) Lot 1 will have frontage to Invermay Road although it will also adjoin the existing access and roadway to the south. Utilisation of the roadway would ensure vehicle access is capable of being provided to the southern boundary of the proposed lot. It would also enable the existing configuration of Invermay Road to be retained.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

- (c) Invermay Road is an arterial road that is divided by a central median adjacent to the Inveresk Site. The median includes dedicated turn lanes that provide vehicular access into side streets and property accesses. The section of Invermay Road directly adjacent to Lot 1 includes a right-turn lane for southbound traffic into Bedford Street opposite the site, a right-turn lane for northbound traffic associated with the existing access proposed to be utilised for Lot 1 and a signalised pedestrian crossing across the road adjacent to the existing vehicular access. The subdivision does not propose any changes to the configuration of Invermay Road or the existing access and roadway adjoining to the south of Lot 1.
- (d) The access arrangements proposed for the Lot 1 do not include any works as part of the subdivision and the character of the area will therefore be retained.
- (e) The application is accompanied by advice from the road authority which identifies that Lot 1 can be provided with reasonable access. Further, it will be the planned university development that will result in changes to traffic flows and necessitate physical works.

The existing vehicular accesses associated with the balance lot will also be retained without modification. The application complies with P2.

5.4.6 Discharge of stormwater

Objective
To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Consistent
The acceptable solutions are satisfied.

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
The existing stormwater connection that extends into the proposed Lot 1 will be retained. The application does not affect the other stormwater infrastructure associated with the site.

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
The application is accompanied by the advice required by A2 which identifies that the stormwater discharged from the site will not change as a result of the subdivision. TasWater has advised that the reticulated sewerage system cannot receive additional stormwater flows. The management of any increase as a result of future development will need to be considered separately as part of a future planning application.

35.4.6 Water and sewerage services

Objective
To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent
The acceptable solutions are satisfied.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
<p>Complies</p> <p>The existing water pipeline that extends into the site and passes through the proposed Lot 1 will be modified to provide a connection to the reticulated water supply in Invermay Road. The application does not affect the other water infrastructure associated with the site.</p>
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
<p>Complies</p> <p>The existing sewer connection that extends into the proposed Lot 1 will be retained. The application does not affect the other sewerage infrastructure associated with the site.</p>

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to:
(a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
<p>Consistent</p> <p>The Code is relevant to use for development because the subject site is known to have been used for a potentially contaminating activity. However, the current application does not seek approval for the establishment of a sensitive use, passive recreation or sports and recreation. It does involve a development (subdivision) however the works involved will be limited to cutting off an existing water pipeline which is to be retained and which will provide Lot 1 with a connection to the reticulated water supply. The application identifies that these works will involve disturbance of less than 1m² of land. The subdivision is therefore exempt in accordance with Clause E2.4.4 of the planning scheme.</p>

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
(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 Code is relevant because it applies to all use and development. However, the application does not seek approval for the establishment of an educational and occasional care use. A requirement to provide parking therefore does not arise under the relevant standards in the Code. Additionally, the application does not include any works involving new parking areas or vehicular access. The relevant development standards therefore do not apply.</p>

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

E13.0 Local Historic Cultural Heritage Code

The subject site contains two (2) Local Heritage Places listed in the Local Historic Cultural Heritage Code, including the Launceston Railway Station Complex and York Park Entrance Gates and Grandstand. The boundaries of the current listing of the identified local heritage places encompasses the land within the historical title CT 156282/2. It therefore extends beyond the title boundaries of the subject site (CT 169278/200) and includes the land within the current CT 169273/3 (part of 2 Invermay Road), CT 169278/1 (6 Barnards Way) and CT 169278/100 (Barnards Way road reservation).

E13.1 Purpose of the Local Historic Cultural Heritage Code

E13.1.1 The purpose of this provision is to:

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (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.

Consistent

The subdivision will retain the buildings and structures identified as local heritage places within the balance of the site. The proposed Lot 1 has suitable frontage and dimensions to enable future development of a scale comparable to that of the existing building forms. Any subsequent development subject to a future planning application will require consideration against the Code provisions.

E13.6.3 Lot size and dimensions and frontage

Objective:

To ensure that subdivision does not impact on the historic cultural heritage significance of local heritage places and their settings.

Consistent

The application is consistent with the objective for the standard because it complies with the Performance Criteria (P1).

A1 No acceptable solution.

Relies on Performance Criteria

P1 Subdivision must not unreasonably impact on the historic cultural heritage significance of local heritage places or their settings, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the historic development pattern of the area;
- (c) the separation of buildings or structures from their original setting;
- (d) the lot sizes, dimensions, frontage, access and orientation;
- (e) the suitability of the proposed lots for their intended uses; and
- (f) the removal of vegetation, significant trees or garden settings.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

Complies

The proposed subdivision will not unreasonably impact on the historic cultural heritage significance of the identified local heritage places or their settings, having regard to the following:

- (a) The Launceston Railway Station Complex is of significance because it is a place that featured in the development of a railway system in Tasmania and its ability to demonstrate the principal characteristics of a Victorian complex of buildings. York Park is of significance due to its association with the general community as a recreational park.
- (b) The remaining buildings associated with the Launceston Railway Station Complex are no longer utilised for their original uses and are now occupied by a range of educational and cultural uses. York Park has been redeveloped and continues to be used as a sports ground. In the surrounding area, there is a complex mix of uses, a broad range of lot sizes and buildings which vary greatly in regard to type, form and scale to suit these uses. There is no consistent pattern of development in the wider area.
- (c) No buildings or significant structures associated with the identified local heritage places are located within the proposed Lot 1. These buildings will be retained within the balance of the site.
- (d) The proposed Lot 1 will be 1.28ha in area. It has a suitable frontage and dimensions to enable future development of a scale comparable to that of the existing building forms within the balance of the site. There is also sufficient space to provide adequate vehicle and pedestrian access and flexibility with regard to the orientation of any future building.
- (e) The proposed lot is suitable for the intended use. Any subsequent use and development subject to a future planning application will require consideration against the relevant Code provisions.
- (f) No removal of vegetation is proposed, and the subdivision will not impact the vegetation within and adjacent to the site.

E16.0 Invermay/Inveresk Flood Inundation Area Code

E16.1 The purpose of this provision is to:

- (a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area;
- (b) ensure that new development is sited and designed to minimise the impact of flooding; and
- (c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.

Consistent

The application will not result in unacceptable risks and hazards because the proposed site works do not include building development. Any subsequent development subject to a future planning application will require consideration against the Code provisions.

E16.6 Use Standards

E16.6.1 Unacceptable uses

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

<p>Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent The acceptable solutions are satisfied.</p>
<p>A1 Must not be: (a) Education and occasional care, except in the Inveresk Cultural precinct; (b) Emergency services; or (c) Hospital services.</p>
<p>Complies The application relates to an educational and occasional care use however the site is located within the Inveresk cultural precinct of the Code. It therefore complies. The application does not involve the other uses which are identified in the acceptable solution.</p>
<p>A2 Must not be Residential, unless: (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts; (b) a multiple dwelling in the Invermay Residential Precinct; or (c) associated with and supporting the educational activities within the Inveresk Cultural precinct.</p>
<p>Complies The application does not involve a residential use.</p>
<p>A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.</p>
<p>Complies The application does not involve a community meeting and entertainment use, or land within the identified precincts.</p>
<p>E16.7 Development Standards E16.7.1 Intensification of residential development</p>
<p>Objective: To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent The application does not involve a residential use.</p>
<p>A1 Except within the Invermay Residential Precinct, new residential development or extensions of existing residential buildings: (a) must not increase the gross floor area of individual dwellings or total gross floor area by 10 per cent more than that existing or approved on 1 January 2008; (b) must not result in more than 200m² of gross floor area on a single title; or (c) must be for residential uses associated with the educational activities within the Inveresk Cultural Precinct.</p>
<p>Not applicable The application does not involve new residential development or extensions of existing residential buildings.</p>

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

A2 Subdivision or division of land by strata plan:
 (a) must not create any additional lots capable for any future residential development;
 or
 (b) is to:
 (i) separate existing dwelling units; or
 (ii) separate existing residential and non-residential buildings;
 that have been approved by Council on a single title.

Complies
 The subdivision is proposed to enable the land within Lot 1 to be transferred to the University of Tasmania for planned development involving an educational and occasional care use. The proposed additional lot is not intended for future residential development. The application therefore complies with A2(a).

E16.7.2 Flood Impact

Objective:
 To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.

Consistent
 The site works will not be subject to unacceptable risks or impacts in the event of the flood because they do not include building development.

A1 Floor levels of all habitable rooms within the Residential use class must be at least 3.7m AHD.

Not applicable
 The application does not involve a residential use.

A2 No acceptable solutions.

Not applicable
 The standard applies to buildings for residential purposes. The application does not include a residential building.

A3 All buildings not in the Residential use class must have a:
 (a) floor level of at least 3.4 m AHD; and
 (b) gross floor area of not more than:
 (i) 400m²; or
 (ii) 10 per cent more than that existing or approved on 1 January 2008.

Not applicable
 The application does not include building development. Any subsequent non-residential building development subject to a future planning application will require consideration against the standard.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Condition recommended in relation to: <ul style="list-style-type: none"> Easements
Environmental Health	Potentially contaminated site (notation for permit included in recommendation).
Parks and Recreation	N/A
Heritage/Urban Design	Comments and advice provided in relation to Clauses E13.1 Code Purpose and E13.6.3 'Lot size dimensions and frontage' of the Local Historic Cultural Heritage Code and considered in the assessment.
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00925-LCC.
TasGas	Notation relevant to future development of the land provided in proximity of a gas main within the existing roadway south of Lot 1 included in the recommendation.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	<p>Conditional consent provided. The Tasmanian Heritage Council (THC) issued a Notice of Heritage Decision on 2 August 2017 (Works Ref. 5336) consenting to the works subject to a condition clarifying the scope of the approval:</p> <ol style="list-style-type: none"> This permit does not provide for the commencement of any works or development on the site, including fencing, development or removal of vegetation from within the subdivided area/s. <p>The THC Notice includes advice indicating that the land within Lot 1 and the balance will remain entered on the Tasmanian Heritage Register (THR). Heritage works will continue to require approval under the <i>Historic Cultural Heritage Act 1995</i>. A review of the entry on the THR may be requested once the new property titles are sealed.</p>

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

REFERRAL	COMMENTS
Crown Land	N/A
TasRail	N/A
EPA	N/A
TasNetworks	N/A

5. REPRESENTATIONS

Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a period of 14 days from 12 July 2017 to 26 July 2017. Three representations were received.

The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised, it should be read in conjunction with the representations received, which are attached to this report.

ISSUE	COMMENTS
1. Query whether payment for the submission of the application was received due to a notation on the cover letter dated 9 June 2017.	Payment was received on 13 June 2017.
2. The public notice was not descriptive as to the portion of land which extends on the eastern side of Invermay Road from the Victoria Bridge (Tamar Street) to Forster Street and bounded by the North Esk River to the East.	The public notice identified the location as 2 Invermay Road. The subject site (CT 169278/200) is the major title associated with the property and has an area of 26ha. The overall property has an area of 27.6ha. The subject site and overall property extend substantially across the same area identified in the representation.
3. The application refers to a similar approved application that has not been proceeded with. The current application is quite different. Queries regarding the size of the previously approved lot and why the approval did not proceed.	It is understood that the applicant is referring to an approval issued in early 2000s. The current subdivision proposal is subject to a separate application and requires assessment against the current planning scheme provisions. The details of the previous approval are not required to inform the planning assessment.
4. No official master plan has been released for public comment by Council for any other form of redevelopment on the former Inveresk railways site or the "old bike track".	It is understood that a master plan has been released by the University of Tasmania since the application has been lodged. The master plan does not form part of the application. The Particular Purpose Zone 4 – Inveresk Site includes provisions which enable lots to be subdivided from the site, subject to a

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

ISSUE	COMMENTS
	discretionary permit.
5. Query around whether the people involved in initiating the redevelopment of the site as part of the Building Better Cities Program in the early 1990s have been consulted.	The planning application is subject to a formal approval process in accordance with the <i>Land Use Planning and Approvals Act 1993</i> . An application for a discretionary permit is required to be placed on public exhibition for a minimum period of 14 days and any person may make a representation during the exhibition period.
6. The land should not be subdivided because it is of critical importance to users of York Park and its future viability.	The Particular Purpose Zone 4 – Inveresk Site identifies the site within the residential and commercial precinct. York Park is within a separate precinct (recreational and leisure precinct).
7. Query whether Council is able to guarantee that the site, including York Park and Invermay Park, were not waste or landfill sites. It is 'highly probable' that the site contains contaminated soils. The Potentially Contaminated Land Code is relevant.	Environmental Health has advised that site is property is identified as being potentially contaminated. The Potentially Contaminated Land Code is therefore relevant to use or development at the site. It does not apply to the current application because it does not seek approval for the establishment of a sensitive use, passive recreation or sports and recreation, and the works involved with the subdivision will involve disturbance of less than 1 m ² of land.
8. Concern regarding development on part of a tidal flat that is subject to future rises in sea levels, with known deficiencies in the adequacy of the sewerage treatment plan. It is in conflict with sensitive urban design principles and accepted international best practice. The Invermay/Inveresk Flood Inundation Area Code should prohibit any buildings at the site.	Use and development at the site is required to be assessed in accordance with the provisions in the planning scheme. The Invermay/Inveresk Flood Inundation Area Code in the planning scheme does allow certain use and development at the site, which is required to be sited, designed and managed to minimise its impact on and as a result of flooding. In relation to the current subdivision at the site the Code allows the creation of additional lots which are not capable of future residential development, or alternatively where they are for residential activities associated with the educational activities. The application identifies that the proposed additional lot is not intended for future residential development.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

ISSUE	COMMENTS
9. Query regarding the location of the historical title boundaries.	The application seeks approval to create a separate title for the proposed Lot 1. The details of the historical title boundaries are not required to inform the assessment against the current planning scheme.
10. Query regarding the shape of the proposed lot and complicated boundary lines.	The proposed lot complies with the minimum lot and dimension requirements for the zone. It is noted that the proposed boundaries align with existing site features including the Invermay Road frontage to the east, alignment of the roadway to the south of Lot 1, rail tracks to the east and the internal boundary with University of Tasmania Stadium to the north.
11. Comments in relation to compliance with Clause 35.4.5 'Frontage and access'.	The application complies with Clause 35.4.5 – Performance Criteria P2. The proposed subdivision does not include any changes to the configuration of Invermay Road or the existing access and roadway adjoining to the south of Lot 1. It also does not include the establishment of a use. It therefore will not result in changes to traffic flows.
12. Query regarding whether the provision for a footpath is being made within Lot 1 or on public land along the existing roadway.	A 3m right of footway is proposed within Lot 1 along its entire southern boundary. This is intended to enable a footpath to be constructed in the future that will be able to be used in conjunction with the balance of the site.
13. The existing trees within the site along the northern side of the existing roadway are not shown.	The application does not seek approval for the removal of vegetation or trees, and therefore any permit issued for the subdivision in accordance with the recommendation will not provide such approval.
14. It is highly unlikely that the existing Invermay road access will be suitable for any increased levels of traffic (vehicular or pedestrian).	The advice from the road authority included with the application identifies that Lot 1 can be provided with reasonable access. Further, it is the planned university development that will result in changes to traffic flows and necessitate physical works. The management of increased traffic will require consideration separately as part of a future planning application.

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

ISSUE	COMMENTS
<p>15. The “old bike track” is part of the character of the area. Concern about loss of characteristic features, which would compromise the character and heritage values of the place. The character will be lost once any building takes place on the site. Vistas and sight lines are important to the heritage values of the railways site.</p>	<p>The application does not seek approval for building development. A separate application for planning approval would be required. Any application for building development will require assessment against the relevant standards in the Local Historic Cultural Heritage Code. Approval from the Tasmanian Heritage Council under the <i>Historic Cultural Heritage Act 1995</i> would be required.</p>
<p>16. Concern regarding the loss of public open spaces as a result of the current application. There has been overwhelming community support in the recent past for retaining the site as public open space for recreation use. The existing configuration of Invermay Road between Victoria Bridge and Forster Street was in part a direct response to the current use of the site. The application should be rejected in favour of community sentiment.</p>	<p>Use and development at the site is required to be assessed in accordance with the provisions in the planning scheme. The Particular Purpose Zone 4 – Inveresk Site identifies the site within the residential and commercial precinct. The use table for the zone allows for a mix of cultural, educational, recreational, community and commercial uses. The zone standards also enable lots to be subdivided from the site for an allowable use, subject to a discretionary permit. The subdivision application does not include any proposed changes to the configuration of Invermay Road.</p>
<p>17. It is obvious that alternate stormwater disposal mechanisms will ultimately be required.</p>	<p>The subdivision does not include any works which would increase the stormwater discharged from the site. The management of any increase as a result of future development will therefore need to be considered separately as part of a future planning application, based on the details of the development.</p>
<p>18. It may be the case that the Open Space Code does not apply however the site is used as open space.</p>	<p>The Open Space Code applies to subdivision creating additional lots in certain zones, excluding the Particular Purpose Zone 4 – Inveresk Site. It therefore does not apply to the application.</p>
<p>19. Query regarding the location of the written advice from the Tasmanian Heritage Council.</p>	<p>The written advice was included with the application. It was provided to the applicant by Heritage Tasmania as guidance in preparing the application for the subdivision as well as the planned university development. The Tasmanian</p>

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

ISSUE	COMMENTS
	Heritage Council (THC) has now issued a Notice of Heritage Decision in relation to the subdivision application. The written advice is available on the planning application file and a copy has now been provided to the representor. It is also included as an attachment to this report along with the THC Notice of Heritage Decision.

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Launceston Interim Planning Scheme 2015 and is therefore recommended 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:

N/A

8.4 2 Invermay Road, Invermay - Subdivide one new lot...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map
 2. Development Application (distributed electronically)
 3. Tasmanian Heritage Council preliminary 'written advice'
 4. Tasmanian Heritage Council Notice of Heritage Decision
 5. TasWater Development Certificate of Consent
 6. Representations
-

Attachment 1 - 2 Invermay Road, Invermay- Locality Map

Launceston City Council
A Leader in Community & Government



LOCALITY MAP 2 INVERMAY ROAD, INVERMAY



Locality Map

Scale: This Map Is Not to Scale

 Attachment 3 - 2 Invermay Road, Invermay - THC Preliminary written advice**John Dent**

From: Bonner, Chris (Heritage) <Chris.Bonner@heritage.tas.gov.au>
Sent: Monday, 20 February 2017 12:47 PM
To: John Dent
Cc: Fiona Ranson
Subject: FW: Launceston City Council and University of Tasmania subdivision, Inveresk
Attachments: img-215153618-0001.pdf; Datasheet Tasmanian Heritage Register_4400.pdf

Hello John,

Thank you for your email.
Ian has asked me to respond.

For the purpose of your enquiry, I can confirm that the Launceston Railway Station Complex (THR Place #4400) is currently entered in the Tasmanian Heritage Register (THR). The boundary of the current Registration (entry of the Railyards site in the THR) is defined by the property title CT156282/2, PID2928603.
A copy of the property Datasheet (entry in the THR) is attached.

You will know that the title/s surrounding the Railyards site have been subdivided and consolidated on a number of occasions in recent years.

The LIST identifies the current Railyards site, at 2 Invermay Road, to incorporate York Park (UTAS Stadium), Invermay Park, and the "old bike track" (CT1669278/200, PID3389971).

It appears that York Park and Invermay Park have been consolidated in recent times, as were previously on separate parcels of land (and separate Registrations) when the Railyards site was entered in the THR.

- It would be of benefit, for the purpose of your application, to understand the recent pattern of title division (subdivision and consolidation), including the extents and ownership of land that related to the Railyards and "old bike track" sites.
- I also recall that CT156282/2, PID2928603 would have contained the "old bike track", though should be confirmed as part of your development application.

Previous works to the Railyards site have had regard for policies of the Launceston Railway Workshops Conservation Plan (Person 1999).

The CMP appears to be silent on the subject of subdivision, and does not extend to the "old bike track" site.

We encourage UTAS and their consultants to hold a copy of the CMP, or consider updating the CMP for planning their redevelopment.

I see no reasonable objection to the proposed subdivision, though note that the subdivision will not in itself approve physical works on the site.

Future development on the subdivided lot/s will remain subject to heritage approval.

Please do not hesitate to contact me if you need to discuss.

Regards

Chris Bonner | Regional Heritage Advisor | Heritage Tasmania
(03) 677 72072 | 0428 992 763

Department of Primary Industries, Parks, Water & Environment (DPIPWE) | Natural & Cultural Heritage Division
GPO Box 618 | Hobart TAS 7001 | 1300 850 332 | <http://www.heritage.tas.gov.au>
Public Buildings | Level 1 - 53 St John Street | Launceston TAS 7250

Attachment 4 - 2 Invermay Road, Invermay - THC Notice of Heritage Decision



Tasmanian Heritage Council

Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
134 Macquarie St, Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: DA0275/2017
THC WORKS REF: #5336
REGISTERED PLACE NO: #4400
FILE NO: 06-28-37THC
APPLICANT: PDA Surveyors
DATE: 2 August 2017

NOTICE OF HERITAGE DECISION*(Historic Cultural Heritage Act 1995)*

The Place: Launceston Railway Station Complex, 2 Invermay Road, Launceston.
Proposed Works: Subdivision of land.

Under section 39(6)(b) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with Development Application DA0275/2017, advertised on 12/07/2017 subject to the following condition:

- This permit does not provide for the commencement of any works or development on the site, including fencing, development or removal of vegetation from within the subdivided area/s.**

Reason for condition

To clarify the scope of this approval.

Advice

The applicant should note that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the *Historic Cultural Heritage Act 1995*. The applicant/owner may request a review and amendment to the place's entry in the THR once the new property title/s are sealed.

Please ensure the details of this notice, including conditions, are included in any permit issued, and forward a copy of the permit or decision of refusal to the Heritage Council for our records.

Please contact Mr Chris Bonner on 1300 850 332 if you require clarification of any matters contained in this notice.

Ian Boersma
Works Manager – Heritage Tasmania
Under delegation of the Tasmanian Heritage Council

Attachment 5 - 2 Invermay Road, Invermay - TasWater SPAN



Submission to Planning Authority Notice

Council Planning Permit No.	DA0275/2017	Council notice date	16/06/2017
TasWater details			
TasWater Reference No.	TWDA 2017/00925-LCC	Date of response	19/06/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	2 INVERMAY RD, INVERMAY	Property ID (PID)	3389971
Description of development	Subdivision to create 1 Lot (C.T. 3389971/200)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA Surveyors	274-15-P04		8-5-2017
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater, Prior to the issue of a TasWater Consent to Register a Legal Document, at the developer's cost. NOTE: TasWater do not require a physical water connection to be provided to proposed lot 1. In accordance with Section '5.11.2 Connections to water mains' Dry connections (drillings/tapings) shall not be provided in industrial or commercial developments as the location and size of property services can only be determined at the time of application to connect in conjunction with building development.			
FINAL PLANS, EASEMENTS & ENDORSEMENTS			
2. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.			
3. In the event that the property sewer connection for affected lots cannot control the lot for a gravity connection, the Plan of Subdivision Council Endorsement Page for those affected lots is to note, pursuant to Section 83 of the Local Government (Building and Miscellaneous Provisions) Act 1993, that TasWater cannot guarantee sanitary drains will be able to discharge via gravity into TasWater's sewerage system. <i>Advice: See section 4.6.5 of the Sewerage Code.</i>			
DEVELOPMENT ASSESSMENT FEES			
4. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees			



will be indexed, until the date they are paid to TasWater, as follows:

- a. \$246.00 for development assessment; and
- b. \$133.25 for Consent to Register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

Advice to Planning Authority (Council) and developer on Combined Drainage

The combined system is at capacity in this area. TasWater cannot accept additional flows of stormwater into this area within the combined system over those currently discharged.

The Drainage Authority will be required to either refuse or condition the development to ensure the current service standard of the combined system is not compromised.

Water Connection

In the event that property water connections are required for obtaining any relevant associated approvals, then property water connections must be designed in accordance with TasWater’s Standard Drawings, Water Metering Policy / Water Sub-Metering Policy, Boundary Backflow Containment Business Rule & AS3500.1:2003, installed at the property boundary.

TasWater suggests terminating a DN150mm take off point to lot 1 just outside of the property boundary, within the nature strip (road reserve) for a future connection as close as practically possible to the right of way. Pre-tapped connectors shall be used for all property services connecting to new DI, PVC-M and PVC-O DN 100 and DN 150 mains. Isolation valves shall be provided at the tapping point for all property services. Methods of connection (including tapping) are dependent upon both the reticulation main and property service pipe type. (Refer to Drawings MRWA-W-106, MRWA-W-107 and MRWA-W-111). Connections shall be located so as to provide at least 500 mm spacing between connections (tapping bands and saddles), pre-tapped connectors and/or pipe joints.

General

For information on TasWater development standards, please visit

<http://www.taswater.com.au/Development/Development-Standards>

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

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

Declaration

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

Authorised by

Jason Taylor
Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
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Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au
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Attachment 6 - 2 Invermay Road, Invermay - Representations

18/07/2017 16:24

MR IAN ROUNTLEY

PAGE 01

2 PAGES FAXED AT 3:50 PM

18th July, 2017

Mr. Robert Dobrzynski,
General Manager,
City of Launceston,
P. O. Box 396,
LAUNCESTON, Tas. 7250

FILE No.	DA0275/2017		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
REVD		18 JUL 2017 LCO	
Doc No.			
Action Officer	Noted	Replied	
C. W. RANSON			
E-COPY F RANSON			

Dear Mr. Dobrzynski,

Subject: - DA0275/2017 – 2 Invermay Road, Inveresk

I refer to the said Development Application advertised 12th July received by Council 9th June and have noted that payment for submission for application was not received?

It should be noted that the advertisement was not descriptive as to the portion of land which extends on the eastern side of Invermay Road from the Tamar Street Bridge to Forster Street then on the eastern side bounded by the North Esk River.

According to the documentation a submission for a similar lot was approved by Council and has not been proceeded with, this is now a quite different application.

Am I correct in saying that no official Master Plan has been put out for public comment by the Launceston City Council for any other form of redevelopment on the previous Inveresk Rail Site and also that of the old cycling track.

In view of the fact that the Federal Government, through the then Better City Program, generously contributed to the rehabilitation and redevelopment of the Inveresk Railway Site as a cultural, recreational and community space, what communications have been endorsed by the people who sowed the seeds for the initial development.

Is Council able to provide the ratepayers with a sealed guarantee that this site, including both York Park and Invermay Park was not in earlier years either waste or landfill sites. It is understood that Council were required to undertake soil testing in Lindsay Street and identified contaminated toxic material. Surely it is highly probable that the same could be found in the area of this proposed subdivision and therefore Council has a duty of care.

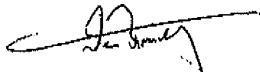
Also one must be concerned with any form of high density development on this site, being part of a tidal flat and therefore subject to future rises in sea levels due to global warming.

I strongly argue the point that this parcel of land should not be subdivided and remain as is due to the following:-

- Critical importance to users of York Park and its future viability.
- High probability of this land being a hazardous/toxic site.
- Concern as to any development on the tidal flat, with known deficiencies in the adequacy of the sewerage treatment plant.

I look forward to the Launceston City Council giving my submission favourable consideration.

Yours sincerely,



I. J. N. Routley

From:
Sent: Wednesday, 26 July 2017 11:27 AM
To: Contact Us
Subject: DA 0275/2017 (Old Bike Track) Representation
Attachments: OldBikeTrackRepresentationDA0275-2017July2017.doc

Dear Council Office,

please find attached my submission on the DA 0275/2017.

Dr Jillian Koshin

Apology. This representation is submitted with apologies to John Dent, friend, fellow professional, and respected surveyor, who, in the interests of bread and butter matters, took this job on and who, because of the dubious nature of the project, its marketing codswallop and lack of transparency, has had to prostrate himself and concoct questionable validations even at the risk of compromising his professional ethics and integrity. This criticisms and comments in this representation are not aimed at Mr Dent. J. Koshin.

Invermay 7248,
24 July 2017

Robert Dobrzynski,
General Manager,
Launceston City Council,
P.O. Box 396, Launceston 7250.

Dear Sir,

The boundaries of this subdivision appear odd and somewhat complex. Where were all the previous boundaries and titles located?

The application states that a previous approval from the Council was 'for a lot of similar size' but the permit was not proceeded with'. What was the 'similar size' of the site in the previous permit?

Why was the previous 'permit not proceeded with'?

'The boundaries of the previous one were different to the current application.' Why are the boundaries different?

What is the explanation for this, given that the Council has already gifted the land to the University? Why are the boundary lines so complicated?

These questions need to be answered and explanations must be given for the failure to proceed with the previous approval and for the change in boundaries.

Clause 35.4.5 Frontage and Access. Re (a) re 'the topography of the site is flat'. The site is part of the Inveresk tidal flat and planning round this should be updated to follow current trends around the world in relation to estuarine tidal flats and flood plains by leaving the land as open space as part of flood mitigation and changes in ground water levels which are already manifesting themselves due to climate change.

Re (b) the suggestion in the application is that there is sufficient area to allow a footpath to be constructed between the access and the boundary if required in future. Is it the intention that a footpath would not be seen as being constructed on Lot 1 itself? Or, is the intention that a footpath would be constructed on public land along the access?

It must be mentioned at this point that there are currently mature trees on the site lining the access road, but they are NOT shown on the plan? The only trees shown on the plan are on the southern side of the access road. WHY are the existing trees along the opposite (northern) side of the road not shown?

(c) If this statement is intended to alleviate any concerns about access onto the site it fails in that it simplifies the existing conditions of access. In what way is Invermay Road appropriately dealt with? In what way is the 'existing access...appropriately

dealt with'? The simplistic response to being 'dealt with' is unclear in its meaning. Is this a deliberate attempt to skim over the issue of access. In what way does 'a turning lane into the Right of Way' 'deal' with Invermay Road. That turning lane is a short lane (of two car lengths) branching to the right off the main north-bound lane. To access the 'Right of Way' by means of this turning lane, vehicles must cross the south-bound lane of Invermay Road. In addition to waiting for oncoming traffic to pass, there is a waiting period before vehicles can safely cross, the pedestrian lights, the bus stop... all contribute to delays in the ability for any vehicle to cross against the oncoming traffic.

(d) 'The existing access has been in existence for many years.' This is certainly the case. However, how is this observation relevant given the scale of the proposals being put forward. It is highly unlikely that the access will be suitable for any increased levels of traffic - vehicular and pedestrian. Even as it is now, the access road can be hazardous for pedestrians, and only just manages to handle the current vehicle and pedestrian situation.

That the access is 'already part of the character of the area' means what? Why are the lengthy existence and the character of the access road being mentioned? The character of the area is a combination of many features, including the access road and its lines of mature poplar trees.

The Old Bike track site itself is also 'already part of the character of the area'. The loss of any of the characteristic features seriously compromises the character and heritage values of the place. That character will be lost once any building takes place on the site. Genuine concern and accommodation for heritage values and vistas has disappeared and has not been part of the proposals except to give lip service to them in cynical attempts to appease heritage and planning officials.

35.4.6 Discharge Stormwater. While 'the subdivision will not change the amount of stormwater from the site', the supposition that '**any** future development **may** need to look at **alternative** stormwater disposal mechanisms...' appears to consist of words chosen to appease in the face of the obvious. As the sole purpose of the subdivision is to allow development, alternative 'mechanisms' will be absolute necessities.

And in the context of stormwater in Inveresk – an ongoing serious problem - and tidal flat hydrology, what is the meaning of the fuzzy phrase 'in conjunction with sensitive urban design principles'? The very idea of building on the tidal flat is in conflict with 'sensitive urban design principles' across the world, particularly in the Netherlands and North Germany, where the principles of working with nature, not against it, are the governing principles.

That the General Manager has provided written advice that **the system has the capacity to accommodate the stormwater from this subdivision** comes across as a diversion tactic designed to deflect questioning. Of course 'the system has the capacity to accommodate the stormwater discharge' as that is the current situation. The subdivision is a work on paper, the subdivision itself does not actually create stormwater! It is in the later treatments of the site that stormwater becomes an issue. (which is recognised by David Boyle, TasWater's senior assessment officer).

P2 Potentially Contaminated Land Code (PCLC): The short potted history of the site is incomplete and as such has drawn the wrong conclusion, that 'the site therefore does not come under provisions of the PCLC'. On the contrary the site formed part of

the town tip over several decades, and due to pollution and foul water, was the focus of concerted community complaint and action during the late 19th and early 20th centuries.

Moreover, in relation to correspondence of 30 June 2017 to Ms F Ranson, LCC on this Code, the relevant section in that letter does not accord with the conclusion drawn in this section of the application.

E10.0 Open Space Code. To say that this code does not apply might be the case on paper. In fact, the site is open space. It is used as open space. It is used for a variety of activities that require open space. In the City Council's own extensive Inveresk Statement of Opportunities process in 2004, the public, including the University of Tasmania, overwhelmingly regarded the site as open space and stated unequivocally that it should remain as open space. This sentiment on the site as open space was expressed on more than one occasion by the late Professor Vincent McGrath, whose vision for the site was for it to remain open space and to be used as a common, the Inveresk Green.

E 13.0 Local Heritage Code

It is a furphy to claim that this site is 'well removed' from the heritage listed buildings. Again, as with the stormwater paragraph, and as stated in the application, 'as it is only a subdivision it will have no affect (sic) whatsoever'. However, there is no mention of vistas. Vistas and lines of sight are important in the heritage of the whole railway site. The subdivision has not included any lines of sight, not even existing ones. This is a serious omission given the importance of vistas in all the heritage assessments carried out and all the community input into the railway heritage of the precinct.

Where is 'the written advice from the Tasmanian Heritage Council'? It does not appear to be included with the application. As reference is made to this 'written advice' in the application, it must be included with the application. Until such time as it is made available, the application should be withdrawn.

(See also correspondence, 30 June 2017 to Ms F Ranson, LCC re this Code.)

E16.0 Invermay/Inveresk Flood Inundation Area Code

Although the subdivision application claims it is not intended for any habitable buildings, given the flood emergency of June 2016, the Code is deficient by allowing any buildings, especially buildings of the size and density as intended. Insurance companies place higher premiums on buildings on flood plains due to the risk. However, the site is not a flood plain, it is a tidal flat, and the Inundation Area Code should prohibit any building on the site.

Regarding any 'intensification of residential development' on the site, the statement that 'in fact there are no buildings on this site as far as this application is concerned' appears to be a somewhat curious effort at diverting questioning or doubts. Is it a statement of fact only insofar 'as this application is concerned', or are there, in actual fact, no buildings on this site, regardless of any application?

In correspondence of 30 June 2017 from John Dent to Ms F Ranson, LCC, relating to the Local Historic Heritage Code E13.6.3 it is stated at point (c) that 'this subdivision will not separate any cultural heritage buildings from their original settings as there are no buildings of heritage value immediately adjacent to the site to either the south or the north'. Use of the words 'immediately adjacent' is a case of splitting hairs. A

cursory glance at the eastern-most zigzag boundaries of the subdivision shows the closeness of not-easy-to-miss heritage buildings to the north-east and east of the boundary. It is therefore misleading to say 'there are no heritage buildings immediately adjacent to the site'.

The Old Bike Track site should remain as open space. Even the old bike track itself was open air, a simple structure and of minimal impact on the ground. This site should remain available for all the recreational uses and purposes as it has done for many decades. This subdivision should no proceed.

Yours faithfully,

Jillian Koshin.

25 July 2017

Mr Robert Dobrzynski,
 General Manager,
 Launceston City Council,
 St John Street, Launceston 7250.

FILE No.	DA 0275/2017		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCVD 26 JUL 2017			
Doc No.			
Action Officer			

Dear Sir,

Re DA0275/2017, Inveresk

C. WANKMARE
F. COPY TO F. RAHON

We wish to express our disappointment and dismay at the application on the open space known as the Old Bike Track.

This is open space used by the public for many recreational purposes. Open space is a valuable commodity and in the case of this site it serves a wide range of community groups and ages – football crowds, circuses and circus goers, Launceston Show patrons, dog walkers, motor cycle groups, local residents, the list goes on. In this regard it is unique as it serves the interests of so many in the community and should not be taken away from the community.

In the recent past there has been overwhelming community support for retaining the site as public open space for recreational use. This overwhelming support in recent years has come not only from individual ratepayers and residents, also from many organisations and businesses including the Planning Institute of Australia, the Launceston Show Society, JMC Automotive Group, the Launceston Environment Centre, the National Trust, Cultural Heritage Practitioners Tasmania, former members of the Flood Protection Authority, members of the former York Park Inveresk Precinct Authority, City Council professional staff and former aldermen, and, dare we say, even the University of Tasmania. The existing configuration of Invermay Road between Victoria Bridge and Forster Street was in part a direct response to the current use of the site.

As well as this community support, there are environmental reasons for not developing this land. The site is on the tidal flat and to build on such land defies accepted international best practice. Even though it was not part of the railway activity area, there is the likelihood of underlying toxic materials from its previous long term use as a rubbish dump.

The current application and the proposals for the Old Bike Track are out of step with the community sentiment, have no regard for the amenity of the area, and ignore the community's view point. This application should be rejected in favour of community sentiment and the existing recreational uses. These sentiments and uses should take priority over any application for subdivision or other development proposal.

Yours faithfully,

LMcK, DM, PW and others, Liaison Team, Launceston Businesses, Academics and Associates.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation**FILE NO:** SF6616, DA0198/2017**AUTHOR:** Duncan Payton (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

1. To decide whether to reject or initiate and exhibit Amendment 38 for a partial change in zoning from Community Purpose to General Residential at 42-50 McKellar Road, Newstead; and
2. To make a decision on development application DA0198/2017 for subdivision to create 14 lots plus road and consolidate the balance with 65 Amy Road.

PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors
Property:	42-50 McKellar Road, Newstead
Zoning:	Community Purpose, General Residential
Receipt Date:	2/05/2017
Validity Date:	4/06/2017
Further Information Request:	22/06/2017
Further Information Received:	18/07/2017
Deemed Approval:	21/08/2017
Representations:	N/A

PREVIOUS COUNCIL CONSIDERATION:

DA0527/2016 - recent boundary adjustment to transfer land from 42-50 McKellar Road to the Family Day Care Centre at 59D Amy Road.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 33(3) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 38 to the Launceston Interim Planning Scheme 2015 for a change in zoning from Community Purpose to General Residential at 42-50 McKellar road, Newstead (CT136958/1) as shown in Attachment 3 to this report; and
 2. Pursuant to the former section 35 of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown in Attachment 3; and
 3. In accordance with the former section 38(1)(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days; and
-

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

4. Pursuant to section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0198/2017 for Subdivision to create 14 lots plus road at 42-50 McKellar Road, Newstead (CT136958/1) and consolidate the balance with 65 Amy Road (CT159776/1), subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Section 43A Submission, prepared by PDA Surveyors, titled Rezoning, Subdivision and Consolidation at Amy & McKellar Roads Newstead, pp.1-21, dated 2 May 2017;
- b. Infrastructure Services Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 2, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017; **Amended Plan Required**
- c. Zone and Staging Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 1, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017;
- d. Planning Scheme Submission, prepared by PDA Surveyors, titled 14 lot subdivision and consolidation at McKellar Road Newstead, pp.1-25, dated 1 May 2017;
- e. Traffic Assessment, prepared by Terry Eaton, titled Traffic Assessment Proposed Subdivision 42-50 McKellar Road Newstead, pp.1-7, dated March 2017;
- f. Stormwater Drainage Analysis, prepared by PDA Surveyors, titled St Giles Society Proposed Subdivision 42-50 McKellar Road Stormwater Drainage Analysis, Newstead, pp.1-9, dated July 2017;

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00845-LCC) (attached).

3. 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.

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

5. ON-SITE DETENTION

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge to 47L/s based on the supplied figure for the 1:5 year flow.

Post development flows and associated storage volumes for this development are to be based on 70% impervious for the lots and 90% impervious for the road/footpaths. Storage is to be provided for up to a 1:10 year ARI/10% AEP post development.

The on-site detention storage system is to be designed by a civil engineer eligible for membership of IE Aust or equivalent. Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval as part of the engineering design plans. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

6. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to show:

- a. The boundaries of the road reserve are to be modified to have a width of 25 metres at the turning head
 - b. All consequential changes to accommodate the requirement of a. above.
- Once approved by the Manager Planning Services, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans

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. 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.
-

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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. 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.

10. 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.

11. RETICULATED SERVICES

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

12. 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 including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
 - 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.
-

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- 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.

13. CONSTRUCTION OF WORKS

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

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

- a. Stormwater
 - i. Provision of a public drainage system 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 the lowest point of each lot,
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of an 18 metre diameter turning head (measured from the face of kerb),
 - iii. Provision of a 1500 mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
 - iv. Provision of a single vehicular crossing for each lot within the subdivision,
 - v. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - vi. All necessary line marking, signage and other traffic control devices.
- c. Electricity, Communications & Other Utilities
 - i. An underground reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. A public street lighting scheme designed and installed all lots and installed to the approval of the Responsible Authority,
 - iii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iv. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - v. Provision of reticulated gas network 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:

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

14. 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, then
- 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.

15. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

16. 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.
-

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- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

17. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres 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 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

18. 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.

19. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Director Infrastructure Services, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the Subdivider.

20. STREET LANDSCAPING PLAN & BUFFER PLANTING

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Manager Natural Environment in conjunction with the detailed engineering plans. Once approved, it will form part of this permit.

The plan must show:

- a. Shade trees on one side of the road of an approved species with a minimum planted height of not less than 2.0m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage. (Note due to difficulty in providing sufficient space at the head of the cul de sac - trees do not need to be placed at regular intervals and may be clustered where suitable however 21 trees are to be provided)
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- b. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal.
- c. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.
- d. Buffer planting on Lot 16 is required to mitigate tree removal from the rezoned land. (At the discretion of the Manager Natural Environment trees from the street tree requirement may be incorporated into the buffer planting)

The landscaping must be in place prior to the sealing of the final plan of survey unless otherwise approved by the Director Infrastructure Services and may then be subject to the provision of a financial security until such time as the landscaping works are completed.

21. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved residential lots. The value shall be calculated using the government valuation where the valuation is less than 3 years old. Where the government valuation is greater than 3 years old the contribution shall be as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the Subdivider's expense.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0198/2017. 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 (03 6323 3000).

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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.

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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:**PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT****1 Introduction**

An application was lodged under section 43A of the *Land Use Planning and Approvals Act 1993* (the Act) for a combined rezoning amendment and development application for a subdivision.

The application proposes to rezone an area of 1.606 hectares at 42-50 McKellar Road, Newstead, from Community Purpose to General Residential as well as a 14 lot subdivision plus road and consolidation of balance with 65 Amy Road, Newstead.

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2. Site Analysis

The subject land includes 42-50 McKellar Road and 65 Amy Road, Newstead. Currently, there is a respite centre and a dwelling (used for assisted living) at 42-50 McKellar Road. Both have direct access to and from McKellar Road.

Part of the carpark for the St Giles facility at 65 Amy Road is also located on the north western corner of the McKellar Road site. This section is proposed to be the balance land of the subdivision and is not part of the rezoning. Rather, it will be consolidated with 65 Amy Road.

The 1.606ha area to be rezoned is an irregularly shaped parcel of land stretching north east from McKellar Road, between the St Giles and Day Care facilities to the north west and the residential lots of Ellison Street to the south east. It concludes at the residential hostel at 18-20 Ellison Street.

The subject site has been owned by St Giles Society Inc. (St Giles) since 1938. With changes to the provision of disability services, St Giles has determined that this land is no longer required by their long term strategic planning. Rather, they believe it represents an attractive infill residential opportunity within the established suburb of Newstead.

3. Existing conditions on the site**3.1 Characteristics**

The site has a slope of around 10%, falling to the north east over its length of some 200m. With the exception of the respite centre and the carpark, the site is grassed and contains a number of mature trees between the respite centre and the north east boundary.

3.2 Scenic Values

Of itself, the site holds no particular scenic value. However, the proposed lots will have view lines over Newstead to the distant hills and mountains.

3.3 Infrastructure

Reticulated sewer, water and stormwater services are available to the site. TasWater has advised that whilst its systems are at a degree of stress during peak periods, the projected load requirements at those times is estimated to be similar to what would reasonably be required were the site to be developed for community purposes and can be accommodated. TasWater has granted its conditional consent to the proposed subdivision.

3.4 Surrounding Facilities

The site is centrally located, being approximately 1km from the Newstead shopping centre, offering supermarket, shops, hotel, fuel and medical centre. It is some 1.5km to the Kings Meadows shopping centre and only 2km to the city. There are public parks and several

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primary and high schools within walking distance. Bus services are available in Amy and Talbot Roads.

4. The Proposal

4.1 Proposal

The draft amendment proposes to rezone an area of 1.606ha from Community Purpose to General Residential. This rezoning will allow for the section 43(a) development application to subdivide the land into 14 lots plus road and balance.

Table 1 - Proposed Lots

Proposed Lot	Size	Description
1	691m2	Residential
2	835m2	Residential
3	746m2	Residential
4	871m2	Residential
5	953m2	Residential
6	994m2	Residential
7	717m2	Residential
8	718m2	Residential
9	677m2	Residential
10	680m2	Residential
11	832m2	Residential
12	2080m2	Residential
13	2733m2	Existing respite centre and assisted living
14	773m2	Residential
101	3533m2	Road
Balance	2599m2	Balance - to be consolidated with 65 Amy Road

4.2 Landowner Consent

St Giles has consented to the making of the application.

The General Manager's consent has been granted for the lodgement of the application given the need to construct a road junction on Council land at McKellar Road.

5.0 CONSIDERATIONS FOR THE AMENDMENT

5.1 Consideration of Section 32

32. Requirements for preparation of amendments

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

(a)

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- (b)
- (c)
- (d)
- (e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
- (ea) *must not conflict with the requirements of section 300; and*
- (f) *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

Comment:

Given the changing nature of the delivery of disability care in Tasmania and nationally, St Giles is confident that the expansion of its facility onto this land is unlikely in the long term and that its sale and the redistribution of funds to the existing services is consistent with its long term strategic direction.

The St Giles facility provides administrative, educational, respite, allied health care and assistance for those who live with, or care for others living with, a disability. The facility operates between 8am and 5pm with only low to moderate noise from traffic and plant and equipment. After hours there is almost no impact. The Newstead Child Care Centre operates between 6.30am and 6.30pm, with low to moderate noise from traffic and children.

The operation of these facilities adjacent to residential dwellings does, as far as practicable, avoid the potential for land use conflict. The uses and development permissible by the General Residential zone are compatible with the existing uses in the area.

The proposed rezoning to General Residential is the logical and practical option given that the Community Purpose zone is no longer relevant to the site and it will provide an infill opportunity for at least 13 new dwellings.

5.2 Consideration of Section 300

In regard to sub-section (ea), Section 300 is considered in detail below.

300. Amendments under Divisions 2 and 2A of interim planning schemes

- (1) *An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.*

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Comment:

Refer to section 6.1 of this report for an assessment of the Northern Regional Land Use Strategy.

- (2) *An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –*
- (a) *the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and*

Comment:

The application is not proposing to amend a local provision or insert a new provision.

- (b) *the amendment does not revoke or amend an overriding local provision; and*

Comment:

The application is not proposing to revoke or amend an overriding local provision.

- (c) *the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.*

Comment:

The proposal will not affect a local provision.

- (3) *Subject to section 30EA, an amendment may be made to a local provision if –*
- (a) *the amendment is to the effect that a common provision is not to apply to an area of land; and*

Comment:

The proposal will not affect a local provision.

- (b) *a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.*

Comment:

No part of the proposal is removing any common provisions associated with the land.

The application proposes to amend the zoning of land, identified as no longer required for the purpose of its zone and is not proposing to insert, remove or alter a local provision, complying with 30O. The draft amendment is consistent with the Northern Regional Land Use Strategy (NRLUS).

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5.3 Consideration against Section 43C and the Objectives of the *Land Use Planning and Approvals Act 1993*

43C. Applications referred to in section 43A

- (1) *In determining an application referred to in section 43A, a planning authority, in its opinion –*
- (a) *must seek to further the objectives set out in Schedule 1; and*
 - (b) *must take into consideration such of the prescribed matters as are relevant to the use or development subject of the application.*

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

5.3.1 Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity*

The amendment will allow for a subdivision to promote the sustainable use and development of urban land within the established suburb of Newstead, having regard to being the changing nature of the delivery of disability services, leading to this site no longer being required for community purpose development.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water*

The change of zoning and subsequent subdivision will provide for the residential development of the unutilised site, compatible with the surrounding zones and uses.

- (c) *to encourage public involvement in resource management and planning*

The public will have the opportunity to comment on this proposal during the four week exhibition period following initiation of the amendment. Interested parties have the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)*

The proposed amendment will allow for the development of a site, for at least 13 dwellings, that would otherwise have remained vacant. St Giles have owned the site since 1938 and have been holding it in reserve for possible future expansion needs of their current site. Their strategic planning identifies this land as being no longer required and therefore able to free resources for redistribution to other areas of demand.

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- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

This application was referred to TasWater who have provided their conditional consent. There are no other relevant agency referrals required. If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective.

5.3.2 Schedule 1, Part 2 - Objectives of the planning process established by the Act

The objectives of Part 2 must also be considered -

- (a) *to require sound strategic planning and co-ordinated action by State and local government*

The amendment is consistent with the objectives of the Launceston Interim Planning Scheme and the Northern Regional Land Use Strategy.

- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land*

Consistent with that system, an application made pursuant to Section 43A of the Act is considered against the objectives of the Act and the planning system of Tasmania. Having regard to this, the Council then determines to initiate or reject the amendment.

- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land*

The proposed amendment will promote the development of the site, providing economic benefits to St Giles and the broader community. The proposed subdivision will inevitably result in the removal of a number of mature trees, however, there is the capacity for significant replanting within the subdivision site to compensate for this loss.

- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels*

The proposed amendment complies with the local, regional and state policies.

- (e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals*

The application is made under former section 43A of the Act and includes a change of zoning to the planning scheme and an application for subdivision of the land. This process allows for the concurrent assessment of an application which would otherwise require two separate processes.

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- (f) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The proposal will allow for appropriate infill development of a vacant site. It will remove the inefficient cost burden to St Giles of having to maintain and insure a surplus parcel of land. Infill development promotes efficiencies in service delivery and brings people closer to work and recreation opportunities.

- (g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The subject site has no buildings and is not an area or place of scientific, aesthetic, architectural or historic interest.

- (h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*

Development of the site will result in the construction of additional public infrastructure in an orderly and coordinated manner..

- (i) *to provide a planning framework which fully considers land capability.*

Land capability generally refers to agricultural land and is not relevant in this instance. Nevertheless, the site is suitable and available for and capable of, infill residential development.

6. Planning Strategies

6.1 Northern Regional Land Use Strategy

The relevant sections of the NRLUS are as follows:

The Regional Land Use Strategy for Northern Tasmania is a strategic plan for the region's future development and planning to 2032. It has a 20 year planning time horizon for integrated infrastructure, land use development and transport planning, underpinned by economic development, social and environmental strategies. The strategy will be revised regularly as new evidence based strategic planning investigations and information is made available to provide greater certainty to the strategic planning and development of the region.

The RLUS seeks to reduce the barriers to investment in ways that are consistent with the vision for the region and other relevant social and environmental strategies. It can do this in a number of ways, including coordinating services to ensure that land for appropriate development is available in the best locations, and ensuring that

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priority is given to investment that improves the necessary transport, energy and communications infrastructure.

The applicant submits:

The primary strategic question to consider in relation to the land and the realisation of the RLUSNT is whether use of the land for activity that is allowed in the Community Purposes Zone is of more strategic value to the community than it would be as land for activity allowed in the General Residential Zone.

A significant aspect of the strategic intent of the RLUSNT is to manage the region's development in response to ongoing socio-economic change (see Page 8 RLUSNT). In accordance with this, the proposal is a necessary adaption by St Giles to change to the way in which care is provided. As stated in the letter from the Chief Executive, St Giles has not found a use for the land in over 75 years and given the shift towards home based care it is unlikely that a community purpose use for the land would be found by St Giles in the foreseeable future. Other similar care providers and organisations are likely to be geographically decentralising in a similar way.

Strategic value to the community of retaining the land in the Community Purposes Zone

The RLUSNT recognises the need for Launceston to provide community services for the wider region and further notes that investment and upgrading of medical and health facilities in the region will be increasingly important for retaining and attracting population. However, it is considered that meeting this need is more likely to occur within the existing medical and health sites.

The area has generally evolved into a balanced mix use environment whereby non-residential uses are at a scale and intensity that enables a reasonable degree of amenity for surrounding residential use. Retaining the land for use in accordance with the Zone purpose risks shifting this balance towards it becoming an activity centre with potential adverse impacts on residential amenity of the broader area through increases in non-residential traffic and general activity.

On this basis, it is considered that the loss of the site from the pool of land available for Community Purposes uses is unlikely to be adverse to the community's strategic interest. Indeed, the removal of the potential for high activity use may be appropriate. On this basis the strategic value of retaining this land in the Community Purposes Zone is low.

Strategic value to the community of converting the land to the General Residential Zone

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As at 2013, the RLUSNT envisaged that a projected 10,000 additional dwellings would be required to be provided across the region and it recommends that the provision of these dwellings should be based on the preferred settlement pattern principles of:

- promoting infill in existing centres;
- redeveloping 'infrastructure-rich' areas; and
- maximising residential yield in major new residential developments.

The rezoning would consolidate residential land within the Urban Growth Boundary. It would take advantage of existing and available infrastructure including water, drainage, public transport, shops and schools and open space opportunities.

As the land [is] within an established urban area, the demand is likely to be strong. Supply in this area is limited. The land is otherwise suitable for residential use and development and on this basis, there is a moderate strategic benefit to the community to convert this land to the Residential Zone.

In conclusion, it is considered that the strategic merit of the rezoning is sound and in accordance with the RLUSNT for the following reasons:

- It enables a key community services provider to divest of a surplus asset with a view to becoming more sustainable;
- The strategic value to the community of converting the land to Residential use is greater than it is for retaining the potential of the land for Community Purposes uses,
- Residential use of the land would be more consistent with the capacity of the road network than a more intense use that could be permitted under the Community Purposes Zone;
- Residential use would be more consistent with the surrounding residential environment and would better preserve the existing mixed land use balance of the local area.
- The land is free from unacceptable risk, it is appropriately situated and supported by services and community facilities.

6.2 Greater Launceston Plan

The Greater Launceston Plan (GLP) provides a long term strategy to inform a coordinated approach for land use and development of the greater urban area of Launceston. It is largely consistent with the RLUSNT and so consistency with the RLUSNT is an indication of general consistency with the GLP. There are a number of key principles that underpin the GLP, the relevant ones being Principles 1 and 2.

Principle 1: Effective Provisioning of Land Use Requirements

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Effective strategic planning for Greater Launceston requires the assessment and provisioning of the range of land requirements and preferred land use – transport relationships over the next twenty years and beyond.

As discussed above under the RLUSNT, the rezoning is in response to the changing structure of industry and employment and service provision, which is a major factor in determining the land use requirements. On this basis, it is considered that there is more strategic merit in converting the site to residential use than there is in retaining it for community services uses.

Principle 2: Urban Consolidation

The efficient functioning, servicing and future development of greater Launceston will be optimised through its urban consolidation.

In accordance with Principle 2, Residential development on the site would be urban infill in an area with existing services that is adjacent to employment opportunities and supported by an appropriate level of community services for the health and wellbeing of future residents.

There are no conflicts with the GLP in the proposal.

6.3 Launceston Residential Strategy 2009

The strategy provides a detailed assessment of housing needs and current land stocks. The strategy provides a priority ranking of types (tiers) of housing development which would best meet the needs of the community and also represent good planning outcomes.

In order of priority:

1. Residential development on 'brownfield' sites for example surplus public land, site where industry has relocated, mixed use developments in accessible locations on the CBD fringe or adjacent to District or Neighbourhood Centres.
 2. Increased density in existing residential areas where opportunities exist or where capacity for change has been identified, primarily through unit developments or redevelopment.
 3. Development on vacant land in urban infill locations including undeveloped portions of existing residential areas and vacant land currently within a residential zone.
 4. Development on the most appropriate vacant land on the edge of urban areas
 5. Rural residential development in the most appropriate areas
 6. Individual rural houses unconnected to a primary industrial use.
-

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

The LRS identifies growth rates in Newstead of 7.9 percent. Whilst Launceston has a reasonable supply of undeveloped Residential zoned land, the majority is located on the peripheries. Given the suitability of the site for Residential use in terms of its tiered priority, it is considered that the development of such sites should be enabled in preference. In a small way it would take some pressure off unnecessary dispersion and urban sprawl.

7. State Policies***State policy on the Protection of Agricultural Land 2009***

The purpose of this Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture. The policy has been addressed by the interim scheme and does not impact upon this urban site.

State Coastal Policy 1996

The purpose of the policy is to protect the natural and cultural values of the coast, provide for sustainable use and development of the coast, and promote shared responsibility for its integrated management and protection.

The policy has been addressed by the interim scheme and does not conflict with this urban site, able to be fully serviced.

State Policy on Water Quality Management 1997

The purpose of the policy is to identify and maintain water quality at appropriate levels to the expected use.

The policy has been addressed by the interim scheme and does not conflict with this urban site, able to be fully serviced.

National Environment Protection Measures

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPM) is taken to be a State Policy. The following, therefore, require consideration:

Ambient air quality 2002

Diesel vehicle emissions 2001

Assessment of site contamination 1999

Used packaging materials 1999

Movement of controlled waste between States and Territories 1998

National pollutant inventory 2000

None of the above NEPMs apply to this urban site and its rezoning to facilitate further residential development.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Gas Pipelines Act 2000

Not applicable is approximately 12km west of the subject site.

8. Referral Agencies

The application was referred to TasWater under section 17 of the *Land Use Planning and Approvals Regulations 2004*. TasWater has issued its Submission to Planning Authority Notice TWDA No. 2017/00845-LCC) stating that it does not object to the application for amendment and development application and conditions are imposed.

9. PLANNING SCHEME REQUIREMENTS
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 subdivision of General Residential land, following the rezoning, seeks to create fifteen (15) lots plus a balance lot that will be consolidated with the adjoining St Giles site at 65 Amy Road, Newstead (CT159776/1).

Of the proposed 15 lots, one lot of 3533m² will be for the internal road, one lot of 2733m² is for the existing respite centre and assisted dwelling. The remaining 13 lots range in size from 680m² to 2080m² and will provide opportunity for a range of dwelling types at suburban densities.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Local Area Objectives - There are no local area objectives.

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

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.

Consistent

The proposed lots offer a range of sizes to provide for a range of future residential development and to cater for the needs of the existing respite centre.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 500m² ; and
- (b) be able to contain a rectangle measuring 10m by 15m; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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

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.

Complies

All proposed residential lots are greater than 500m² and are able to contain a 10m x 15m rectangle.

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:

- (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.

10.4.16 Frontage and access

Objective:

To ensure that lots provide:

- (a) appropriate frontage to a road; and
- (b) safe and appropriate access suitable for the intended use.

Consistent

The respite centre will retain its existing access to McKellar Road. The other residential titles will all have direct frontage and access to the proposed new road (lot 101), with the shortest frontage being 5m at lot 6.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

<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>
<p>Complies All lots have a frontage of more than 3.6m. Once constructed, the internal road will become a Council maintained road.</p>
<p>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:</p> <ul style="list-style-type: none"> (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.
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>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:</p> <ul style="list-style-type: none"> (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.
<p>Complies The proposed residential lots will have frontage and access to the new internal road. The topography of the land will not present any difficulties in accessing likely building sites on the individual lots.</p>
<p>10.4.17 Discharge of stormwater</p>
<p>Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent The proposal plans show a new stormwater line to the existing Council service in Ellison Street.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>
<p>Complies All lots will be connected to the Council stormwater system and directed through to the existing service at Ellison Street.</p>

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

<p>P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the discharge point (if any); (b) stormwater flow paths both internal and external to the site; (c) the location of building areas within the site; (d) the topography of the site; (e) the characteristics of the site, including rainfall; (f) the development on the site and adjoining land; (g) the additional runoff from the subdivision development and likely future development of the land; and (h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.
<p>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.</p>
<p>Relies on Performance Criteria Infrastructure Services advise that some detention of stormwater through an enlarged system is desirable.</p>
<p>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the discharge point (if any); (b) stormwater flow paths both internal and external to the site; (c) the topography of the site; (d) the characteristics of the site, including rainfall; (e) the development of the site; (f) the additional runoff from the subdivision development and likely future development of the land; and (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.
<p>Complies In response to a request for further information, the applicants provided a stormwater assessment supporting the collection of stormwater, with some detention within the system, and direction to the Ellison Street service.</p>
<p>10.4.18 Water and sewerage services</p>
<p>Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.</p>
<p>Consistent TasWater have provided their conditional consent (TWA 2017/00845 - LCC) to the proposed rezoning and subdivision.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</p>
<p>Complies The services plan shows appropriate water connections for each lot, other than the respite centre which is already connected.</p>

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

P1 No performance criteria.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The services plan shows appropriate sewer connections for each lot.
P2 No performance criteria.
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
A1 Subdivision does not create any new road, public open space or other reserves.
Relies on Performance Criteria A new cul-de-sac is proposed.
P1 Subdivision must be designed to enhance the amenity of the area having regard to: (a) the topography of the site; (b) any significant natural and cultural features of the site; (c) access to public open spaces and roads; (d) the retention of existing vegetation; (e) linking areas of significant local habitat; and (f) the character of the surrounding area.
Complies It is noted that a number of trees will be removed as a result of the subdivision. It is proposed that these could be replaced by denser planting of street trees in the early section of the proposed road and on part of the balance land between the existing carpark and the proposed lot boundary. A condition requiring an appropriate street planting plan is proposed.
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.
Consistent The proposed new road links to McKellar Road, which provides for safe and convenient movement through the neighbourhood, with linked to the city, Kings Meadows and Newstead. A footpath is proposed on the northern side of the road.
A1 Subdivision does not create any new road, footpath or public open space.
Relies on Performance Criteria A new road is proposed.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

P1 Subdivision provides roads, footpaths or public open spaces that are designed to provide safe and convenient walking and cycling networks, having regard to:

- (a) linkages to any existing pedestrian and cycling networks;
- (b) connection of footpaths, shared paths, cycle paths and bicycle lanes;
- (c) access for cycling and walking to activity centres, community facilities, bus stops and public transport routes and public open spaces;
- (d) the road network and public open spaces; and
- (e) passive surveillance.

Complies

The new road provides a footpath on the northern side and in turn provides a safe and convenient pathway to McKellar Road and then to the broader network of roads, paths and 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

Lot sizes are proposed to vary between 680m² and 2733m² to suit a variety of dwelling and household types.

A1 Subdivision is for 10 lots or less.

Relies on Performance Criteria

The subdivision is for more than 10 lots.

P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:

- (a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use;
- (b) the topography of the site;
- (c) demand for a variety of housing types;
- (d) the proximity of activity centres;
- (e) the proximity and access to public open space;
- (f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes; and
- (g) the character of the surrounding area.

Complies

Given the constraints of the shape of the lot and the existing respite centre, the proposed lots offer opportunity for single and multiple dwelling developments able to meet the market demand. With a gentle topography and proximity to centres such as the city, Kings Meadows and Newstead, plus the nearby Newstead Park at the corner of Amy Road and Strahan Road, the lots will be suitable for a range of household types.

10.4.22 Solar orientation of lots

Objective:

To provide for solar orientation of lots and solar access for future dwellings.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Consistent
The site is elevated with a northerly aspect.
A1 Any lot for residential use with an area of less than 500m ² , in a subdivision of 10 or more lots, must have the long access between 30 degrees west of north and 30 degrees east of north.
Not Applicable
P1 Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to: (a) the size, shape and orientation of the lots; (b) the topography of the site; (c) the extent of overshadowing from adjoining land; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.

10.4.23 Neighbourhood road network

Objective: To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.
Consistent The proposal is for a new cul-de-sac, servicing 14 lots, adjoining McKellar Road, which currently provides for convenient and safe movement between neighbourhoods.
A1 Subdivision does not create any new road.
Relies on Performance Criteria A new road is proposed.
P1 The road network provides for convenient and safe movement for motor vehicles, pedestrians, cyclists and public transport, having regard to: (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes; (b) the function of the road and its relationship to arterial and neighbourhood road types; (c) the speed limits on roads in the area; (d) the location of activity centres; (e) the volume of traffic in the area; (f) access for service and emergency vehicles; and (g) the topography of the site.
The proposed road is a cul-de-sac, servicing 14 lots, and will be linked to the existing road network providing for the safe movement of motor vehicles, cyclists, public transport and pedestrians.

10.4.24 Public transport network

Objective: To provide for access to public transport.
Consistent Metro currently services Amy Road and Talbot Road.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

A1 Subdivision does not create any new road.

Relies on Performance Criteria

A new road is proposed.

P1 The subdivision provides for adequate access to public transport, having regard to:

- (a) the number of lots proposed;
- (b) the walking distances from the lots to public transport route;
- (c) any public transport strategy or plan for the area; and
- (d) the likelihood of the provision of public transport for the area.

Complies

The subdivision proposes to create a new cul-de-sac to provide 14 lots. Whilst taxis will be able to use this road, it is not practicable to consider a Metro service directly into this road. Currently a Metro service is available in Amy Road and Talbot Road.

17.0 Community Purpose Zone

17.1.1 Zone Purpose Statements

17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.

Consistent

The zone currently provides for the St Giles facilities. The subdivision proposes to consolidate the balance parcel, retained within the Community Purpose zone, with the adjoining St Giles facility at 65 Amy Road, also zoned Community Purpose. This balance land contains the carpark for the St Giles facility and may provide an opportunity for some revegetation.

Local Area Objectives - There are no local area objectives

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

17.4.2 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone; and
- (b) adjoining land, especially residential zones, is protected from adverse impacts.

Consistent

The proposal is to consolidate a 2599m² parcel from 42-50 McKellar Road to the St Giles facility at 65 Amy Road. This parcel of land contains the upper portion of the existing carpark servicing the St Giles facility and it is appropriate that the lots be consolidated.

The continued use of the carpark will not have adverse impacts on the adjoining residential land as the use will not change and there is very little use after normal business hours.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

<p>A1.1 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>A1.2 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>Complies The proposal consolidates land of the same zone and does not result in any boundary setback inconsistencies.</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) the existing pattern of development in the area; and (g) public safety.
<p>A2 Subdivision must not be located on the boundary of the General Residential, Inner Residential, Low Density Residential, Environmental Living, Rural Living, Urban Mixed Use or Village zones.</p>
<p>Relies on Performance Criteria The subdivision is on the boundary of the General Residential zone.</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be designed to minimise the potential for nuisance or loss of amenity for adjacent lots, having regard to:</p> <ul style="list-style-type: none"> (a) the lot layout and design; (b) the existing pattern of development in the area; (c) the ability for buildings to be erected in accordance with the development standards; (d) the proposed use of the lot; (e) the future use of the subject or adjoining land; (f) the topography of the site; (g) the physical separation to surrounding sensitive land uses; (h) the orientation of the lot; (i) access considerations; (j) the accessibility for vehicles providing for supplies, waste removal, emergency services and public transport; and (k) public safety.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Complies

The consolidation of the balance land from the subdivision with the St Giles facility will not cause any loss of amenity to adjoining lots as the car park exists and has only low usage outside normal working hours.

17.4.3 Frontage and access

Objective:

To ensure that lots provide:

- (a) appropriate frontage to a road; and
- (b) safe and appropriate access suitable for the intended use.

Consistent

The consolidated lot has existing carpark access to McKellar Road, plus additional access via Amy Road.

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.

Complies

The consolidated lot has frontage to Amy and McKellar Roads.

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;
- (h) the functionality and useability of the frontage;
- (i) the anticipated nature of the vehicles likely to access the site;
- (j) the ability to manoeuvre vehicles on the site;
- (k) the accessibility for vehicles;
- (l) public safety; and
- (m) the advice of the road authority.

A2 No acceptable solution.

Relies on Performance Criteria

P2 Each lot is provided with reasonable vehicular access from a carriageway 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, including pedestrians;
- (d) the character of the area; and
- (e) the advice of the road authority.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Complies

The consolidated lot has existing formed access from both Amy and McKellar Roads.

17.4.4 Discharge of stormwater

Objective:

To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Consistent

There will be no change to the existing stormwater disposal through the Council infrastructure.

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

The consolidated lot is currently connected.

P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:

- (a) the location of the discharge point (if any);
- (b) stormwater flow paths both internal and external to the site;
- (c) the location of building areas within the site;
- (d) the topography of the site;
- (e) the characteristics of the site, including rainfall;
- (f) the development on the site and adjoining land;
- (g) the additional runoff from the subdivision development and likely future development of the land; and
- (h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

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.

Not Applicable

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- (a) the location of the discharge point (if any);
- (b) stormwater flow paths both internal and external to the site;
- (c) the topography of the site;
- (d) the characteristics of the site, including rainfall;
- (e) the development of the site;
- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

17.4.5 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

<p>Consistent The consolidated lot is currently connected to the reticulated water and sewer services.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</p>
<p>Complies The consolidated lot is currently connected to the reticulated water service.</p>
<p>P1 Where reticulated water services are not proposed to be connected, it must be demonstrated that the lots are in a locality where reticulated services are not available or capable of being connected.</p>
<p>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</p>
<p>Complies The consolidated lot is currently connected to the reticulated sewer service.</p>
<p>P2 Where reticulated sewerage services are not proposed to be connected, it must be demonstrated that the lots are capable of accommodating an on-site wastewater management system for the intended use which does not have unreasonable adverse environmental impacts.</p>
<p>E4.0 Road and Railway Assets Code</p>
<p>E4.1 The purpose of this provision is to: (a) protect the safety and efficiency of the road and railway networks; and (b) reduce conflicts between sensitive uses and major roads and the rail network.</p>
<p>Consistent The proposed new road, a cul-de-sac, will connect safely to the existing network at McKellar Road.</p>
<p>E4.6.2 Road accesses and junctions</p>
<p>Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>
<p>Consistent The proposed new road, a cul-de-sac, will connect safely to the existing network at McKellar Road.</p>
<p>A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>
<p>Complies McKellar Road has a 50kph speed limit.</p>
<p>P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.</p>

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>
<p>Relies on Performance Criteria Following the consolidation of the carpark, 65 Amy Road will have two accesses, one to Amy Road and one to McKellar Road.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies The two accesses to 65 Amy Road are currently considered safe and this will not change as a result of the two parcels being consolidated to form a single lot.</p>
<p>E4.6.4 Sight distance at accesses, junctions and level crossings</p>
<p>Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p>Consistent</p>
<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Relies on Performance Criteria The sight distances at the proposed new junction are 114m to the north west and the south east and exceed the 80m required by Table E4.6.4.</p> <p>However, the individual accesses throughout the proposed cul-de-sac will not achieve this.</p>
<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(Cont'd)

Complies

The sight distances within the cul-de-sac are adequate given the lower expected traffic numbers and the lower speed expected as vehicles travel only to and from the future dwellings.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (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.

Consistent

Whilst there are no exemptions from the code, the proposal is for subdivision and will not result in the requirement for parking spaces or the like at this time.

10. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided.
Environmental Health	N/A
Parks and Recreation	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00845-LCC.
DIER	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation...(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:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

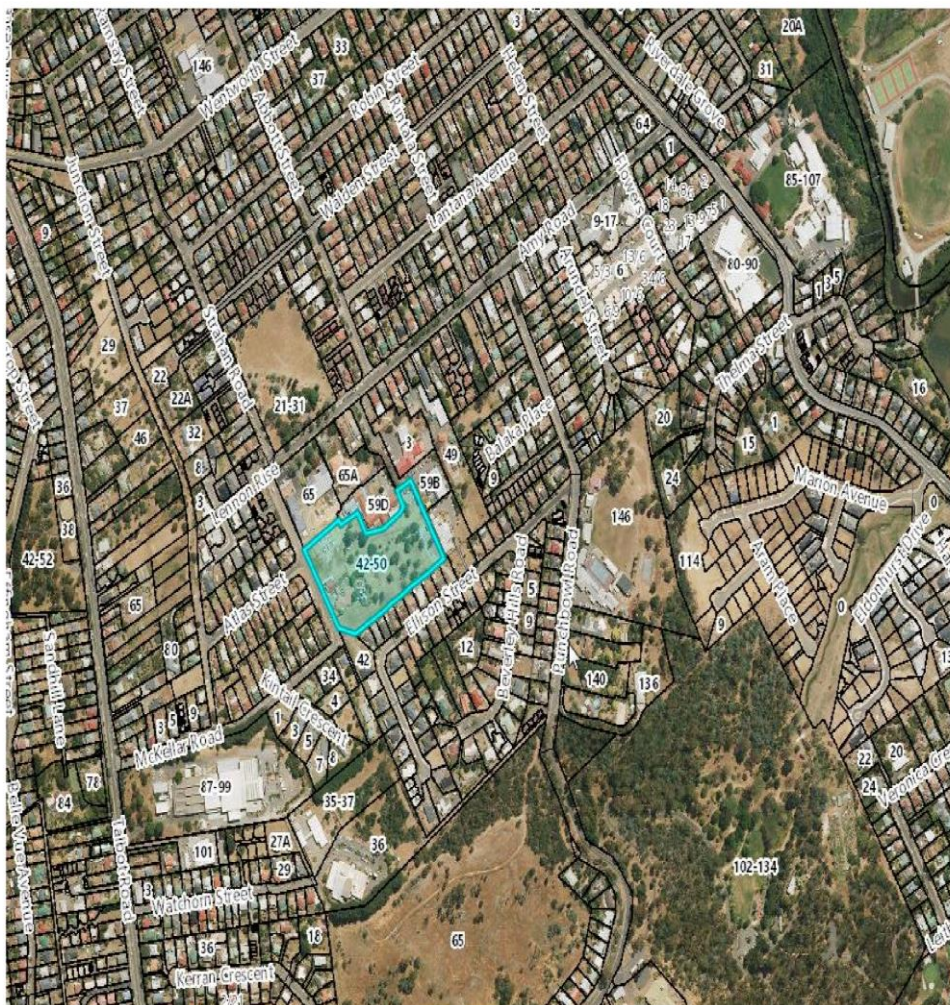
1. 42-50 McKellar Road, Newstead - Location Map
 2. 42-50 McKellar Road, Newstead - Proposal Plans and Reports (distributed electronically)
 3. 42-50 McKellar Road, Newstead - Zone Amendment
 4. 42-50 McKellar Road, Newstead - TasWater SPAN
-

Attachment 1 - 42-50 McKellar Road, Newstead - Locality Map

Launceston City Council
A Leader in Community & Government



LOCALITY MAP 42-50 MCKELLAR ROAD, NEWSTEAD

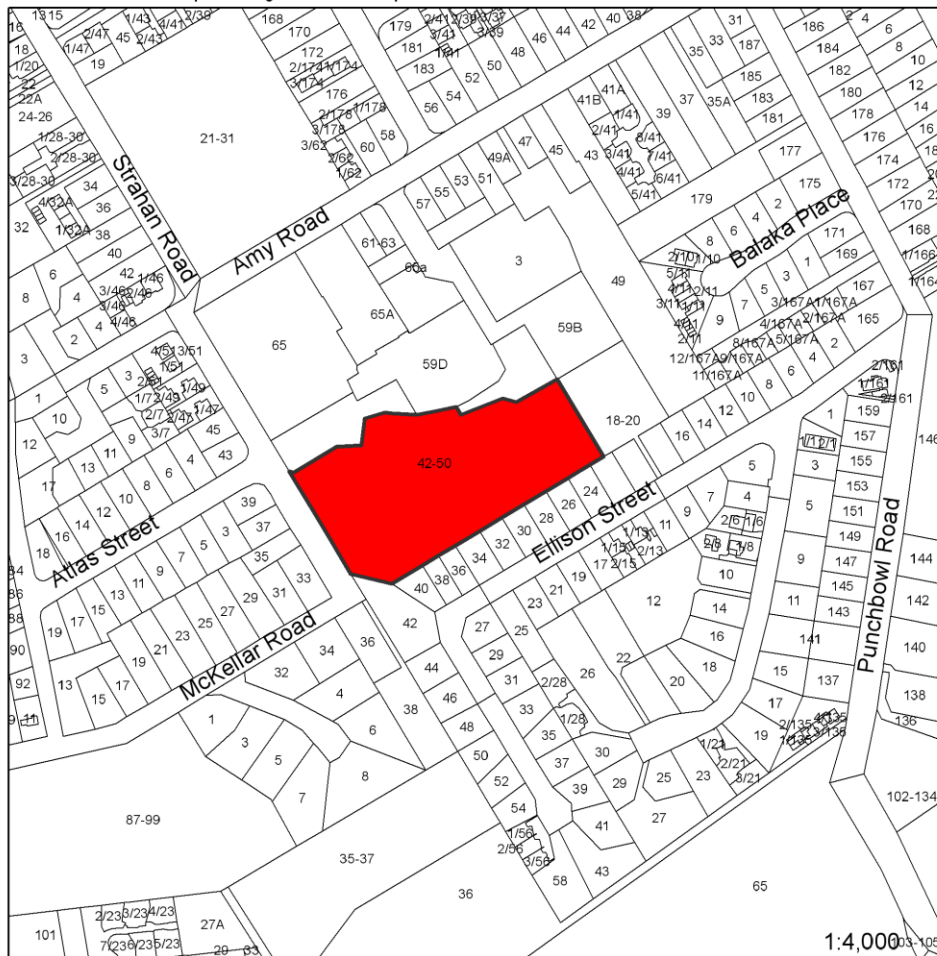


Locality Map

Scale: This Map Is Not to Scale

Attachment 3 - 42-50 McKellar Road, Newstead - Zone Amendment
Launceston Interim Planning Scheme 2015
AMENDMENT 38

Amend the interim planning scheme maps as below:



Rezoning from Community Purpose to General Residential
 (42-50 McKellar Rd, Newstead C.T. 136958/1)

THE COMMON SEAL
 of the City of
 Launceston was
 hereunto affixed in the
 presence of: -

Date

Michael Tidey
 Director
 Corporate Services

Leanne Hurst
 Director Development
 Services

Attachment 4 - 42-50 McKellar Road, Newstead - TasWater SPAN



Submission to Planning Authority Notice

Council Planning Permit No.	DA0198/2017	Council notice date	6/06/2017
TasWater details			
TasWater Reference No.	TWDA 2017/00845-LCC	Date of response	17/07/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	42-50 MCKELLAR RD, NEWSTEAD	Property ID (PID)	2103695
Description of development	Combined Application - Rezoning and 14 lot subdivision		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA Surveyors	L16087-P08 Sheet 1 / Proposed Rezoning		04/04/2017
PDA Surveyors	L16087-P08 Sheet 2 / Proposed Rezoning		04/04/2017
TasWater	Water Works External	1	17/07/2017
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF DRAFT AMENDMENT TO PLANNING SCHEME <u>AND</u> PLANNING APPLICATION REFERRALS</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 			



5. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. The developer must design and construct the water supply feed to the subdivision from the 'Watchorn Street Pump Station Water Supply Zone' (Pressure Zone ID: WATBP, Pressure Head Level: 162m AHD). The new connection will require the augmentation of the location of zone valves to complete the connection, generally as shown on the TasWater concept plan 'Water- Works External, dated 17/07/2017 Revision 1'.

Advice: In accordance with TasWater's 'Developer Charges Policy' for developments located within Serviced Land where insufficient capacity is available within an existing system, the developer pays the costs of Extension, including connection, to that system and Expansion of the system to the level of capacity required to service the development.
9. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater at the developer's cost.
10. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for



<p>the defects liability period.</p> <p>13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer’s cost.</p> <p>14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.</p> <p>15. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater’s Engineering Design Approval being issued.</p> <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <p>16. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.</p> <p>17. Pipeline easements, to TasWater’s satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater’s standard pipeline easement conditions.</p> <p>DEVELOPMENT ASSESSMENT FEES</p> <p>18. The applicant or landowner as the case may be, must pay a Rezoning, Development Assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:</p> <ul style="list-style-type: none"> a. \$1,032.76 for Rezoning; b. \$1,024.36 for development assessment; and c. \$226.94 for Consent to Register a Legal Document. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> <p>19. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.</p>
<p>Advice</p>
<p>General</p> <p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer’s cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>
<p>Declaration</p>
<p>The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning</p>



Authority Notice.

Authorised by

Jason Taylor
Development Assessment Manager

TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

COUNCIL AGENDA

Monday 21 August 2017

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling

FILE NO: DA0298/2017

AUTHOR: Claire Fawdry (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:	Prime Design
Property:	8 Harold Street, Kings Meadows
Zoning:	General Residential
Receipt Date:	29/06/2017
Validity Date:	30/06/2017
Further Information Request:	03/07/2017
Further Information Received:	03/07/2017
Deemed Approval (extension granted):	21/08/2017
Representations:	1

PREVIOUS COUNCIL CONSIDERATION:

N/A

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 DA0298/2017 Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling at 8 Harold Street, Kings Meadows 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. Site Plan by Prime Design, Drawing No. PD17149-01, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 03/07/2017;
 - b. Landscape Plan by Prime Design, Drawing No. PD17149-03, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 28/06/2017;
-

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

- c. Section and Photos by Prime Design, Drawing No. PD17149-04, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 28/06/2017;
- d. Floor Plan by Prime Design, Drawing No. PD17149-02-01, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 21/06/2017;
- e. Elevations by Prime Design, Drawing No. PD17149-2-02, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 21/06/2017;
- f. Elevations by Prime Design, Drawing No. PD17149-2-03, Project Name: Proposed New Unit 8 Harold Street Kings Meadows, Dated: 21/06/2017;

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01023-LCC) (attached).

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

4. FENCING

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (i.e. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
- b. 1.8m to 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

5. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Manager Planning Services.

6. 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.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

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 and access lanes,

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

8. ON-SITE DETENTION

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows from the site, to that generated by the site developed to a level of 30 per cent impervious at a range of return periods. The on-site detention storage system is to be designed by a civil engineer eligible for membership of IE Aust or equivalent, for storm event from 1/5 to 1/100 AEP.

Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

9. 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.

10. 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.
-

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(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.

11. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

12. VEHICULAR CROSSINGS

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards by a contractor authorised to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

13. 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.

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;
construction of a new dwelling behind an existing dwelling...(Cont'd)**

14. CONSTRUCTION OF RETAINING WALLS

All retaining walls above 0.5 metres high, located within 1.5 metres of the property boundaries, are to be designed, and where required, certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

15. 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.

16. 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 (e.g. Launceston Waste Centre).

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. *Occupancy Permit Required*

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. Section 225. A copy of this planning permit should be given to your Building Surveyor.

C. *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.

D. *General*

This permit was issued based on the proposal documents submitted for DA0298/2017. 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 03 6323 3000.

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;
construction of a new dwelling behind an existing dwelling...(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 abandoned or determined; or.*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

REPORT:

1. THE PROPOSAL

A development application was lodged by Prime Design for the construction of an additional dwelling behind an existing house at 8 Harold Street in Kings Meadows. The proposed dwelling will have two bedrooms and one living area with on-site parking for two vehicles plus a visitor space. An additional driveway is proposed to the west of the site so that there is separate access for the proposed dwelling. The existing dwelling is double storey with garaging and storage on the ground floor and living areas upstairs. This dwelling will also accommodate on-site parking for three vehicles.

The proposed dwelling will be single storey and clad with face brick and have a pitched Colorbond roof.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the northern and higher side of Harold Street. The neighbouring properties are primarily developed with double storey mid-century homes on relatively large lots.

The site is rectangular in shape with an area of 708m². Access to the site is directly off the street frontage over a sealed driveway. There is an existing double storey dwelling on the site. The site rises to the north with an approximate slope of 10 per cent. The site is not within a class 4 or 5 landslip area.

The street is sealed and drained to a Council standard. The site is connected to reticulated services.

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.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

Consistent

The proposal is consistent with the purpose statements through compliance with the standards in the zone. The use of Residential (multiple dwellings) is permitted in the General Residential Zone.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

Objective:

To provide for suburban densities for multiple dwellings that:

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

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

- (a) 325m² or
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.

Complies

The title area of the site is 708m². Two multiple dwellings are proposed equating to a site area per dwelling of 354m².

10.4.2 Setbacks and building envelope for all dwellings

Objective:

To control the siting and scale of dwellings to:

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

Consistent

The proposed dwelling to the rear of the existing dwelling on the site will be single storey and cut into the site to minimise its visual bulk and massing. The existing dwelling on the subject site, as well as the neighbouring dwelling at 10 Harold St, is each double storey. The visual impact of the proposed dwelling to the rear will consequently be minimal when viewed from the street frontage. The proposed dwelling is not anticipated to result in an unreasonable degree of overshadowing to the neighbouring dwellings or private open space areas. The proposal is consistent with the objective for this standard through compliance with the standards in this clause.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.
<p>Complies The frontage setback of the existing dwelling on the site will be maintained at 5.3m. The proposed dwelling will be located to the rear of the existing dwelling.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.
<p>Complies The garage associated with the existing dwelling has a frontage setback of 8.3m.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

Relies on Performance Criteria

The proposed dwelling will be single storey and be setback to the eastern and south western side boundaries by 4m and 1.29m respectively. The length of the wall with a setback of 1.29m will be 6m.

The proposed dwelling will have a rear setback of between 1.5m and 1.7m and extend for a length of approximately 13m along the north western (rear) boundary. Assessment against the performance criteria is required for compliance.

P3 The siting and scale of a dwelling must:

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

Complies

Although a rear setback variation is sought, due to the slope of the site which rises to the rear, the dwelling will be set into the site by approximately 1m at the rear to minimise its visual impact and any consequent overshadowing of neighbouring properties. Shadow diagrams were provided by the applicant in response to concerns raised by the representor regarding overshadowing. The diagrams indicate that the existing boundary fence causes a significant shadow at 9am on 21 June (see below).

The shading from the proposed dwelling will also be at its worst at 9am, however will be across the very rear portion of the property at 10 Harold St. It is noted that the private open space area (swimming pool, trampoline/kids play area and entertaining area) is located closer to the dwelling. Any shading from the proposed dwelling will be almost entirely gone from the neighbouring property at 10 Harold St by midday on 21 June.

The dwelling to the north of the site at 7 Bond St is located towards the northern street frontage and has an extensive backyard.

10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50 per cent (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25 per cent of the site area is free from impervious surfaces.
<p>Complies Title area = 708m² Existing dwelling = 115.69m² Proposed dwelling = 119.68m² Site coverage = 235.37m² (33.24 per cent) 43 per cent of the site will be free from impervious surfaces</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50 per cent of the area between 9am and 3pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Complies The existing dwelling (unit 1) has an existing north facing private open space area which is accessed off the kitchen/dining room. The area has a minimum horizontal dimension of 4.5m and is not used for parking. The proposed dwelling (unit 2) will have a private open space area which will be accessible off the open plan kitchen, dining and living room. The private open space area will have a minimum horizontal dimension of 4m and is oriented to the north/north east. The area will not be used for parking.</p>

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

10.4.4 Sunlight and overshadowing for all dwellings

Objective:

To provide:

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

Consistent

The additional dwelling on the site has been designed and located on the site to receive maximum sunlight to habitable rooms. Compliance is achieved through reliance on performance criteria.

A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).

Relies on Performance Criteria

Both dwellings have north facing habitable rooms, however they are each 45 degrees west of north. Assessment against the performance criteria is required for compliance.

P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

Complies

The proposed dwelling has been designed and located to receive maximum sunlight to habitable rooms. The lot layout in Harold Street means that dwellings would need to be skewed on the site to meet the acceptable solution. This does not necessarily result in a positive outcome for streetscape character. The 15 degree variation sought is not considered to be significant and the habitable rooms will receive an appropriate degree of sunlight.

A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):

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

Complies

The proposed dwelling will be located to the north west of the existing dwelling on the site. The north west facing windows of the existing dwelling are not located between 30 degrees west of north or 30 degrees east of north.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

10.4.5 Width of openings for garages and carports for all dwellings

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

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

Complies

The existing single car garage associated with unit 1 has a width of openings which is less than 6m.

10.4.8 Waste storage for multiple dwellings

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:

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

Complies

Storage areas for waste and recycling bins are identified for each dwelling on the proposal plans.

10.4.9 Site facilities for multiple dwellings

Objective:
To provide adequate site and storage facilities for multiple dwellings.

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

A1 Each multiple dwelling must have access to 6 cubic metres of secure storage space not located between the primary frontage and the facade of a dwelling.

Complies

A condition has been recommended to ensure that an appropriate storage space is provided for each dwelling.

A2 Mailboxes must be provided at the frontage.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

<p>Complies Mailboxes will be provided at the frontage.</p>
<p>10.4.11 Outbuildings, swimming pools and fences</p>
<p>Objective: To ensure that:</p> <ul style="list-style-type: none"> (a) outbuildings, swimming pools and fences: <ul style="list-style-type: none"> (i) do not detract from the character of the surrounding area; and (ii) are appropriate to the site and respect the amenity of neighbouring lots; (b) dwellings remain the dominant built form.
<p>Consistent The proposal is consistent with the objective through compliance with the acceptable solution.</p>
<p>A3 Fences must be no higher than 2.1m on a side or rear boundary adjoining a public reserve.</p>
<p>Complies A condition will be recommended to require boundary fences to be between 1.8m and 2.1m.</p>
<p>10.4.12 Earthworks and retaining walls</p>
<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the acceptable solution.</p>
<p>A1 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 900mm 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 The proposed retaining wall which wraps around the south western, northern and north eastern boundaries will be setback 500mm from the rear boundary and 290mm from the south western side boundary. At its highest point, the retaining wall will be 1m in height based on the topography of the site. Assessment against the performance criteria is required for compliance.</p>
<p>P1 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) 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.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

Complies

The proposed retaining walls allow for the proposed dwelling to be set into the landscape to minimise visual impact. The site gradually inclines to the rear and the proposed 1m high retaining wall in the north eastern corner is designed to level the area. The retaining walls will reduce overlooking and overshadowing by virtue of lowering the floor level of the dwelling to below natural ground level. The retaining walls will be appropriately engineered and drained as required by the building approval process.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

The proposal is consistent with the purpose statements through compliance with the standards in the code.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

The proposal is consistent with the objective through compliance with the performance criteria of the applicable standard. The safety and efficiency of Harold Street is unlikely to be reduced by the creation of one additional crossover.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Relies on Performance Criteria

An additional access is proposed for the proposed dwelling. Each access will provide both entry and exit for that dwelling. Assessment against the performance criteria is required to achieve compliance with this standard.

P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the nature of the road;
- (c) the speed limit and traffic flow of the road;
- (d) any alternative access to a road;
- (e) the need for the access or junction;
- (f) any traffic impact assessment; and
- (g) any written advice received from the road authority.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

Complies

The proposed additional crossover will allow for separate driveway accesses for each dwelling. There is a 'no parking' restriction on the southern side of Harold Street. When the site was visited mid-morning on 3 August, all on-street parking spaces were occupied. The proposal allows for up to three on-site parking spaces for each dwelling. One on-street parking space will still be accommodated out the front of the subject site. The application was internally referred to Council's Roads & Hydraulics Department who provided conditional consent to the application and did not highlight any significant concerns relating to the additional vehicular crossover.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (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.

Consistent

The proposal is consistent with the purpose statements through compliance with the standards in the code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution.

A1 The number of car parking spaces must:

- (a) not be less than 90 per cent of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
- (b) not be less than 100 per cent 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 2 spaces or 5 per cent 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.

Complies

Each dwelling will be provided with two on-site parking spaces. Visitor parking for each dwelling will be as a tandem space. There is also capacity for an on-street parking space between the driveways of the subject site.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:
To ensure that parking areas are constructed to an appropriate standard.

Consistent
The proposal is consistent with the objective through compliance with the performance criteria.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- (a) have a gradient of 10 per cent 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.

Relies on Performance Criteria
The proposed driveway will be sealed and drained to the Council stormwater system. The gradient of the proposed driveway will be 1:10 (10.51 per cent). Assessment against the performance criteria is required.

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
The proposed driveway is considered to have an appropriate gradient for a residential access which will service only one dwelling. Many of the dwellings in Harold St have driveways which run parallel to their side boundaries at a similar incline to that proposed at 8 Harold St. The proposed driveway will be sealed and drained to the public stormwater system to minimise erosion and sediment transfer onto the road.

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 proposal is consistent with the objective through compliance with the acceptable solution.

8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10 per cent 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 3 or more car parking spaces; and (e) have a vertical clearance of not less than 2.1 metres above the parking surface level. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are 6 spaces or more.</p> <p>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.</p>
<p>Complies</p> <p>Each dwelling will accommodate on-site parking for up to three vehicles. Vehicles for unit 1 will most likely enter the site in a forward direction and reverse out. Vehicles for unit 2 will have the capacity to enter the site in a forward direction, turn on-site and exit in a forward direction. The width of the proposed driveway for unit 2 will have a width of 3.016m which meets the requirements of Table E6.2.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Referred for comment Consent provided with recommended conditions.
Environmental Services	Consent provided with recommended conditions.
Heritage/Urban Design	N/A
Building and Plumbing	As required by the Building Act 2016
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01023-LCC.

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;
construction of a new dwelling behind an existing dwelling...(Cont'd)**

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 8 July 2017 to 24 July 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 representations received which are attached to this report.

A meeting was held with the representor on 3 August to better understand their concerns. The photo below was taken from inside their north facing living area looking towards the site of the proposed dwelling. The main concern conveyed at that meeting was that their outlook would be negatively impacted by the presence of the proposed unit and loss of privacy to their backyard.



8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)

Issue	Response
Loss of privacy to backyard	The proposed dwelling will be single storey and cut into the rear of the site by 1m. The single garage will be located closest to the common boundary with the living areas proposed to the north east of the site.
Decline in property value	Not a planning consideration
Traffic congestion in the street is already a problem	It is acknowledged that it is difficult to find a park on the street due to the restricted parking along the southern side of Harold Street and parking spaces utilised by presumably Meadow Mews shoppers on the northern side. It is noted however that each dwelling will have on-site parking for two cars plus a tandem visitor space.
Detrimental impact on outlook and view from living areas	The proposed dwelling will be single storey and the eave height will only be marginally higher than the existing fence height due to the excavation proposed. The view from the upper level living areas of 10 Harold Street will be over the roof of the proposed dwelling.
Overshadowing of backyard	The applicant provided shadow diagrams following the advertising period to provide a visual representation of the existing shading from the boundary fence and the impact that the proposed dwelling will have on 21 June. The diagrams indicate that although significant shading will occur at 9am on 21 June to the very rear of the property at 10 Harold Street, this will have shifted by midday. The shading will not be cast over the existing backyard area which contains the trampoline and outdoor dining setting.
Overdevelopment of the site	The density of the site will meet the acceptable solution for multiple dwellings.
Inconsistent with the neighbourhood character	Multiple dwellings have a permitted status in the zone. The proposed dwelling will be located behind the existing house on the site.

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;
construction of a new dwelling behind an existing dwelling...(Cont'd)**

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:

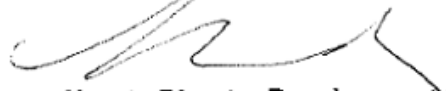
N/A

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;
construction of a new dwelling behind an existing dwelling...(Cont'd)**

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

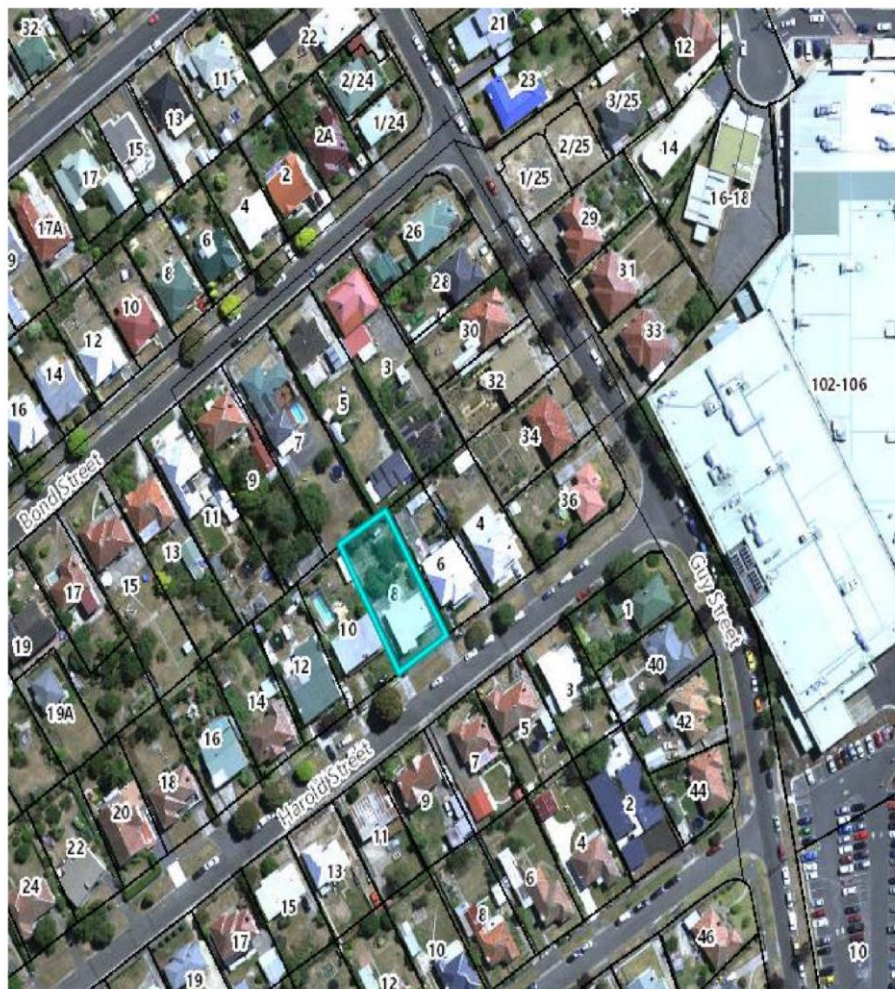
1. 8 Harold St, Kings Meadows - Location Map
 2. 8 Harold St, Kings Meadows - Plans to be Endorsed (distributed electronically)
 3. 8 Harold St, Kings Meadows - TasWater SPAN
 4. 8 Harold St, Kings Meadows - Representations
-

Attachment 1 - 8 Harold Street, Kings Meadows - Locality Map

Launceston City Council
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LOCALITY MAP
8 HAROLD STREET, KINGS MEADOWS



Locality Map


Scale: This Map Is Not to Scale



Submission to Planning Authority Notice

Council Planning Permit No.	DA0298/2017	Council notice date	3/07/2017
TasWater details			
TasWater Reference No.	TWDA 2017/01023-LCC	Date of response	06/07/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	8 HAROLD ST, KINGS MEADOWS	Property ID (PID)	6660720
Description of development	Multiple dwellings		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Prime Design	PD17149- 01	00	03/07/2017
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost. 3. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows: <ol style="list-style-type: none"> a. \$206.97 for development assessment. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> 			



Advice			
<p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>			
Declaration			
<p>The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.</p>			
Authorised by			
			
<p>Jason Taylor Development Assessment Manager</p>			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

From: shontellelowe
Sent: Saturday, 22 July 2017 3:49 PM
To: Contact Us
Subject: Concerns regarding Application DA/0298/2017 - Proposed new unit at 8 Harold St, Kings Meadows

To Whom It May Concern

We are writing to express concerns regarding the application to build at 8 Harold St, Kings Meadows (DA0298/2017)

We are the residents of Kings Meadows. We purchased our family home 10 years ago and are raising our young family here. Our property appealed to us as it was a large quiet and mostly private.

We fear that the unit proposed at 8 Harold St would cause considerable detriment to our lifestyle, privacy, outlook and could potentially cause our property value to decline.

In the summer months we spend countless hours outside with our four young children. We enjoy that our backyard is a relatively private space for entertaining and enjoying a swim in our pool. The proposed unit will greatly diminish the privacy that we enjoy from our backyard. Our pool and entertaining area will be easily viewed from the unit itself or the planned driveway and this is alarming.

Harold St can be very busy at peak hours due to the number of staff from the nearby Meadow Mews precinct that park in the street. Cars often make their own space and the street can get fairly congested. The proposed unit may add to this congestion, particularly during the building stage.

The proposed unit will significantly change the outlook from our home. Our main living spaces are upstairs and our kitchen, dining and living rooms will overlook the proposed unit. The structure of the unit will cast significant shadow over our backyard, potentially making what is now quite a light, bright area, dark and damp. This is not appealing from a lifestyle perspective, but we are very concerned that the proximity of the proposed unit will also negatively impact the value of our property.

It is our opinion that the space is being considerably overdeveloped and this will have an effect on the amenities of ourselves and our neighbours. The proposed development is also inconsistent with the neighbourhood and other development in the area.

We are happy to provide further information regarding our concerns if necessary and welcome a council representative in to our home to understand our perspective.

Kind Regards,

Troy Knight & Shontelle
Lowe

COUNCIL AGENDA

Monday 21 August 2017

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages

FILE NO: DA0175/2016

CO-AUTHORED: Claire Fawdry (Town Planner) and Chloe Lyne (Consultant 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:	AJL Consulting Engineers Pty Ltd
Property:	35 Dowling Street, Launceston
Zoning:	Light Industrial and Utilities
Receipt Date:	2/05/2016
Validity Date:	5/05/2016
Further Information Request:	09/05/2016
Further Information Received:	11/04/2017
Deemed Approval:	21/08/2017
Representations:	20

PREVIOUS COUNCIL CONSIDERATION:

History of Development Applications at 35 Dowling St, Launceston -

- D33/90 - Purpose of Maintenance Workshop (Transport Depot)
 - D59/90 - Minor extension to transport depot canopy (Transport Depot)
 - D451/91 - Development & use for extensions to existing warehouse (Warehouse)
 - D76/91 - Development/use for additions to store buildings (Transport Depot)
 - D113/94 - Alterations to existing Transport Depot (Transport Depot)
 - D320/96 - Develop and use a Chemical Store
 - D558/97 - Extensions to warehouse
 - D522/98 - Relocate existing on site transfer station
 - DA0185/2000 - Construction and relocation of a warehouse
 - DA0446/2000 - Use of existing building & construct building for dangerous goods storage
 - DA0584/2009 - Construction of a Building - Extend Two Buildings (vary car parking)
-

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

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 DA0175/2016 Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages at 35 Dowling Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Planning Submission by Metier Planning & Development, Project Name: Transport Depot and Distribution, extension of buildings, construction of new buildings, signage and 3 lot subdivision in 11 stages at 31-35 Dowling Street Launceston;
 - b. Cover Sheet by AJL Consulting Engineers, Drawing No. COV, Project No. 15.196, Rev No. C, Dated: 17/10/16;
 - c. Existing Site Conditions and Demolition Plan by AJL Consulting Engineers, Drawing No. A001, Project No. 15.196, Rev No. A, Dated: 24/04/16;
 - d. Site Plan by AJL Consulting Engineers, Drawing No. A002, Project No. 15.196, Rev No. E, Dated: 17/10/16;
 - e. Example Vehicle Movements for Independently Operated Lots by AJL Consulting Engineers, Drawing No. A003, Project No. 15.196, Rev No. A, Dated: 7/12/16;
 - f. Project Staging Plan by AJL Consulting Engineers, Drawing No. A004, Project No. 15.196, Rev No. C, Dated: 7/12/16;
 - g. Office Floor Plan by AJL Consulting Engineers, Drawing No. A130, Project No. 15.196, Rev No. E, Dated: 27/04/16;
 - h. Office Elevations by AJL Consulting Engineers, Drawing No. A160, Project No. 15.196, Rev No. B, Dated: 29/04/16;
 - i. Office Isometric Views by AJL Consulting Engineers, Drawing No. A161, Project No. 15.196, Rev No. A, Dated: 29/04/16;
 - j. Office Section by AJL Consulting Engineers, Drawing No. A170, Project No. 15.196, Rev No. A, Dated: 8/12/16;
 - k. Warehouse A - Stage 4 Floor Plan by AJL Consulting Engineers, Drawing No. A220, Project No. 15.196, Rev No. A, Dated: 7/12/16;
 - l. Warehouse A - Stage 4 Elevations by AJL Consulting Engineers, Drawing No. A221, Project No. 15.196, Rev No. A, Dated: 7/12/16;
 - m. Warehouse A - Stage 10 Floor Plan - Part A by AJL Consulting Engineers, Drawing No. A230, Project No. 15.196, Rev No. C, Dated: 29/09/16;
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8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

- n. Warehouse A - Stage 10 Floor Plan - Part B by AJL Consulting Engineers, Drawing No. A231, Project No. 15.196, Rev No. C, Dated: 29/09/16;
 - o. Warehouse A - Stage 10 Elevations - 1 of 2 by AJL Consulting Engineers, Drawing No. A260, Project No. 15.196, Rev No. D, Dated: 28/09/16;
 - p. Warehouse A - Stage 10 Elevations - 2 of 2 by AJL Consulting Engineers, Drawing No. A261, Project No. 15.196, Rev No. D, Dated: 28/09/16;
 - q. Warehouse A Stage 10 Typical Section by AJL Consulting Engineers, Drawing No. A270, Project No. 15.196, Rev No. D, Dated: 28/09/16;
 - r. Warehouse B Floor Plan by AJL Consulting Engineers, Drawing No. A330, Project No. 15.196, Rev No. D, Dated: 9/06/16;
 - s. Warehouse B Elevations by AJL Consulting Engineers, Drawing No. A360, Project No. 15.196, Rev No. D, Dated: 9/06/16;
 - t. Warehouse B Typical Section by AJL Consulting Engineers, Drawing No. A370, Project No. 15.196, Rev No. B, Dated: 29/04/16;
 - u. Container Wash Floor Plan Elevation & Section by AJL Consulting Engineers, Drawing No. A530, Project No. 15.196, Rev No. C, Dated: 29/04/16;
 - v. Fire Pump Hose Floor Plan and Elevations by AJL Consulting Engineers, Drawing No. A630, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - w. Customer Pick Up Warehouse Floor Plan and Elevations by AJL Consulting Engineers, Drawing No. A730, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - x. Existing Survey / Demolition Plan by AJL Consulting Engineers, Drawing No. C01, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - y. Bulk Earthworks Plan by AJL Consulting Engineers, Drawing No. C10, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - z. Bulk Earthworks Sections by AJL Consulting Engineers, Drawing No. C11, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - aa. Bulk Earthworks Sections by AJL Consulting Engineers, Drawing No. C12, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - ab. Erosion Control Plan by AJL Consulting Engineers, Drawing No. C15, Project No. 15.196, Rev No. -, Dated: 29/04/16;
 - ac. Environmental Noise Assessment by ViPAC Engineers & Scientists, Report No. 421424-01, Project Name: Toll Group, Dowling St, Launceston Transport Hub Redevelopment, Rev. 2, Dated 6/06/16;
 - ad. Dust Management Plan by ViPAC Engineers & Scientists, Report No. 421424-02, Project Name: Toll Group, Dowling St, Launceston Transport Hub Redevelopment, Rev. 1, Dated 27/04/16;
 - ae. Traffic Impact Assessment by GHD Pty Ltd, Report No. 32\17861, Project Name: 35-51 Dowling Street Launceston, Rev. 1, Dated: 26/04/16;
 - af. Infrastructure Report by AJL Consulting Engineers, Document No. 15196 IR-001, Project No. 15196, Project Name: Toll Group Redevelopment 35-51 Dowling Street Launceston, Issue No. 01, Rev. C, Dated: 9/12/16;
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8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

- ag. Bushfire Assessment Exemption by Urban Design Solutions, Report Ref: UBR 6172, Project Name: 35-51 Dowling Street Launceston, Dated: 2/06/16; and
- ah. Preliminary Contaminated Site Assessment by Environmental Service & Design, Project No. 5482, Project Name: 35-51 Dowling Street Launceston, Dated: 23/08/16.

2. AMENDED PLAN REQUIRED

Prior to the commencement of any work, an amended plan must be submitted to the satisfaction of the Manager Planning Services to replace the plan stamped as "To Be Amended". Once approved, the amended plan will be endorsed by the Manager Planning Services and will then form part of the planning permit. The amended plan must show the following:

- a. The sign identified on the refuelling station is considered to be a 'roof sign' and is prohibited in the zone. This sign does not form part of the approval. The following plan is to be amended to delete this sign:

Truck Wash & Re-Fuelling Station Elevations and Section, by AJL Consulting Engineers, Drawing No. A460, Rev. C, Project No. 15.196, Dated: 17/10/16

3. BICYCLE PARKING SPACES

The bicycle parking spaces/racks are to be constructed to comply with AS2890.3 1993 Parking Facilities - Bicycle Parking Facilities.

4. FORKLIFT OPERATION

As recommended in the Vipac Environmental Noise Assessment endorsed as part of this permit, the operation of forklifts (excluding container forklifts) is to be minimised in medium duty hardstand areas between the hours of 8:00pm and 6:00am so as not to create unreasonable impacts on residential amenity.

5. CONTAINER FORKLIFT OPERATION

Container forklifts (32 tonne and 40 tonne forklifts) cannot be used within the hours of 8pm and 6pm without the prior written permission of the Director Development Services.

6. CAR PARKING

Areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

Parking for each stage must be constructed and spaces appropriately line marked/delineated prior to the use of the buildings approved in that stage.

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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7. TRUCK ROUTES

Trucks entering and leaving the site between 6:00pm and 6:00am must not travel along Cimitiere Street to minimise disruption to residential amenity on adjoining streets.

8. REVERSING ALARMS

All operator vehicles (i.e. Toll heavy vehicles and forklifts) are to be fitted with broadband reversing alarms (more commonly known as 'quackers') to minimise noise from reversing alarms/beepers.

The make, model and specifications of the alarms must be submitted for approval by the Manager Planning Services prior to commencement of the use approved by this permit.

9. 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.

10. ANNUAL REPORTING

To achieve 'best environmental management' as defined under the Environmental Management and Pollution Control Act 1994, an annual report (provided by 30 June) is to be submitted by the operator of the site to the Environmental Services Department for review and consideration. The report must detail the following:

- a. A Feedback Register: outlining the date, time, issue/type of complaint, action taken, details of follow up contact with community member, measures taken and the status of complaint.

The operator must advise the Manager Planning Services of their mechanisms available for Council and the community to provide feedback including contact details.

11. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

12. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/00589-LCC 2016/00589-LCC) (attached).

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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13. TRUCK MOVEMENT TO MINIMISE NOISE

Truck movement on the site is to be in a forward direction for entry via Access Point "2" on Dowling Street and exit via Access Point "5" onto Broadland Drive between 10:00pm and 6:00am to minimise reversing noise.

Access Points are identified in Figure 6 of the Traffic Impact Assessment prepared by GHD Pty Ltd and endorsed as part of this permit.

14. AMENDED LANDSCAPING PLAN

Prior to the commencement of works, an amended landscaping plan must be submitted for approval by the Manager Planning Services. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. Major site features such as building footprints, existing vegetation and street boundaries; and
- b. Existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and size at maturity); and
- c. All proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- d. Suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
- e. Specify where each species is to be planted in order to create a visual screen between Broadland Drive and the site. The screening must provide a visual screen to the site with a minimum height of 5m at an appropriate density as approved by the Manager Planning Services.

Once approved by the Manager Planning Services, the plan will be endorsed and will form part of the permit. The plan will supersede the following plan marked "To Be Amended":

Landscape Concept Plan by Lange Design, Project Name: Transport Hub Redevelopment, Issue: B, Dated: 27 April 2016

The landscaping must be:

- f. Installed in accordance with the endorsed plan; and
 - g. Completed prior to the use commencing or a further period as agreed with the Manager Planning Services; and
 - h. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Manager Planning Services.
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- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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15. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

16. SIGN MAINTENANCE

The signs must be constructed and maintained in good condition to the satisfaction of the Manager Planning Services.

17. INSTALLATION OF 'NO STOPPING' ZONE

Upon the issue of the planning permit, the developer must contact Council's Infrastructure Services Department to request the installation of a 15m long 'No Stopping' zone to the east of the main car park access.

The cost of the new line marking, signage blades, and their installation is to be recovered from the developer via tax invoice issued by the Council.

18. DRIVEWAY AND PARKING 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 and access lanes.

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

19. 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.

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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20. 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.

21. VEHICULAR CROSSINGS

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of the Council's Infrastructure Services Directorate.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form.

Specific works required:

- a. Widening of Dowling Street access,
- b. Reduction in width of the car park access to 6.5 metres,
- c. All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards. The work must include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and TasNetworks etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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22. PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,
- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the General Manager or his delegate pursuant to Section 13 of the *Urban Drainage Act 2013*.

23. SECTION 71 AGREEMENT

The owner, under Section 71 of the Land Use Planning and Approvals Act 1993, shall enter into an agreement with the City of Launceston (the Council) to the effect that the owners of the lands must at all times:

- a. Accept joint and severable liability for all expenses incurred in constructing, maintaining and repairing the shared drain.
 - b. Indemnify and keep indemnified the Council against all actions proceedings claims demands costs and expense whatsoever in respect of or arising out of the works including all claims for maintenance repair or replacement of the works in the vicinity of the Council stormwater main whether such maintenance repair or replacement is the result of work done by the Council to the stormwater main or not.
 - c. Indemnify and keep indemnified the Council against all actions proceedings claims demands costs and expense suffered or claimed to be suffered by reason of the shared drain or the Council stormwater main where that loss is claimed to have been caused by the shared drain or the Council stormwater main.
 - d. Indemnify and keep indemnified the Council in respect of any damage caused to the shared drain by the application of any dead or live loads and the effects of any settlement due to the Council stormwater main.
 - e. Must not refer any claim of any kind whatsoever against the Council by reason of any settlement subsidence or damage to the shared drain arising out of the proximity of the Council stormwater main and the owner hereby releases the Council for or in respect of any such claims.
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8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

Such agreement shall be placed on the Certificate of Title in accordance with Section 78 of the Land Use Planning and Approvals Act 1993. All reasonable costs associated with the preparation and registration of the agreement must be met by the applicant.

24. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3 metres 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 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

25. 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.

26. 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.

27. DUST MANAGEMENT

Use and development must comply with the "Toll Group, Dowling St, Launceston Transport hub redevelopment Dust Management Plan", prepared by Vipac Engineers & Scientists Ltd, dated 27/04/2016.

Mitigation measures and management plans detailed in the above report must be complied with during the construction and operational phases.

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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28. ENVIRONMENTAL NOISE ASSESSMENT

Use and development must comply with the "Toll Group, Dowling St, Launceston Transport hub redevelopment environmental noise assessment", prepared by Vipac Engineers & Scientists Ltd, dated 6 June 2016, specifically:

- a. Refrigeration containers must be parked in Lot 2 only, orient refrigeration unit facing the east;
- b. The container wash pump must be located in a Colorbond housing. Care should be taken to ensure that pumps are not vibrationally coupled to the housing structure (i.e. pump or pipes supported off or hard coupled to the housing structure). Housing must be enclosed with no openings around the base or around the doors and louvres allowing air flow that face away from sensitive received locations.

29. ENVIRONMENTAL MANAGEMENT PLAN

Prior to the development commencing, a site specific Environmental Management Plan (EMP) is to be prepared and a copy provided to the satisfaction of the Manager Environmental Services. The EMP is to include, but not limited to, contact details of relevant personnel, site plan, emergency management, reporting of incidents, recording and responding to complaints, regular review of the EMP, staff training, management of potential nuisance/s (such as noise, dust, waste water, etc).

30. STORMWATER QUALITY MANAGEMENT PLAN

Prior to any works commencing, a Stormwater Quality Management Plan to address stormwater emissions from the site is to be provided in accordance with the '*Australian Guidelines for Urban Stormwater Management 2000*' and '*Australia & New Zealand Guidelines for recreational water quality and aesthetics*' by a suitably qualified person to the satisfaction of the Manager Environmental Services.

31. EXTERIOR AND SECURITY LIGHTING

Prior to installation of any new exterior and security lighting, a plan and a report is to be provided to the satisfaction of the Manager Planning Services identifying the position of the lights and how they will be designed, baffled and located so that no direct light is emitted outside the property boundaries.

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting".

32. NOTIFICATION OF INCIDENT

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

- a. Immediately take all practicable action to minimise any adverse environmental effects from the incident, and,
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8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

- b. As soon as reasonably practicable, but not later than 24 hours, after becoming aware of the incident, contact Council's Customer Service on 63233000.
- c. Not later than 24 hours after becoming aware of the incident, provide a report to the Council's Environmental Services Department, outlining the nature of the incident, the circumstances in which it occurred and the action taken to deal with the incident. (This report must be provided irrespective of whether the person responsible for the activity (or activities) has reasonable grounds for believing that the incident has already come to the notice of the Council's Environmental Services Department or any officer engaged in the administration or enforcement of the *Environmental Management and Pollution Control Act 1994*).

33. 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 (e.g. Launceston Waste Centre).

34. 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;
- 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

35. TRUCKWASH AREA

The truck wash area must:

- a. be bunded and graded to direct waste water to sewer;
- b. have all plant and machinery associated with the truck wash located, enclosed or otherwise attenuated to prevent noise emission from affecting occupiers of other premises;
- c. provide some form of barrier to prevent spray drift from leaving the designated wash area.

The truck wash must not be used between the hours of 10pm and 6am.

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)**
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36. SPILL COLLECTION BUND

All environmentally hazardous materials including all chemicals, fuels and oils, held on the land must be stored and handled within a spill collection bund or spill trays which are designed to contain at least 110% of the volume of the largest storage vessel. The spill containment system must be constructed with materials that will prevent contamination of ground water and soil.

37. VEHICLE WASHING

All vehicle washing must be carried out within the washing bay provided for this purpose.

38. STORMWATER

No liquids other than unpolluted rain water are to be allowed to discharge or drain to the Council's stormwater system or receiving water bodies or watercourses.

39. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

40. SPILL KITS

Spill kits, appropriate for the types and volumes of materials handled on the land must be kept in appropriate locations and be appropriately maintained to assist with the containment of any spill of environmentally hazardous materials.

41. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report prepared by Environmental Service & Design dated 24/03/2017 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

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Notes

A. General

This permit was issued based on the proposal documents submitted for DA0175/2016. 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 03 6323 3000.

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. 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. 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.

C. Occupancy Permit Required

Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. Section 225. A copy of this planning permit should be given to your Building Surveyor.

D. 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.

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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.

REPORT:

1. THE PROPOSAL

A Development Application was lodged seeking approval upgrades and extensions to the existing Toll Holdings operation at 35-51 Dowling Street, Launceston including demolition of buildings, construction of new offices and warehouses, subdivision of the site into three lots, and realignment of the existing rail connection into the site from the existing railway line to the east of the site. Toll has advised that the intent and objective of the development is to improve safety and efficiency of the site. Details of the proposal have been summarised below.

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Subdivision

Subdivide the existing 8.29ha site into three separate titles as follows:

- Lot 1 with an area of 4.175ha and a 94.69 metre frontage to Dowling Street. The rear boundary of Lot 1 will have frontage to the State Rail Network and a rail easement over a portion of the rear section in favour of lot 2. The lot will also contain a number of drainage and pipeline easements. A 6 metre wide "no build zone" will be located in the south-eastern corner of the lot adjacent to Lot 2.
- Lot 2 with an area of 2.668ha and a 61.17 metre frontage to Broadland Drive and a 25 metre frontage to Greythorne Street. The lot will also contain a number of drainage and pipeline easements.
- Lot 3 with an area of 1.454ha and frontages to both Dowling Street (45.33m) and Broadland Drive (176.13m). The lot will also contain a number of drainage and pipeline easements.

Demolition

It is proposed to demolish the following buildings:

- A 2,284m² office and warehouse located in the south western corner of the site, adjacent to Broadland Drive.
- A 346m² workshop located adjacent to the north-western boundary (situated in front of the existing main warehouse building).
- A 265m² office building situated at the northern end of the site, adjacent to Dowling Street.
- Abandoned railway lines running in an east-west direction through the centre of the site.
- Diesel refuelling station and paved container yard located to the rear of the warehouse to be demolished.
- Fire water tank and pump house located to the rear of the warehouse and office to remain.

Railway connection realignment

A new railway connection into the site from the adjacent State Rail Network will be constructed. The rail spur will comprise two lines and will run along the north-eastern boundary of the site. Security gates will be installed at the boundary at the point the rail spur crosses into the site.

The proposed railway realignment will address a safety issue within the site. The rail spur through the site currently bisects it from east to west and Toll need to manage traffic and rail conflicts within the site. Realignment of the rail spur to the rear of the site will reduce this conflict.

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Extension to existing warehouse (refer A on plans)

The existing 5807m² warehouse will be extended to the rear by 5928m² resulting in a warehouse with a total area of 11 735m². The proposed extension will increase the height of the building to 13.35 metres (AFFL) to the top of the parapet.

The extension will be constructed in a mix of pre-cast concrete (lower panels), Colorbond wall cladding and Colorbond roof. The Colorbond panels will be broken up into different colours to reduce the appearance of a single mass. There will be one roller door in the north elevation and three rollers doors on the eastern elevation.

A covered loading dock (130m²) will be constructed on the western elevation, replacing an existing accessible parking bay.

The warehouse extension will continue the 7 metre setback from the north-western title boundary and reduce the setback to the rear boundary (railway corridor) to approximately 155 metres.

New Warehouse (warehouse B)

A new warehouse/office building will be constructed in the south-eastern corner of the site (within proposed lot 2). The building will be setback 20 metres from the southern side boundary, 10 metres from the rear boundary (of proposed lot 2) and 6 metres from the northern side boundary (of the proposed lot 2). The warehouse will have a floor area of 5569m² (not including canopy).

The warehouse will have a similar design to Warehouse A and be constructed of pre-cast concrete panels and Colorbond for the walls and a Colorbond roof. Again, the use of differing coloured Colorbond panels will assist in breaking up the building mass. The maximum height is 13.55 metres (AFFL). There will be roller door access in each wall façade.

A steel framed canopy will extend from the front (western façade).

Main Office

The main office will be constructed at the front of proposed lot 3, towards the corner of Broadland Drive and Dowling Street and have a floor area of 867m². The building will have a height of 4.3 metres (AFFL) and approximately 5 metres above existing surface level.

The office is to be setback 6 metres from the Dowling Street boundary, 3.7 metres from the Broadland Drive boundary, and 25 metres from the northern side boundary (of proposed lot 3).

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The office is to be constructed of pre-cast concrete panels in varying colour schemes to break up the bulk of the building.

Customer Pick-Up Warehouse

The customer pick-up warehouse is to be situated on proposed lot 3 and have a floor area of 44m². It is constructed of Colorbond and a height AFFL of 4.2 metres.

Truck Wash and Refuelling Station

The truck wash and refuelling station will be located on lot 2 to the west of Warehouse B. It will be setback 1.5 metres from the south-eastern boundary and comprises a canopy style structure over a fuel tank and wash bay. The maximum height of the canopy is 8.7 metres above existing surface level.

Container Wash

The container wash will be located on proposed lot 2, to the rear of the warehouse. It will have an area of 253m² and sits adjacent to a 66m² diesel storage tank and a 5.1kL LPG vessel. The diesel storage will be setback 2.8 metres to the rear (south-eastern) title boundary. The container wash will have a height of 3 metres (AFFL).

Fire Pump House/Fire Water Tank

There are fire pump house and water tanks proposed in two locations (both similar design). Fire tank/pump house A is located in front of Warehouse A. Fire tank/pump house B is situated on the southern side of the canopy to Warehouse B.

The water tanks have a diameter of 10 metres and height of 6 metres.

The Colorbond pump sheds have a height of 3.6 metres with a pitched roof.

Hardstand

The entire site will be covered in hardstand of three varying degrees of strength. This will improve dust emissions from the site as currently the container yard is gravel.

The toughest standard of hardstand pavement will be installed in the main container area to the rear of warehouse A and B.

Traffic Movements and Access

There are currently five separate access points to the site. The proposed works include the closure of an existing truck access onto Broadland Drive (shown as 4 on the plan below taken from GHD Traffic Impact Assessment).

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The following works are proposed in relation to access (refer to Figure 1 below):

- Access 1 - to provide access to Warehouse A and existing entry/exit arrangement to remain. A new automatic sliding gate will be provided.
- Access 2 - The existing truck exit on Dowling Street will be realigned and converted to a four-lane, controlled truck entry point. The existing crossover will be widened from 10 metres to 21.6 metres allowing for four 5.4 metre truck lanes. The access will be fully controlled with boom gates located approximately 40 metres from the property boundary.
- Access 3 - The existing car park will be consolidated and reconfigured and the existing access will be retained. Access gates will be open during business hours and there will be a swipe card access out of hours. The existing crossover has a width of approximately 17 metres.
- Access 5 - The existing truck entry on Broadland Drive will be converted to a controlled truck exit point.

As per the Traffic Impact Assessment, the traffic movements to the site are described as follows:

- Outside carrier pickup, existing Warehouse A and hardstand
 - Entry/exit via Access 1 on Dowling Street
 - Container freight handling and truck storage, main site
 - Entry via Access 2 and exit via Access 5
 - Office, staff and visitor car park
 - Entry/exit via Access 3
-

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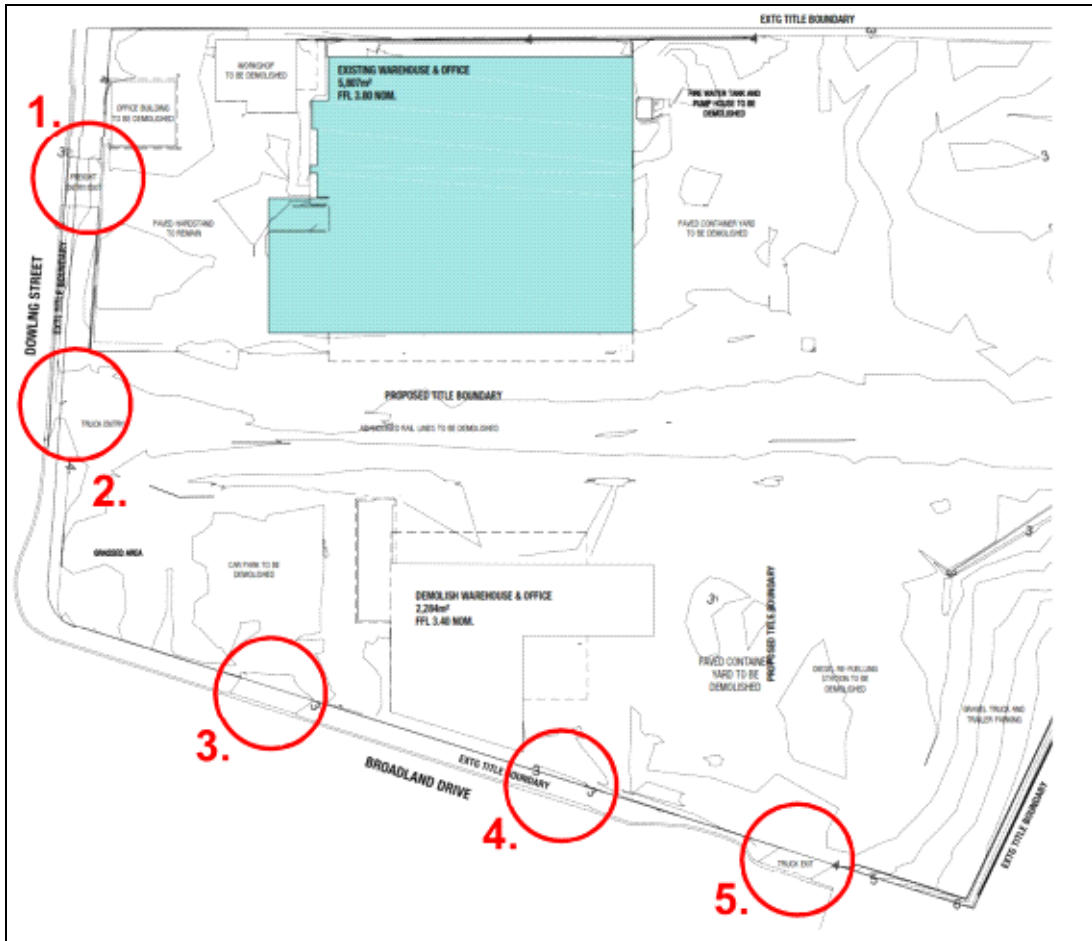


Figure 1: Proposed Access Points (GHD TIA, 2016)

Car Parking

A total of 179 car parking spaces are proposed across the site in three locations as follows:

Main car park behind main office

- 147 spaces total including:
 - 10 sign posted visitor parking spaces;
 - 12 reserved spaces for management;
 - 2 accessible spaces.

Car Park in front of Warehouse A

- 22 spaces including 1 accessible bay.

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Car Park located to the south of Warehouse B

- 10 spaces including 1 accessible bay.

The proposed works will significantly increase the number of car parking spaces at the site whilst the overall number of employees (130) will not increase.

A 79 space semi-trailer truck parking bay will be constructed to the rear of the main car park.

Signage

A total of 7 signs (all non-illuminated) are proposed as follows:

- Office:
 - Two 600(h) x 2600 (w) mm signs, one on each of the southern and western elevations
- Warehouse A
 - Two 2000(h) x 5000(w) mm signs, one on each of the southern and western elevations.
- Warehouse B
 - Two 2000(h) x 5000(w) mm signs, one on each of the southern and western elevations.
- Truck wash and refuelling station
 - One roof sign 775(h) x 3300(w) mm on the southern end.

Operational Details

The applicant has provided information that states that the proposed works are about increasing efficiencies in operations and improve safety. The overall number of staff at the site will remain at 130 full time staff and the 24 hr 7 day a week operating schedule is proposed to continue.

One of the key aims of the project is to relocate existing bottle and packaging operations from Bell Bay to Launceston and make more efficient use of rail transport. Currently, bottles are transported from Bell Bay via B-Doubles, unloaded at the site and loaded onto semi-trailers before being taken to Boags Brewery in the Launceston CBD.

As part of the redevelopment of the site, the existing Bell Bay operations will be relocated to the site, taking up a portion of the expanded Warehouse A building. Bottles will be transported from Bell Bay via the rail corridor before being loaded onto semi-trailers and delivered to Boags Brewery.

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Therefore, there will be a general mode shift from road freight to rail and a resulting decrease in the level of traffic accessing the site. In particular, the amount of B-Doubles using the local road network, including Invermay Road and Cimitiere Street, will decrease.

The applicant submitted information in response to the representations further clarifying that there is no change in the frequency and departure of trains. Currently a train arrives once per day and leaves once per day. During peak periods sometimes two shunts take place but there is still only one train in an one train out. The current TasRail schedule has the train arriving at the site at 0700 and departure at 1800, 6 days per week.

Staging

In order to keep the facility fully operational during the proposed upgrades, the construction and works are proposed to be undertaken across 11 stages as follows:

1. New rail siding and heavy-duty pavements at the eastern end of the lot;
2. Commissioning of new rail, removal of existing rail asset, infill of rail corridor with medium duty pavement;
3. Construction of Warehouse B and surrounding medium-duty pavements.
Construction of office building.
4. Demolition of existing warehouse and office building along the southern boundary and conversion to temporary container park, demolition of buildings in the north-east corner of the lot, made good with pavers;
5. Construction of office car park, truck entry and medium duty pavement at western boundary;
6. New awning on eastern wall of Warehouse A;
7. Construction of heavy-duty pavements as container park on the north-east corner of the lot;
8. Construction of truck and trailer park, and customer pick-up warehouse;
8A Subdivision into 3 lots;
9. Construction of truck wash and re-fuelling station;
10. Construction of warehouse A extension, including construction of fire pump shed and tank and installation of LPG tank;
11. Construction of enclosed truck loading area on the western wall of Warehouse A.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The 8.29ha site is located on the north-eastern side of the intersection between Dowling Street and Broadland Drive and also has a frontage to Greythorne Street. It is irregular in shape and is currently bisected from east to west by an existing rail siding. There are five existing access points, three on Broadland Drive and two to Dowling Street.

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The site is located opposite the NTCA Sporting Complex and Elphin Basketball Centre. To the north of the site on Dowling Street is the currently vacant, former Becks bulky goods retail site which is situated in the Light Industrial Zone. The land opposite the site on Broadland Drive is within a mix of the Light Industrial and Commercial Zones and is developed for a mixture of light industrial and office purposes.

The site also borders Broadland Park, the sporting facility associated with Launceston Church Grammar School Junior Campus and another light industrial use with access from Cypress Street. The site is bordered to the east by the State Railway Corridor and rural land beyond that.

There are a number of residential uses within 100 metres of the site located both along Cypress Street and Dowling Street but none with direct frontage to the site.

The site is relatively flat with a steeper section on the southern boundary with Broadland Park.

The site is cleared of vegetation.

Currently the site is developed with two warehouses, an office, workshop, paved container yards and gravel container yards. The existing buildings have a floor area of 8722m².

Both streets are sealed hardstand and drained Council standard. The site is connected to all reticulated services

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

24.0 Light Industrial Zone

24.1.1 Zone Purpose Statements

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

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Consistent

The proposed development is assessed as being consistent with the zone purpose. The proposed works are designed to reorganise the existing freight distribution centre which meets the definition of the Transport Depot and Distribution Use Class, a permitted use class within the zone.

It is clear from the zone purpose statements that storage and distribution of goods is one of the core purposes of the zone, provided off-site impacts can be minimised. Whilst the proposed works will increase the amount of development on the site, it will enable greater use of the existing adjacent rail network and result in decreased truck movements into and out of the site whilst making more efficient use of the one train movement into and out of the site per day. As such, it is considered that off-site impacts will be reduced as a result of the works and recommended permit conditions.

24.3 Use Standards

24.3.1 External storage of goods

Objective:

To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.

Consistent

The nature of the use is such that external storage of goods is unavoidable. The site is a handling facility for freight and as such shipping container storage does and will continue to occur. The shipping containers are stored in the designated container area which is located in the north-eastern corner of the site. This area is currently gravel hardstand so the proposal to seal it with pavement will reduce dust emissions and have a positive impact on amenity.

A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.

Relies on Performance Criteria

The two container storage areas to the rear of both Warehouses will be partially visible from Broadland Drive. Assessment against the performance criteria is required.

P1 Storage of goods and materials, other than for retail sale, or waste must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, having regard to:

- (a) the nature of the use;
- (b) the type of goods, materials or waste proposed to be stored;
- (c) the topography of the site;
- (d) the landscaping of the site; and
- (e) any screening proposed.

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Complies

It is noted that the container storage to the rear of Warehouse A is existing whilst the storage area to the rear of Warehouse B is new. The location of each of these storage areas is considered to be consistent with the matters to be considered under the Performance Criteria as follows:

- a) The nature of the use as a freight storage and distribution centre means that external storage of containers is unavoidable. There is only a small increase in the area for container storage proposed.
- b) External storage will take the form of shipping containers in transit through the site. As such there is no external storage of rubbish and the site is kept in a tidy and orderly manner.
- c) The site is relatively flat.
- d) Landscaping is proposed along the western end of the Broadland Drive boundary. The landscaping proposed will assist in screening the container storage area to the Rear of Warehouse A from Broadland Drive, whilst Warehouse B will also partially screen this area. The container area to the Rear of Warehouse B is not proposed to be screened, however it is noted that this area is at the termination point of this no through road so this area will only be visible to development directly opposite the site which is also of a light industrial nature. A condition has been recommended to require an amended landscape plan which identifies the proposed tree and shrub species to screen the site from Broadland Drive.

24.3.2 Emissions impacting sensitive uses

Objective:

To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.

Consistent

Assessment against the performance criteria has demonstrated that the nearby sensitive residential uses will not be impacted by the proposed works.

A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.

Relies on Performance Criteria

The subject site is located within 100 metres of residential properties at the eastern end of Cypress Street. There are six properties clearly within 100 metres (minimum distance of approximately 64 metres) and a further three properties (57A, 59 and 59A Cypress Street) that measure just on the 100 metre mark, so allowing for a margin for error, impacts to them have been considered in this assessment. It is noted that these properties are separated from the subject site by an existing light industrial zoned site occupied by multiple tenants.

A further four dwellings which are located within 100 metres of the site are located on Dowling Street. It is noted that these dwellings are situated within the Light Industrial Zone). Figures 2 and 3 below illustrate the 100 metre buffer around the site at 35 Dowling Street, Launceston.

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Figure 2: Aerial Imagery with 100m buffer

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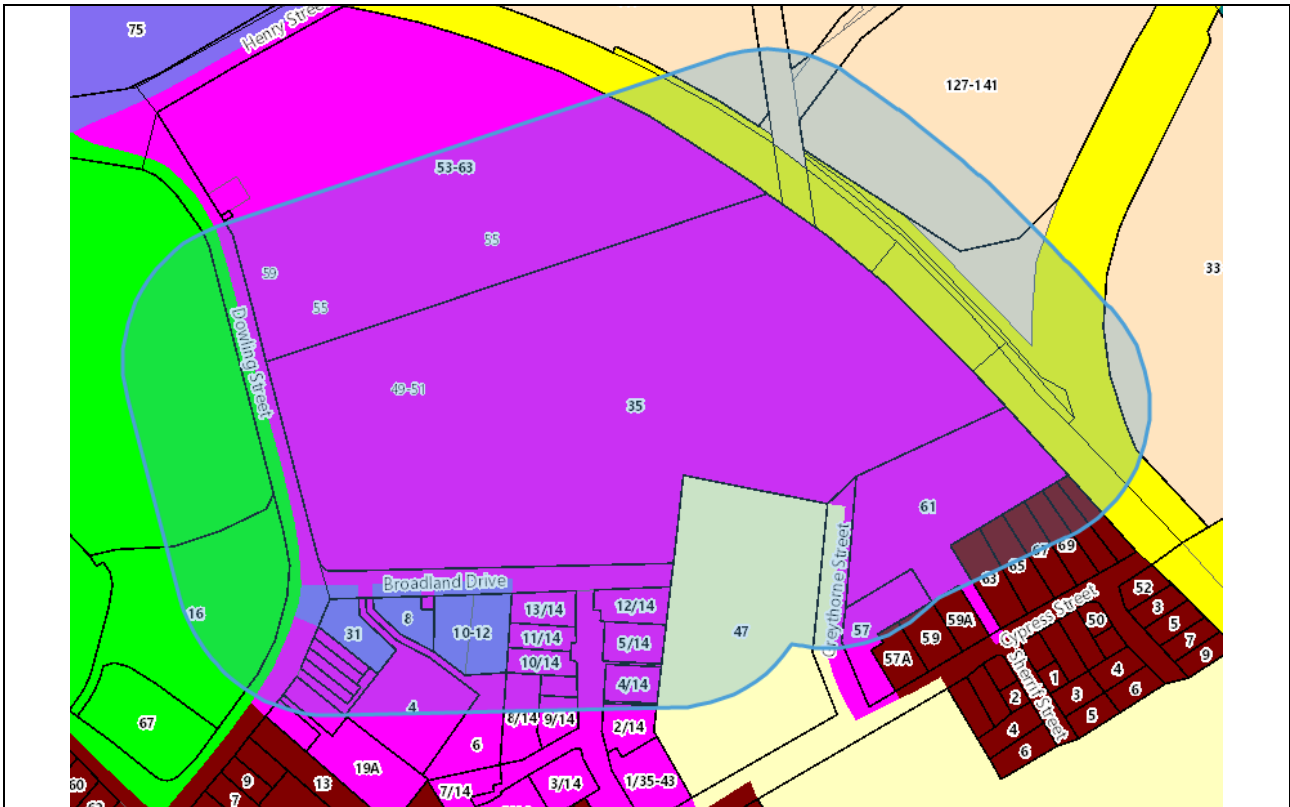


Figure 3: Zoning Map with 100m buffer

Assessment against the performance criteria is required.

P1 The use must not adversely impact on the amenity of nearby sensitive uses, having regard to:

- (a) the nature of the proposed use;
- (b) the nature of the emissions;
- (c) the proximity and number of sensitive uses in the area;
- (d) the topography of the site;
- (e) any mitigation measures proposed; and
- (f) the proximity and number of nearby emitting uses.

Complies

Assessment of the impacts of the proposed use on nearby sensitive uses against the matters to be considered under the Performance Criteria is as follows:

- (a) The nature of the proposed use as a freight distribution facility is such that the potential impacts to sensitive uses are from noise and dust emissions. No manufacturing takes place on site therefore odour emissions are not a consideration.

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Noise

A Noise Assessment has been completed by Vipac which determined (from ambient level noise monitoring both on the site and at nearby sensitive receptors) that the project specific assessment criteria for noise is as follows:

- Day (0600-2000 hrs) 50dBA
- Night (2000-0600 hrs) 40dBA

It is noted that the ambient level noise testing was undertaken over the Christmas period 22 December 2015 to 1 January 2016. Concern was raised in the representations that this period is not reflective of normal operating conditions due to it being a holiday period. The applicant has responded that this period, being Christmas, is actually a peak operating period due to high levels of both perishable and non-perishable goods being handled at the facility. This response is accepted as reasonable. Further, it is noted that the specific assessment criteria for the project has been set at 50dBA for daytime hours and that there were periods during the day that this noise level was exceeded during the monitoring period. The 50dBA level has been set as a base given that the Tasmanian Environmental Protection Policy (Noise) 2009 suggests that moderate annoyance may occur above this noise level in outdoor living spaces. Further, the night time noise level of 40dBA was also found to be consistently met with traffic noise from the surrounding areas. It is therefore considered that the baseline noise assessment criteria set for the site is conservative.

The predicted noise levels are based on four operational scenarios including a worst case for both daytime and night time operations and include consideration of fork lift use, truck movements, truck wash and refrigeration containers. The model found that the predicted noise levels at each of the 10 receiver locations (all located adjacent to the residential properties within 100m of the site) were all at or below the assessment criteria for the project. It is noted that truck movements were the main noise source at all locations. The assessment makes a number of recommendations which are proposed to be included as permit conditions as follows:

- *High lift forks not to operate at night (i.e. not after 2000hrs and before 0600hrs).*
- *Refrigeration containers parked up in Lot 2 only, orient refrigeration unit facing the east;*
- *Minimise small fork activity in existing medium duty hardstand area at night.*
- *House the container wash pump in a Colorbond housing as for the truck wash pump. Care should be taken to ensure the pumps are not vibrationally coupled to the housing structure (i.e. pump or pipes supported off or hard coupled to the housing structure). Additionally, it is assumed that the housings would be fully enclosed with not openings around the base or around the doors and louvres allowing air flow that face away from sensitive receiver locations.*

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It is noted that the proposed site upgrades are likely to decrease the number of truck movements to and from the site and that existing truck movements were found to be the greatest source of noise pollution. The proposed upgrades to rely more heavily on rail transport should therefore assist in reducing noise pollution.

Dust

The application is accompanied by a dust management plan which found that due to the unpaved grassed and unpaved gravel areas currently on the site, that vehicle movements and periods of significant winds are likely to result in dust entrainment with the potential to impact nearby residences and other sensitive uses. Given the proposal will result in all surfaces on site being hardstand, it is considered that the potential sources of dust pollution will be reduced once the site is fully redeveloped and operational.

The Dust Management Plan details a range of mitigation and management measures for both the construction and operational phases of the project. Recommended permit conditions will require the implementation of both the construction and operational phase dust management plans.

- (c) As stated there are 10 residential properties situated between 40 and 100 metres from the site. There are no sensitive uses with direct frontage to the site and all sensitive uses are separated from the site by light industrial/commercial development.
- (d) The site is relatively flat. Topography was taken into account in both the noise and dust assessments.
- (e) A number of recommendations are made in both the noise and dust assessments which form the basis for recommended permit conditions. In some cases, recommended conditions are more stringent than the recommendations of the noise assessment.
- (f) The site is surrounded by light industrial activity to the north and south and a recreational precinct to the west. It is noted that noise at night may not be solely from the Toll site by virtue of the many industrial and commercial uses in the area.

24.4 Development Standards

24.4.1 Building height, setback and siting

Objective:

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area; and
- (b) protects the amenity of adjoining residential zones.

Consistent

Assessment against the performance criteria has demonstrated the additional height component on three of the buildings is compatible with the streetscape and character of the surrounding area. The site is not adjacent to any residential zones.

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<p>A1 Building height must be no greater than:</p> <ul style="list-style-type: none"> (a) 10m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
<p>Relies on Performance Criteria</p> <p>The existing Warehouse A on the site has a height of 10 metres and it is assessed that the surrounding buildings are of a similar height of less. The permissible height on the site is therefore 11 metres. The Warehouse A extension has a height above existing surface level to the top of the parapet on the eastern facade, whilst the average maximum height is approximately 12.6 metres.</p> <p>Warehouse B has a proposed overall maximum height above existing surface level of 14.1 metres.</p> <p>The refuelling station will have a height of 12.9 metres.</p> <p>All other proposed buildings have a maximum height less than 10 metres.</p> <p>Therefore the extension to Warehouse A, Warehouse B and the refuelling station all rely on the performance criteria in relation to height.</p>
<p>P1 Building height must be compatible with the streetscape and character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height of buildings on the site, adjoining lots and adjacent lots; (c) the bulk and form of existing and proposed buildings; (d) the allowable building heights; (e) the apparent height when viewed from roads and public places; and (f) any overshadowing of adjoining lots or public places.
<p>Complies</p> <p>Assessment is provided below of the additional building height component of the three buildings above 11 metres taking account the streetscape and character of the surrounding area against the matters to be considered under the Performance Criteria:</p> <ul style="list-style-type: none"> a) The topography of the site is relatively flat and does not necessitate the additional height component. b) As stated, the height of the existing warehouse on site is 10 metres and surrounding buildings are at that height or less. c) The additional height component of the buildings is commensurate with the overall size of the site and is not considered to result in any off-site impacts in terms of overshadowing. The site adjoins light industrial uses and the additional height component is considered necessary for the efficient operation of the site; maximising the available storage space within the warehouses. The truck refuelling station is not a bulky facility and its height does not result in large building massing.

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- d) The allowable building height is 11 metres, therefore an additional 3.1 metres for Warehouse A is sought.
- e) The additional height component for Warehouse A will not be obvious when viewed from Dowling Street as it will largely be screened by the existing front section of the warehouse. Further, it is only the parapet on the eastern elevation that extends to 14.1 metres above surface level, so for the most part the extension will only appear as 1.7 metres higher than the existing building. Warehouse B will be partially visible from Broadland Drive, a no through road. The Warehouse is sited beyond the cessation point of Broadland Drive and therefore doesn't have a prominent streetscape presence. The same applies to the refuelling station and the fact that structure doesn't have any walls reduces the impact of the bulk of the structure. Further it is noted that the existing warehouse to be demolished has a significant streetscape presence to both Dowling Street and Broadland Drive and given that, with the exception of the main office (which meets the permissible height requirements), new buildings are set well back from the street, it is considered that the immediate impact to the streetscape will be the same or less dominant than the existing.
- f) The additional height component of the three buildings will not result in any overshadowing of adjoining lots or public spaces.

A2 Setback from a frontage must be no less than:

- (a) 5.5m; or
- (b) the setback of an adjoining building.

Complies

The buildings on the adjoining property to the north, 53-63 Dowling Street are situated at the front boundary, therefore in accordance with A2, there is no minimum setback required for Dowling Street.

The existing warehouse to be demolished has a setback to Dowling Street of approximately 3.3 metres, therefore the minimum setback to Dowling Street is 3.3 metres.

The main office will have a minimum setback to Dowling Street of 6.07 metres and Broadland Drive of 3.7 metres and therefore complies.

A3 Buildings can be built up to the side and rear boundaries.

Complies

The minimum side boundary setback proposed is 1.5 metres from the truck wash and refuelling station to the south-eastern title boundary.

24.4.2 Streetscape

Objective:

To ensure that development has an acceptable impact on the streetscape.

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<p>Consistent The assessment against the performance criteria demonstrates an acceptable impact on the streetscape.</p>
<p>A1 Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must:</p> <ul style="list-style-type: none"> (a) have external walls constructed with no less than 50% brick, concrete, masonry or glass; and (b) have external walls, unless brick or glass, painted or finished with a texture coat; and (c) have no less than 50% glazing to the external walls of the office component of the buildings.
<p>Relies on Performance Criteria The Warehouse A extension has greater than 50% of the walls constructed with Colorbond and therefore does not meet A1.</p> <p>Warehouse B also have greater than 50% of the external walls constructed with Colorbond and therefore does not meet A1.</p> <p>The main office will be clad in precast concrete panels and meets A1 (a) however the external glazing component is less than 50% required under A1 (b).</p> <p>The truck wash and refuelling station do not have walls and therefore are compliant.</p> <p>The container wash will have Colorbond walls and does not comply with A1.</p> <p>The fire pump houses and customer pick-up warehouses have Colorbond walls and does not comply with A1.</p> <p>Assessment against the performance criteria is required.</p>
<p>P1 New buildings or extensions to existing buildings must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the nature of the proposed use; (c) the visibility of the building from the road; (d) the external treatment and finish of buildings; and (e) the building materials used in the surrounding area.

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Complies

The proposed buildings and extensions to buildings are considered to be consistent and compatible with the surrounding light industrial streetscape taking account the matters to be considered under the Performance Criteria. Assessment of each discretionary building is as follows:

Warehouse A Extension

The northern and eastern elevations will not be visible from the streetscape and therefore will not impact the streetscape. The western façade will largely remain unchanged and therefore is considered acceptable. The southern façade will be partially visible from Dowling Street and Broadland Drive. This façade treatment of precast concrete panels for the lower third of the elevation with Colorbond panels for the upper two thirds, broken up by four roller doors is considered acceptable in terms of impacts to the streetscape. The setback of this building from any street frontage, and the proposed landscaping along the Broadland Drive frontage, means the mass of the building when viewed from this location will be broken up. Further, the use of differing coloured Colorbond panels will assist in breaking up the building mass. Use of Colorbond material is common in the surrounding area and considered appropriate for a light industrial landscape, particularly for facades that do not have direct street frontage.

Warehouse B

This building will not have direct street frontage and will be partially visible from Broadland Drive and in the distance from Dowling Street. Only the western façade will really be visible from any public street location. The façade treatment of precast concrete panels for the lower third of the elevation with Colorbond panels for the upper two thirds, broken up by four roller doors, the office component façade and the steel framed canopy means that it will not appear as one solid building. Further, the use of differing coloured Colorbond panels will assist in breaking up the building mass. Use of Colorbond material is common in the surrounding area and considered appropriate for a light industrial landscape, particularly for facades that do not have direct street frontage. The office façade does meet the A1(b) requirement of a minimum of 50% glazing.

Main Office

The requirement for the office components to have no less than 50% glazing is really intended to apply to offices attached to warehouse or industrial style buildings, not stand alone offices as proposed. All elevations of the main office building will have glazing and façade treatments that break up building mass. A 50% glazing of all facades of the office building is not practical and it is considered that the amount of glazing proposed is appropriate for the size, scale and purpose of the building. Finally, it is noted that in terms of streetscape impact, that the main office replaces an existing Colorbond clad warehouse building and is considered to have a more sympathetic presence to the streetscape than the building it replaces.

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Container Wash

The container wash is situated well back from the Dowling Street frontage and will be partially concealed from the Broadland Drive frontage (at the end point of the no through road) from the proposed landscaping. The smaller scale of this building in relation to the others and its location means that the Colorbond cladding is considered an acceptable outcome.

Customer Pick Up Warehouse

This relatively small structure will be largely concealed from Broadland Drive by landscaping and Dowling Street by the Main Office building.

Fire Pump House A

This small building will be visible from Dowling Street, however its scale is such that its cladding will not have a significant impact on the landscape.

Overall it is noted that that the proposed Colorbond clad warehouse buildings are consistent with a light industrial area and fit for purpose.

A2 Car parking must not be located within 3m of the frontage.

Complies

The car parking spaces situated in front of Warehouse A are located a minimum of 6 metres from the frontage of proposed lot 1.

The main car park situated on Lot 3 has a minimum setback of 9.5 metres from Broadland Drive and the truck and trailer parking spaces situated on both lot 2 and 3 are located a minimum of 3.5 metres from Broadland Drive.

24.4.3 Fences

Objective:

To provide for fences that are appropriate to the site and character of the area.

Consistent

Compliance with the Acceptable Solution demonstrates compliance with the objective.

A1.1 Fences must be no higher than:

- (a) 1.8m on a frontage; or
- (b) 2.1m on a side or rear boundary that abuts a public reserve; or
- (c) 3m on a side or rear boundary otherwise.

A1.2 Fences must be 50% transparent above a height of 1.2m.

A1.3 Front fences higher than 1.2m must be located no less than 1m from the frontage and the setback be landscaped between the frontage and the fence.

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<p>Complies No change to the fencing is proposed.</p>
<p>24.4.4 Site landscaping</p>
<p>Objective: To ensure that new development improves the amenity of the site and the streetscape.</p>
<p>Consistent The landscaping proposed achieves the objective of this standard. Compliance is achieved with the performance criteria.</p>
<p>A1 New buildings or extensions with a gross floor area greater than 100m² or 50% of the existing gross floor area, whichever is less, must:</p> <ul style="list-style-type: none"> (a) landscape an area within the front setback of not less than the 50% of that area; and (b) provide a minimum of 1 tree capable of growing to a height of no less than 10m planted for every 1 000m² of site area. Trees must be located within a minimum 3m diameter landscaped area.
<p>Relies on Performance Criteria The required front setback is 5.5 metres. The overall subject site has approximately 392 metres of frontage. Therefore an area of 1078m² is required to be landscaped. The site has an area of 8.37 hectares; therefore 84 trees are required to be planted.</p> <p>A total of 42 trees are proposed in addition to grasses and shrubs therefore the application relies on the performance criteria.</p> <p>Notwithstanding the above, given that subdivision is proposed, an assessment of the landscaping requirements for each of the new lots is outlined as follows:</p> <ul style="list-style-type: none"> • Lot 1 has a frontage to Dowling Street of 94 metres and an area of 41 710m² therefore an area of 517m² is required to be landscaped and 41 trees to be planted. Compliance is not achieved for this lot. • Lot 2 has a frontage of 208 metres and an area of 14540m² therefore an area of 1144 metres² is required for be landscaped and 15 trees planted. Compliance with the Acceptable Solution is achieved for this lot as the area to be landscaped is approximately 1157m² and well in excess of 15 trees are proposed to be planted. • Lot 3 has a 61 metre frontage to Broadland Drive and a 25 metre frontage to Greythorne Street and an overall lot area of 26 600m², therefore an area of 473m² is required to be landscaped and 27 trees planted. Compliance with the Acceptable Solution is not achieved. <p>Assessment against the performance criteria is required.</p>

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P1 Landscaping must improve the amenity and appearance of the site and the streetscape, having regard to:

- (a) the topography of the site;
- (b) the existing vegetation on the site;
- (c) shade for users of the site and car parking areas;
- (d) the location, type and growth of the proposed vegetation;
- (e) the area set aside for landscaping and its suitability;
- (f) any proposed screening; and
- (g) the character of the streetscape and surrounding area.

Complies

The application has been accompanied by a site landscaping plan prepared by a landscape architect.

Assessing the landscaping of the site as a whole, it is considered to meet the performance criteria subject to additional information being provided by amended plans. The existing landscaping in front of Warehouse A will remain as it is currently (established trees and bushes and grassed area) and given the minimal change to street façade in terms of works in front of the Warehouse (the number and area of buildings located between the warehouse and Dowling Street will actually reduce), it is considered the existing landscape measures are satisfactory and offer an acceptable level of screening.

The key landscaped area proposed is along the Dowling Street façade south of the truck entry and extending along Broadland Drive to the end of that street. The mixture of shrubs and trees proposed should offer a good level of screening to the site and use of feature trees to mark entrances will ensure these are clearly visible. The landscaping along Broadland Drive will be an improvement on existing landscaping levels and the visual massing of buildings along this streetscape will actually decrease as a result of the proposed development.

Whilst noting the above, it is considered that the submitted landscape plan does not clearly delineate where each species is to be planted in order to create a visual screen between Broadland Drive and the site. As such an amended plan will be required as a condition of permit detailing the location of each species type and how it will achieve a visual screen to the site with a minimum height of 5 metres.

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In terms of the proposed landscaped measures for each of the proposed lot, the following assessment is made:

- Lot 1: As per above, the proposed streetscape landscaping will remain unchanged and given the bulk of buildings directly visible from the streetscape will actually reduce, this is considered acceptable. Further, it is noted that the number of trees required to be planted as per the site area, does not take account the fact that the site has considerable length and a large portion of it will not be visible from Dowling Street. The proposal to maintain the current landscaping for lot 1 is considered acceptable.
- Lot 2: Meets the acceptable solution
- Lot 3: The number of trees required to be planted as a result of the site area, again does not reflect the actual street frontage. The shape of the lot in relation to Broadland Drive and existing mature vegetation on the adjoining lot to the south, means that proposed Warehouse B will be partially screened from Broadland Drive.

24.4.5 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone; and
- (b) adjoining land, especially residential zones, is protected from adverse impacts on amenity.

Consistent

The application has demonstrated that the area and dimensions of each proposed lot is practically capable of supporting separate access, parking and light industrial uses.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than 1 000m²; and
- (b) be able to contain 20m diameter circle with the centre of the circle not greater than 20m from the frontage; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (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

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.

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Complies

A1.1 (a) Each of the proposed lots has a minimum area of 1000m² as follows:

- Lot 1: 4.171ha
- Lot 2: 2.668 ha
- Lot 3:1.45 ha

A1.1 (b) Each of the proposed lots is able to contain a 20m diameter circle with the centre of the circle not greater than 20m from the frontage.

A1.2 Not applicable

A1.3 The application for development demonstrates that each lot can contain a building that satisfies the relevant setback requirements for the zone.

A2 Subdivision must not be located on the boundary of the General Residential, Inner residential, Low Density Residential, Environmental Living, Rural Living, Urban Mixed Use or Village zones.

Complies

Not applicable. The subject site does not share a common boundary with any of the listed zones.

24.4.6 Frontage and access

Objective:

To ensure that lots provide:

- (a) appropriate frontage to a road;
- (b) safe appropriate access suitable for the intended use of the new lot.

Consistent

It has been demonstrated that each lot has an appropriate road frontage which provides safe access suitable for a light industrial use.

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 10m.

Complies

Each lot has a minimum 10 metre road frontage.

A2 No acceptable solution.

Relies on Performance Criteria

In the absence of an acceptable solution, compliance with the performance criteria is required.

P2 Each lot is provided with reasonable vehicular access from a carriageway 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, including pedestrians;
- (d) the character of the area; and
- (e) the advice of the road authority.

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Complies

Drawing A003 (AJL Consulting Engineers) demonstrates that each lot is provided with reasonable vehicular access. Proposed Lot 1 has two separate crossover points which effectively provide direct access to the Warehouse A loading dock and two lanes of the four lane truck access providing access to the rear of the site. Proposed Lot 2 utilises an existing crossover from Dowling Street. Proposed Lot 3 has truck access provided via two of the four lane truck access from Dowling Street and a separate light vehicle access to the car park from Broadland Drive.

24.4.7 Discharge of stormwater

Objective:

To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Consistent

Compliance with the Acceptable Solution demonstrates that the proposal meets the objective.

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

Each of the proposed lots is capable of connecting to the public stormwater system, albeit via a series of easements across the titles described as follows (extract from AJL Engineering report) -

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Easement 'A'

- Drainage and pipeline & services easement over lot 3
- In favour of lot 1; lot 2; Launceston City Council and the Tasmanian Water and Sewerage Corporation Pty Ltd

Easement 'AA'

- Drainage & pipeline & services easement over lot 2
- In favour of lot 1; lot 3; Launceston City Council and the Tasmanian Water and Sewerage Corporation Pty Ltd

Drainage easement over lot 1 and lot 2

- Easement 'B'
- In favour of Launceston City Council

Easement 'C'

- Pipeline and services easement over lot 1 and lot 3
- In favour of the Tasmanian Water and Sewerage Corporation Pty Ltd

Easement 'D'

- Drainage easement over lot 1
- In favour of lot 2 and 3

Easement 'E'

- Drainage easement over lot 3
- In favour of lot 1

Easement 'F'

- Drainage easement over lot 2
- In favour of lot 1

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.

Relies on Performance Criteria

The application is not accompanied by written advice from the Council's General Manager. Assessment against the performance criteria is required.

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:

- (a) the location of the discharge point (if any);
- (b) the stormwater flow paths both internal and external to the site;
- (c) the topography of the site;
- (d) the characteristics of the site, including rainfall;
- (e) the development of the site;
- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

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Complies
 The proposed works will increase the impervious surfaces of the site and contains a stormwater main. The application was internally referred to the Infrastructure Services Department who liaised directly with AJL Consulting Engineers regarding stormwater discharge. The Infrastructure Department has recommended permit conditions to ensure that the public stormwater system can accommodate the anticipated discharge.

24.4.8 Water and sewerage services

Objective:
 To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent
 Compliance with the Acceptable Solutions demonstrates compliance with the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

Complies
 Each lot is capable of being connected to reticulated water supply. TasWater have issued their conditioned approval for the proposed subdivision and development. The proposed connections to each lot are described as follows:

- Lot 1 - domestic water to be sourced from existing supply point with upgraded DN 150 fire main and DN water meter/connector.
- Lot 2 - domestic water to be sources from new supply point at Broadland Drive with DN 100 fire main and DN 50 water meter/connection.
- Lot 3- domestic water to be sourced from existing water main in Broadland Drive with DN 32 water meter/connection.

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

Complies
 Each lot is capable of being connected to reticulated wastewater. TasWater have issued their conditioned approval for the proposed subdivision and development.

Currently a network of TasWater owned sewer trunk mains exist on site. TasWater have advised the sewer main is a 350mm diameter concrete pipe. Each of the newly created lots will connect to the existing town main. It is expected that all drains will be gravity drained with the exception being the dangerous goods store on Lot 1, which is currently pumped to sewer with a rising main.

28.0 Utilities Zone

28.1.1 Zone Purpose Statements

28.1.1.1 To provide land for major utilities installations and corridors.

28.1.1.2 To provide for other compatible uses where they do not adversely impact on the above purpose.

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Consistent

The proposed railway siding realignment to allow for more efficient use and access to the rail corridor by Toll is consistent with the zone purpose. This is the only aspect of the application which is subject to the Utilities Zone.

28.3 Use Standards

28.3.1 Capacity of existing utilities

Objective:

To ensure that uses do not compromise the capacity of utility services.

Consistent

The proposed railway siding realignment will not compromise the capacity of the rail network.

A1 If for permitted or no permit required uses.

Complies

'Utilities' is a permitted use class in the zone.

28.4 Development Standards

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to:

- (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

Consistent

The subject site is on Council's internal list of potentially contaminated sites due to potential historical sources of contamination from underground petroleum storage systems.

Accordingly a preliminary contaminated site assessment was undertaken by the applicant and the certified practitioner has concluded that the proposal meets the exemption under E2.4.5 of the Potentially Contaminated Land Code in that there is insufficient increase in risk from contamination to warrant any specific remediation and protection measures.

E2.6 Development Standards

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent

Assessment of the application against the relevant standards confirms that the proposed works will not impact on the safety and efficiency of road and railway networks and will in fact reduce the number of truck movements on the road network. The number of daily train movements to the site will remain unchanged, however the site will use rail more efficiently.

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E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Consistent

The objective is met through compliance with the performance criteria. The anticipated vehicular traffic movements to and from the site is proposed to be reduced.

A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.

Relies on Performance Criteria

The application is accompanied by a Traffic Impact Assessment (TIA) prepared by GHD. The TIA outlines how the proposed works will generally shift the mode of transport to the site from road to rail and therefore reduce the number of truck movements into the site each day. The TIA does not take into account the fact that whilst the number of staff at the site will remain unchanged, that currently the on-site car park only has approximately 75 spaces and therefore can't provide car parking for all staff, many of whom consequently park on the street. The redevelopment will result in all staff being provided with on-site parking and therefore the staff movements to and from the site will increase (likely to nearly double).

Given the proposed development will impact both existing accesses and junctions in differing ways, compliance with the Acceptable Solution is broken down into two components as follows:

Traffic Movements to existing junctions

As stated in the TIA, given the proposed development will essentially remove the Bell Bay site road freight leg for transportation of Boags Brewery empty bottles by replacing the road leg transport of the bottles to the site via rail, the number of truck traffic movements to the surrounding junctions will decrease.

The number of staff working at the site will remain the same prior and post development. Given there is only approximately 75 car parking spaces on site for staff, yet 130 staff employed, many staff park within the surrounding street network. Therefore traffic movements in relation to staff to surrounding junctions will remain the same.

In relation to traffic movements at surrounding junctions, the overall number will not increase and therefore compliance with the Acceptable Solution is achieved.

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Traffic Movements to existing access points

Whilst the number of truck movements using existing access points to the site will reduce by virtue of increase rail freight movements, the number of car movements to the site will increase given that all staff will now be able to park on site. This is desirable. The application does not contain information detailing the number of reduced truck movements to the site and therefore it is assumed that the overall number of movements to the site at the western most access point on Broadland Drive will increase by more than 20% and assessment against the Performance Criteria is needed.

P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature and efficiency of the access or the junction;
- (d) the nature and category of the road;
- (e) the speed limit and traffic flow of the road;
- (f) any alternative access to a road;
- (g) the need for the use;
- (h) any traffic impact assessment; and
- (i) any written advice received from the road authority.

Complies

The overall number of movements to the western most access on Broadland Drive will likely increase due to increased levels of staff parking being provided on site. This is seen as having an overall benefit to the surrounding street network as it will significantly reduce instances of staff parking on street. This access gate will be open during business hours and there will be a swipe card access out of hours.

The increased use of this access point will not actually increase traffic movements overall in the street network and are considered acceptable in terms of the nature and speed limit of the road. The TIA accompanying the application has determined that the access point is safe, and has sufficient sight distance provided a no stopping zone is provided to the east of the access. Infrastructure services have recommended that the width of this access point be reduced given it is to become a light vehicle access only.

A permit condition has been recommended by the Infrastructure Department in relation to the 'no stopping zone' recommended to the east of the main car park access by the TIA.

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

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<p>Objective: To ensure that development adjacent to category 1 or category 2 roads or the rail network:</p> <ul style="list-style-type: none"> (a) ensures the safe and efficient operation of roads and the rail network; (b) allows for future road and rail widening, realignment and upgrading; and (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.
<p>Consistent The proposed development to expand on an existing freight hub is necessarily located adjacent to the rail network as it relies on the rail network to transport goods to and from the site.</p>
<p>A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots. <p>A1.2 Buildings must be:</p> <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building.
<p>Relies on Performance Criteria Proposed Warehouse B and the Container wash are both located within 50 metres from the rail network therefore the application relies on the performance criteria.</p>
<p>P1 The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the proposed setback; (b) the existing setback of buildings on the site; (c) the frequency of use of the rail network; (d) the speed limit and traffic volume of the road; (e) any noise, vibration, light and air emissions from the rail network or road; (f) the nature of the road; (g) the nature of the development; (h) the need for the development; (i) any traffic impact assessment; (j) any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and (k) any written advice received from the rail or road authority.

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Complies

Only a small portion of the north-eastern corner of Warehouse B is within 50 metres of the rail corridor (setback approximately 48 metres) whilst the container wash and diesel storage are setback 47 and 35 metres respectively. It is assessed that the proposed development is appropriate for a site located adjacent to a rail corridor given it is a freight handling facility that integrates road and rail transport and relies on its proximity to the rail corridor to utilise the rail network to bring freight to and from the site. The proposed buildings do not constitute a sensitive use and will not be impacted by emissions in terms of noise from the rail network.

E4.6.2 Road accesses and junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

Consistent

The information contained in the TIA submitted with the application demonstrates that the safety and efficiency of road will not be reduced by the proposed expanded access points. It is noted that no new access points are proposed.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.

Relies on Performance Criteria

Assessment against this standard is based on the site operating as a whole rather than the three separate titles. Compliance with the Acceptable Solution is not achieved given four separate access points are proposed. It is noted that the number of access points to the site are to be reduced from 5 to 4 as a result of the proposed development.

P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the nature of the road;
- (c) the speed limit and traffic flow of the road;
- (d) any alternative access to a road;
- (e) the need for the access or junction;
- (f) any traffic impact assessment; and
- (g) any written advice received from the road authority.

Complies

The TIA prepared by GHD deals with traffic efficiency and parking. The report states that *'the proposed development is not expected to generate additional traffic onto the surrounding road network, and due to a mode shift of Bell Bay freight to rail, may reduce the number of B-double movements in the external road network. This would result in a reduction in road freight volumes, and therefore improved traffic performance, on Dowling Street, Boland Street and Invermay Road.*

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The only significant change in traffic activity as a result of the proposal will be the switching of entry and exit points so that trucks will enter the site directly via Dowling Street and exit onto Broadland Drive. This will change traffic movements at the Broadland Drive / Dowling Street junction from predominantly right-in/left-in movements to right-out/left-out. Given that existing peak traffic volumes on Dowling Street are less than 500 vehicles per hour, there are regular gaps in traffic and there is considered to be sufficient capacity for the changed operation with very little impact on performance.

Since the proposed development will not increase the level of traffic accessing the site, there are unlikely to be any adverse road safety impacts. There is ample sight distance at the Broadland Drive/Dowling Street junction such that a heavier left-out and right-out flow will not cause additional risk of collision.'

The application was internally referred to Council's Road Authority who have provided recommended conditions of approval.

E4.6.4 Sight distance at accesses, junctions and level crossings

Objective:
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Consistent
The objective is met through compliance with the acceptable solution.

- A1 Sight distances at:**
- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
 - (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies
Table E4.6.4 requires a sight distance of 80 metres for each access point. The TIA has reviewed this element and confirmed that it can be achieved for the following access points:

- Northern Access, Dowling Street (exceeds 130 metres)
- Eastern access, Broadland Drive (100 metres)

The Western access on Broadland Drive can achieve the SISD if a No Stopping zone is provided east of the access. This has been recommended by permit condition.

The southern access on Broadland Drive is any entry only point therefore assessment against SISD is not required.

E6.0 Parking and Sustainable Transport Code

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- E6.1 The purpose of this provision is to:
- (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.

Consistent

The proposed level of car parking is considered acceptable for the use and development of the site and will actually improve the existing situation in relation to staff car parking.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Consistent

It is assessed that adequate car parking is proposed.

A1 The number of car parking spaces must:

- (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 2 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.

Complies

Table E6.1 does not specify a number of parking spaces for the use of the site being Transport Depot and Distribution. The Table states 'no requirement set' for the Transport Depot and Distribution use class. No requirement set is defined in the Code and states that parking is therefore at the discretion of the Planning Authority.

The proposed development will increase car parking on site from 75 across two locations to 179 across three locations. The main car park provides 147 spaces catering for employee and visitor parking. This car park is separated from the normal operation of the site and is accessed from Broadland Drive. Given there are 130 people employed at the site, the proposed number of car parking spaces is adequate to cater for both staff and visitor demand and will reduce the number of employees utilising on-street spaces.

The TIA provides a detailed assessment utilising information from different jurisdictions to determine that the proposed parking numbers are adequate for the use of the site.

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A2 The number of accessible car parking spaces for use by persons with a disability for uses that require 6 or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.

Complies

As per the TIA, the proposed development has buildings falling into Class 5 (office) and Class 7b (warehouse), therefore the number of accessible car parking spaces required is 1 space for every 100 spaces provided. A total of 179 spaces are proposed and 4 accessible bays are to be provided therefore compliance with the Acceptable Solution is achieved.

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

The number of proposed bicycle parking spaces is considered appropriate for the type of 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 requires 1 space per 5 employees. There are 130 employees at the site (remaining unchanged from existing), therefore 26 spaces are required.

A bicycle hoop within the main car park provides parking for 22 bicycles.

Assessment against the performance criteria is required.

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

The proposed shortfall of 4 bicycle parking spaces is considered acceptable given the type of use does not generate the need for bicycle parking, rather the demand is from staff only and the number of staff employed with not change as a result of the development. The TIA has submitted that ABS data suggests that 1% of Launceston residents travel to work via bicycle. The proposed supply of 22 spaces represents 17% of staff employed at the site.

E6.6 Development Standards

E6.6.1 Construction of parking areas

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Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent It has been assessed that 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 All proposed car parking areas will: (a) have a gradient of 10% or less; (b) be finished with light duty (proposed main car park) or medium duty (other two car parks) hardstand; (c) be drained to the public stormwater system; (d) be provided with an impervious all weather seal; and (e) be line marked to delineate car parking spaces.
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 All proposed car parking areas are designed and laid out to provide convenient, safe and efficient parking.
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 4 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 3 or more car parking spaces; and (e) have a vertical clearance of not less than 2.1 metres above the parking surface level.

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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 6 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 Performance Criteria

The proposed car parking spaces are all provided with sufficient circulation spaces to enable vehicles to enter and exit the site in a forward direction.

The access to the main car park has a width of 19 metres and exceeds the requirement in Table E6.2 for a minimum width of 4.5 metres by more than 10% and therefore does not comply with the requirements of A1.1(b).

The proposed car parking spaces are 5.4 metres long with a width of 2.4 metres and therefore do not comply with the requirements of Table E6.3 in relation to A1.1(b).

Compliance with A2.2 (d) and (e) is achieved. Aisle widths in the main car park are proposed to be 5.8 metres.

Assessment against the performance criteria is required.

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;
- (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 proposed on-site parking is considered to be acceptable to service the use and development of Toll for staff and customer parking. The site is flat and is proposed to have a network of marked pedestrian access ways inside the fence line with a minimum width of 1.5m. The office area is proposed to be located to the south west of the site with adjacent parking for customer pick-ups. This area is separated from the area of the site where the forklifts will be operating to the north.

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E6.6.3 Pedestrian access

Objective: To ensure pedestrian access is provided in a safe and convenient manner.
Consistent Safe pedestrian access is provided through the main car park which is the only area of the site directly accessible by the public. The application documentation indicates that Toll will prepare a site management plan for management of pedestrian safety through the balance of the site.
A1.1 Uses that require 10 or more parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.
Relies on Performance Criteria Separate pedestrian pathways are not provided from the car parks to the buildings in accordance with the Acceptable Solution.
P1 Safe pedestrian access must be provided within car parks, having regard to: (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.
Complies The car parks adjacent to Warehouses A and B do not have public access and are for staff only; therefore separate pedestrian pathways are not required. The main car park is accessible to the public, although the nature of the business operating from the site is such that it is not a customer based operation. It is considered that the design and layout of the car park enables safe pedestrian access through the car park and pedestrian walkways are provided adjacent to the main office buildings.

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E6.6.5 Bicycle facilities

Objective:

To ensure that cyclists are provided with adequate facilities.

Consistent

Cyclists will be provided with adequate facilities to suit their reasonable needs.

A1 Uses that require 5 or more bicycle spaces by Table E6.1 must provide 1 shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.

Complies

A total of 26 bicycle spaces are required to be provided and 22 are proposed. Shower and change facilities are provided within the main office building with two showers being required for 22 bicycles spaces and two showers proposed.

E6.6.6 Bicycle parking and storage facilities

Objective:

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

Consistent

The objective is met through compliance with the acceptable solution.

A1 Bicycle parking and storage facilities for uses that require 5 or more bicycle spaces by Table E6.1 must:

- (a) be accessible from a road, cycle path, bicycle lane, shared path or access way;
- (b) be located within 50m from the main entrance;
- (c) be visible from the main entrance or otherwise signed; and
- (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

Complies

The bicycle parking and storage facilities are directly accessible from the western most Broadland Drive crossover and located immediately adjacent to the rear staff entry to the building, for whom the bicycle parking spaces are required to be provided.

A2 Bicycle parking spaces must:

- (a) have minimum dimensions of:
 - (i) 1.7m in length; and
 - (ii) 1.2m in height; and
 - (iii) 0.7m in width at the handlebars;
- (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and
- (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.

Complies

Sufficient details are not provided within the plans to demonstrate compliance with A2. A condition has been recommended to require detailed design to accord with the Australian Standard.

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

E18.0 Signs Code

E18.1 The purpose of this provision is to:

- (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and
- (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

Consistent

The proposed signage is considered to be an acceptable level given the overall area of the site and the amount of street frontage it has. It is not anticipated to compromise the safety and efficiency of vehicular or pedestrian movement.

E18.5 Development Standards

E18.5.1 Unacceptable signage

Objective:

To prevent unacceptable signage.

Consistent

The proposed signage is assessed as compliant with the standards with no unacceptable signage to be approved.

A1 Signage must not be for the following sign types:

- (a) an above awning sign;
- (b) bunting (flag and decorative elements);
- (c) a flashing lights sign;
- (d) a roof sign;
- (e) a sky sign; or
- (f) a third party sign.

Complies

The proposed sign for the refuelling station is classified as a roof or sky sign. It cannot be classified as a pole sign as the definition requires it to be separate from a structure. This issue was raised with the applicant and correspondence has been received from them confirming they accept this sign cannot be approved and needs to be removed.

An amended plans condition will require the sign to be removed. The balance of this assessment against the Signs Code is on the basis of the refuelling station sign being removed and it therefore is not assessed.

The remaining six building fascia signs are all acceptable sign types.

E18.5.2 Design and siting of signage

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<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and (b) ensure that the design and siting of signs achieves the purpose of this code.
<p>Consistent The proposed signage scheme is considered to be relatively low key and in keeping with the scale of the site and the buildings upon it.</p>
<p>A1 A sign must:</p> <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
<p>Complies A building fascia sign is an allowable sign type in the Light Industrial Zone. Table 1 of E18.6 provides the following requirements:</p> <ul style="list-style-type: none"> (a) <i>not project above or below the fascia of the building</i> (b) <i>not exceed two-thirds the depth of the fascia, and in any case must not exceed 950mm in vertical dimension;</i> (c) <i>not project more than 200mm from the vertical face of the fascia.</i> <p>All of the proposed building fascia signs comply with (a).</p> <p>All of the proposed building fascia signs do not exceed two-thirds the depth of the fascia. The signs on the Main Office have a height of 600mm in compliance with (b), however the signs proposed for both the warehouses have a height of 2000mm, therefore not complying with (b).</p> <p>All signs comply with (c)</p>
<p>P1 A sign must:</p> <ul style="list-style-type: none"> (a) be located within an applicable zone for the relevant sign type as set out in Table 1 of E18.6; and (b) be appropriate to the natural and built environment of the locality, having regard to: <ul style="list-style-type: none"> (i) domination of the streetscape or premises on which it is located; (ii) the size and dimensions of the sign; (iii) the amenity to surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs; and (vi) the obstruction of movement of vehicles and pedestrians.

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<p>Complies Discretion is invoked with respect to the vertical dimension for the signs on Warehouses A and B. The Code stipulates 950mm is the permissible height whereas 2000mm is proposed. The size of the signs is considered acceptable given the overall size and height of the building fascia on which they are erected. They will not dominate the facade on which they are placed nor the streetscape. The number of signs is considered acceptable given the number of buildings on the site. The increased vertical dimensions will not obstruct movement of vehicles or pedestrians.</p>
<p>A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.</p>
<p>Complies The site does not have boundaries with any of the listed zones.</p>
<p>A3 A building or tenancy must have: (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than 3 individual signs in total.</p>
<p>Relies on Performance Criteria Given two building fascia signs are proposed for each of the Warehouse A and B and the Office, the proposal does not comply with A3.</p>
<p>P3 Visual clutter must be reduced where multiple signs of the same type are proposed, having regard to: (a) the number of signs; (b) replacement of existing signs with fewer, more effective signs; and (c) duplication of messages or information on the same frontage.</p>
<p>Complies The proposed number and size of signs is considered acceptable for the site given the overall size, number of buildings and street frontages. The size of the proposed signs to not dominate the street facades upon which they are located and whilst there is a duplication of the Toll messages across the site, the duplication will ensure the site is easily to identify from the street which given the nature of the use, being a freight depot, is important for customer identification of the site.</p>
<p>A4 A sign must not be illuminated.</p>
<p>Complies No signage is proposed to be illuminated.</p>

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services Department	Application internally referred with recommended conditions of approval
Environmental Services Department	Application internally referred with recommended conditions of approval
Heritage/Urban Design	No referral required
Building and Plumbing	Approvals as required by the <i>Building Act 2016</i>
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice TWDA 2016/00589-LCC.
Department of State Growth	Consent not required
TasRail	The application was referred to TasRail who provided written confirmation that they support the development application.
Tasmanian Fire Service	No referral required
Tasmanian Heritage Council	No referral required
Environmental Protection Authority	No referral required
Aurora/TasNetworks	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 April 2017 to 2 May 2017. Eighteen (18) formal representations were received and two (2) additional representations were received on 3 May. The two letters received on 3 May were taken to be representations. Additional letters by neighbours and members of the community were also received outside of the advertising period.

A 90 minute meeting was held with representors to understand the concerns of the local community. As a consequence of that meeting, Toll decided to place their application on hold and organise a Q&A session with the representors to better explain the intentions of the proposal. The Q&A session was held on 19 July 2017 and most representors attended.

The issues raised by 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.

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
1	<p>Concerned at increased noise emissions particularly given the operation has not responded to existing problems regarding noise. The operation currently makes noise at all hours of the day and night through truck movements, fork lifts, refrigeration and reversing beepers and this will be exacerbated by increase in operations and new facilities on site such as a wash bay.</p>	<p>The subject site is located within a Light Industrial Zone and there are currently no restrictions on the use in terms of hours of operation. The noise assessment prepared to support the application was required to address the use standard 34.3.2 'Emissions impacting sensitive uses.' The permitted standard requires use to be setback from a sensitive use by 100 metres. There are 8 dwellings within 100 metres of the site, rendering the application discretionary. The corresponding performance criteria forms the basis of the requirement by Council for the applicant to include the Noise Assessment. The Noise Assessment was prepared by an independent consultant on the basis of addressing the issues under the Performance Criteria. The Noise assessment included monitoring in 10 locations including adjacent to the three groups of residential properties that fall within the 100 metres of the site. The purpose of the noise monitoring is to determine the baseline noise measurements at those sensitive (and other receptors) proximate to the site. The on-site monitoring was used to establish project specific noise criteria of 50 dBA for daytime (0600-2000 hrs) and 40dBA for night (2000-0600)). Modelling of predicted noise levels based on several operational scenarios then determined that the noise from the site will not exceed the project established criteria as per baseline modelling. A condition of permit is recommended that requires the applicant to provide noise monitoring annually to demonstrate that the project specific noise criteria are not being exceeded. Further conditions are recommended on the permit</p>

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
		based on the recommendations of the noise assessment and they include: <ul style="list-style-type: none"> • High fork lifts not to be utilised at night (between 2000 hrs and 0600 hrs). • Small forklift operation is to be minimised in existing medium duty hardstand areas between 2000 hrs and 0600 hrs. • Refrigeration containers to be parked in Lot 2 only with the refrigeration units oriented to the east. • House the container wash pump in a Colorbond housing as for the truck wash pump.
2	Queries TasRail estimates on freight and routes of service and hours of increased operation and noise emissions.	The applicant has clarified this information by stating that the proposed development will not increase the number of train services to the site per day, rather increase the amount of freight unloaded from the carriages (empty bottles that currently arrive at the site via truck). The train will still only operate once per day with the timetable determined by TasRail and not Toll. It is noted that the rail operation could intensify as a result of increase rail freight activities outside of the subject site and not even necessarily with the Launceston municipality and therefore planning jurisdiction. It is further noted that rail noise is exempt from EPA (Environment Protection Authority) assessment.
3	Concerned that the noise assessment accompanying the application is out of date (2015).	The noise assessment was undertaken late in 2015 over the busiest period for Toll. The development application was lodged with the City of Launceston in May 2016 and was on hold for a significant period of time awaiting further information. The report provides baseline modelling for current operations at the site. Given no additional development has occurred at

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
		the site since the time of monitoring, the use and development has not changed.
4	Query as to what will happen if noise levels predicted for the site are exceeded.	Permit conditions have been recommended to minimise noise emissions at night. Notwithstanding, if noise emissions from the site are considered to be an environmental nuisance, then there are mechanisms under the Environmental Management and Pollution Control Act 1994.
5	External container storage has visual impacts.	The external container storage is visually apparent from areas external to the site, being partially visible from Dowling Street and from Broadland Drive. The nature of the existing approved use being a freight distribution centre means that external storage of shipping containers is inevitable. The application is assessed as meeting Clause 24.3.1 External Storage of Goods.
6	Concerned with unlimited hours of operation both currently and into the future and disappointed that Council will not impose restrictions.	The Light Industrial Zone provisions, unlike some other zones under the Planning Scheme, do not restrict hours of operation. Permit conditions are recommended in relation use of forklifts during the night and it is noted that the number of truck movements to the site are expected to reduce as a result of the development due to more reliance on rail freight. It is also noted that the increase use of rail as a mode of freight will not increase the number of rail movements to the site per day.
7	Concern with the increase in permissible height of buildings.	The application has been assessed as meeting the performance criteria with respect to height. The extension to Warehouse A, Warehouse B and the refuelling station all do not meet the permissible height limit of 10 metres. The Warehouse A extension is assessed as not being prominent for any public place.

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
		Warehouse B is located towards the rear of the site and doesn't have direct street frontage. The refuelling station does not have walls and the impact of the additional height will not be visually prominent at any streetscape locations.
8	Concerned that the amount of required landscaping has been reduced by 50%.	The application does seek variation to the permitted standard in respect of the area of landscaping and the number of trees to be planted. The assessment against the performance criteria has determined that given the street frontages, the area of landscaping proposed is adequate. What is not clearly delineated in the plans is how the proposed mix of species will achieve a visual screen from Broadland Drive particularly, to the site. As such a recommended condition of permit will require an amended landscape plan to be submitted showing how a visual screen with a minimum height of five metres will be achieved along the Broadland Drive frontage.
9	The application hasn't adequately addressed the issue of additional stormwater from the site	The proposed development will increase the area of impervious surfaces on site and therefore stormwater runoff. Council's Infrastructure Services have assessed the proposal and determined that the design meets relevant standards.
10	Flood lighting impacts to residential properties	There are no residential properties immediately adjacent to the site. A permit condition has been recommended to require any future lighting plan to be provided to the satisfaction of the Manager Planning Services and comply with the relevant Australian Standard.
11	Concerned that the noise assessment was not undertaken during normal operating hours i.e. over Christmas period	The applicant has provided information in response to this issue stating that the Christmas period is actually one of the peak operational periods for Toll with there being increased demand on freight. They

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
		have stated that Boags was operating at full capacity during the period of survey.
12	The proposed development will impact on property values in the area	Property values are not a valid consideration under the Planning Scheme. The site is zoned Light Industrial and the proposed development is an extension of an existing approved use.
13	The new extension of Landsborough Avenue and the subdivision off that avenue will be really affected by the increased rail use as a result of the Toll Development.	The subdivision is outside of the 100m area within which impacts to sensitive uses are required to be considered by the relevant standards of the Planning Scheme.
14	Concerned that the noise disturbance modelling is based on current use on site and does not consider and noise for the railway yards or use of trains.	The noise disturbance modelling does take into account the noise from the current railway spur into the site and as stated, the number of train movements to the site and on the network as a whole will not alter as a result of the proposed development.
15	DA does not provide a description of the activity which is currently undertaken at night and how this would compare to what is being proposed.	The DA does lack detail in terms of the current night time activity, however subsequently correspondence with Toll have indicated that there is in fact minimal operation during night time hours. This is supported by the recommended permit conditions prohibiting high forklift operation between 8pm and 6am and minimising small forklift operation. This is substantially reflective of current operational practices of the Toll site.
16	There is a lack of mitigation measures in the application to control background noise or to contain or minimise variable noise such as forklifts.	Use of high lift forks will be prohibited at night time. It is noted that the proposed development is about a change in the mode of transport used for bottle deliveries to and from Boags and whilst this requires additional storage on site, the number of truck movements to and from the site will be reduced.
17	Protection of residential zoned properties from noise pollution should be a priority through use of structures such as perimeter noise abatement	The nature of the use and the potential noise sources, being predominantly located outside buildings is such that perimeter noise fencing would have little

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
	fencing. The residential precincts in proximity to the site have pre-existing use rights.	effect. It is noted that the residential properties within proximity to the site do have existing use rights but the same applies to the operation at the subject site.
18	Concerned about the credibility of the noise report. Normally Council officers would dictate the standard required and place a condition on the application to provide a consultant's report with remedies.	It is normal practice for the applicants to engage an appropriately qualified consultant to address acoustic matters, particularly addressing the matters to be considered by the planning scheme. This noise assessment accompanying the application has addressed the relevant considerations under the performance criteria to clause 24.3.2 emissions impacting sensitive use. Council's Environmental Health Officers reviewed the application information submitted and provide a response and any recommended conditions.
19	Concerned about the dates for public advertising of the application not being transparent.	Council's normal practice is to advertise an application as soon as practicable after a satisfactory level of information has been received.
20	The redevelopment of the Toll site without noise abatement or limits in operating hours is in conflict with Council's broader strategy of the University redevelopment at Inveresk and encouraging investment in facilities nearby.	The redevelopment of the site has been assessed against relevant planning scheme standards.
21	Concerned at increased air and dust pollution.	The application included a Dust Management Report which stipulates recommendations for mitigation measures during construction and operation.
22	Residential areas were established prior to industrial areas	The subject site where Toll is located has been zoned industrial (over various planning schemes) since 1983. Prior to then, it is believed to have been zoned commercial. Notwithstanding the zoning history, the site has been operated by Toll since the mid-1990s and the transport depot and distribution use class has a

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
		permitted status in the Light Industrial Zone.
23	The noise measurements taken by VIPAC should have been a continuous study, not one-off measurements.	The noise assessment was undertaken by an acoustic engineering company. The report was internally referred to the City of Launceston's Environmental Health Officers and discussed with the EPA.
24	Queries the train operation schedule proposed by Toll and TasRail and what operational limits will be imposed.	The Planning Scheme cannot impose controls on the operation of TasRail.
25	The DA only considers residential properties within 100 metres of the site, not residential properties further afield that are currently impacted by noise.	Clause 24.3.2 addresses emissions impacting sensitive uses. Representations were received by neighbours further than 100m from the site. Each representation is taken into account in the assessment and recommended permit conditions.
26	There is no definitive description in the DA of their planned day and night time activities.	The site does not currently have hours of operation constraints. A permit condition has been recommended to restrict the hours of operation to minimise noise disturbance to neighbours.
27	The GHD TIA does not show traffic at the Cimitiere to Racecourse intersection which causes traffic issues.	This was determined by the applicant to be outside the scope of the development application.
28	Will nearby residents be impacted by fumes and wash spray from truck wash and refuelling facilities?	Appropriate conditions have been recommended to minimise impacts from the truck wash.
29	Why can't Toll relocate to the airport industrial precinct?	Toll has advised that they have previously investigated relocating, but that operational requirements dictate that the current site is more suitable.
30	Plans don't depict where lighting is to be located.	Refer to the Electrical Services Lighting Exterior Plan.
31	The subdivision is deceptive as it allows for additional entry/exit points to the site.	The subdivision is as proposed on the plan to future proof the site. Each lot has been designed to be independently accessed.
32	Transport and Storage facilities are discretionary in the light industrial zone.	Incorrect. The "Transport Depot and Distribution" and "Storage" use classes are permitted uses in the Light Industrial Zone.
33	TasRail support the application and	Noted.

8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(Cont'd)

No.	Issue	Response
	welcome the proposed development. The current zoning of Light Industrial recognises the existing railway operations which operate on a 24/7 basis.	

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:

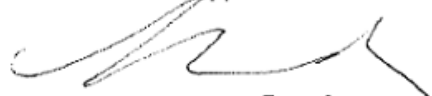
Not considered relevant to this report

- 8.7 35 Dowling Street, Launceston - Transport Depot and Distribution - road and rail freight terminal; extension and refurbishment to existing buildings and construction of new buildings and rail link, new signage and 3-lot subdivision in 11 stages...(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:

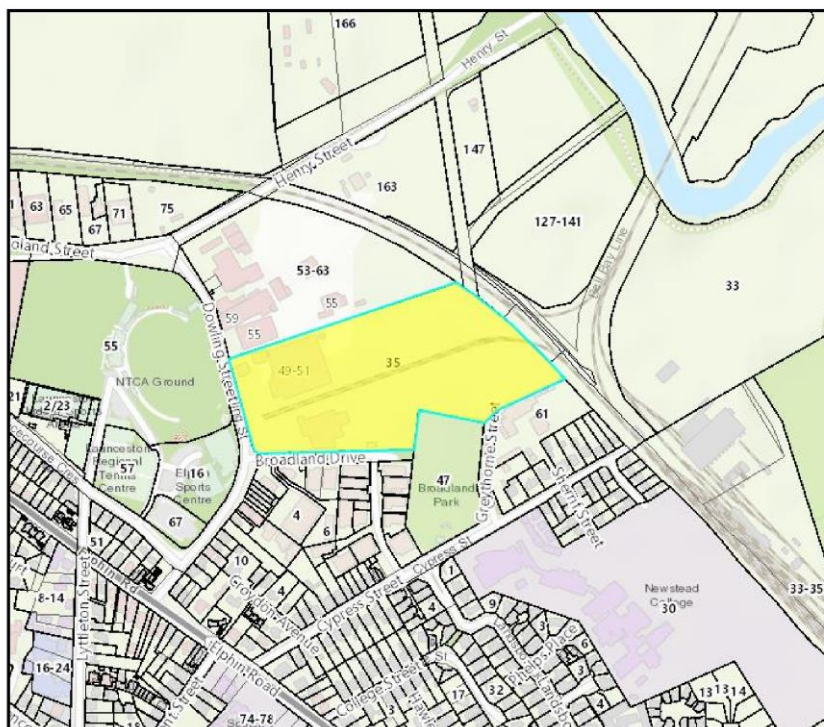
1. 35 Dowling Street, Launceston - Locality Plan
 2. 35 Dowling Street, Launceston - Plans to be Endorsed (distributed electronically)
 3. 35 Dowling Street, Launceston - Plans to be Amended (distributed electronically)
 4. 35 Dowling Street, Launceston - TasWater Submission to Planning Authority Notice
 5. 35 Dowling Street, Launceston - Representations (distributed electronically)
-



Launceston City Council
A Leader in Community & Government



LOCALITY MAP - DA0175/2016 35 Dowling Street, Launceston



Locality Map
Scale: This Map Is Not to Scale



Submission to Planning Authority Notice

Council Planning Permit No.	DA0175/2016	Council notice date	6/05/2016
TasWater details			
TasWater Reference No.	TWDA 2016/00589-LCC	Date of response	16/5/2016 Amended 30/03/2017
TasWater Contact	Colin Skinner Amended by David Boyle	Phone No.	6345 6323
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	35-51 DOWLING ST, LAUNCESTON	Property ID (PID)	6595324
Description of development	Use & Construction of Transport Depot & Distribution (Stage Development)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
AJL Consulting Engineers	15.196 COV A001 A002 A130 A160 A161 A170 A220 A221 A230 A231 A260 A261 A270 A330 A360 A370 A430 A460 A530 A630 A730		Received 5/5/2016
AJL Consulting Engineers	15.196 COV C01 C10 C20 C30 C40 C41 C52		29/04/2016
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost. 3. Prior to TasWater issuing a Consent to Register a Legal Document, for the subdivision, an appropriate boundary backflow prevention device and water meter must be installed on each lot water connection, to the satisfaction of TasWater. 4. Plans submitted with an application for a Certificate for Certifiable Work (Building) and/or (Plumbing) must show the following: <ul style="list-style-type: none"> • Existing and proposed water connections including: <ul style="list-style-type: none"> ❖ redundant connections to be removed ❖ existing connections to be retained and/or modified ❖ existing / proposed Boundary Backflow Containment Devices 			



- Existing and proposed sewer connections including:
 - ❖ redundant connections to be removed
 - ❖ existing connections to be retained and/or modified

ASSET CREATION & INFRASTRUCTURE WORKS

5. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
6. Prior to applying for a **Permit to Construct** to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and/or sewerage to TasWater's satisfaction.
7. Prior to the water/sewer works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
8. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
9. Prior to the issue of a Consent to Register a Legal Document or a Certificate of Compliance (Building and Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan(s), are to be at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
10. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and/or sewerage works and prior to TasWater issuing a Consent to Register a Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a) Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b) A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c) Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank cheque or bank guarantee as approved by TasWater;
 - d) As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will arrange for the release of any security held, for the defects liability period, at the issue of the "Certificate of Final Acceptance".



The newly constructed infrastructure will be transferred to TasWater upon issue of the Certificate of Practical Completion

13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
15. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.
16. The developer must apply to TasWater for reimbursement for costs for design and construction of eligible works (as applicable). To be eligible for reimbursement, costs for which reimbursement is claimed must be determined from a competitive public tender process, with process and reimbursements determined prior to construction, and to the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

17. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
18. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard Pipeline and Services Easement conditions.

56W CONSENT (AS APPLICABLE)

19. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;

- a) Existing pipe depth and proposed finished surface levels over the pipe;
- b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- c) A note on the plan indicating how the pipe location and depth were ascertained.

LAND STABILITY

20. All geotechnical recommendations made in the geotechnical report must be implemented by the developer in relation to the design, alignment, installation and construction of all water and sewerage services.



21. The geotechnical engineer must provide TasWater with written certification that recommended works contained within their report (submitted as part of this application) have been completed to their satisfaction at intervals which are determined by the geotechnical engineer.

TRADE WASTE

22. Prior to the commencement of operation the developer/property owner must obtain a TasWater Consent to Discharge Trade Waste.
23. The developer must install appropriately sized and suitable pre-treatment devices, prior to gaining a TasWater Consent to Discharge Trade Waste, for the following:
 - Container wash.
 - Refuelling areas.
24. The existing pH neutralising of the liquid waste from the existing 'dangerous goods' transfer station is to be retained or upgraded to ensure that all liquid trade waste, discharged to the sewer, has a pH of between 6-10
25. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.

DEVELOPMENT ASSESSMENT FEES

26. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
 - \$456.00 for development assessment; and
 - \$216.00 for Consent to Register a Legal Document
 The payment is required within 30 days of the issue of an invoice by TasWater.
27. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

GENERAL

For information on TasWater development standards, please visit

<http://www.taswater.com.au/Development/Development-Standards>

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit

<http://www.taswater.com.au/Development/Fees---Charges>

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

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

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the full extent of the lots on the plan.



CCTV INSPECTION for Certificate of Certifiable Works

When concreting of the hard stand areas has been finalised, CCTV of the TasWater sewer main within the proposed development must be carried out to ascertain if any pipes have incurred any damage during the construction of the hard stand areas, by the Developer at the developer cost.

TRADE WASTE

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate of Certifiable Work (Building and/or Plumbing). The Certificate of Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

- Location of all pre-treatment devices i.e. Oil Water Separator;
- Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and
- Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

At the time of submitting the Certificate of Certifiable Work (Building and/or Plumbing) a Trade Waste Application together with the Motor Trades Supplement form is required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-Waste/Commercial>

Further information regarding Trade Waste can be found at www.taswater.com.au

Declaration

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

Authorised by



Jason Taylor
Development Assessment Manager

TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au



Submission to Planning Authority Notice

Council Planning Permit No.	DA0175/2016	Council notice date	6/05/2016
TasWater details			
TasWater Reference No.	TWDA 2016/00589-LCC	Date of response	16/5/2016 Amended 30/03/2017
TasWater Contact	Colin Skinner Amended by David Boyle	Phone No.	6345 6323
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	35-51 DOWLING ST, LAUNCESTON	Property ID (PID)	6595324
Description of development	Use & Construction of Transport Depot & Distribution (Stage Development)		
Schedule of drawings/documents			
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Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. Prior to TasWater issuing a Consent to Register a Legal Document, for the subdivision, an appropriate boundary backflow prevention device and water meter must be installed on each lot water connection, to the satisfaction of TasWater. Plans submitted with an application for a Certificate for Certifiable Work (Building) and/or (Plumbing) must show the following: <ul style="list-style-type: none"> Existing and proposed water connections including: <ul style="list-style-type: none"> ❖ redundant connections to be removed ❖ existing connections to be retained and/or modified ❖ existing / proposed Boundary Backflow Containment Devices 			



- Existing and proposed sewer connections including:
 - ❖ redundant connections to be removed
 - ❖ existing connections to be retained and/or modified

ASSET CREATION & INFRASTRUCTURE WORKS

5. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
6. Prior to applying for a **Permit to Construct** to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and/or sewerage to TasWater's satisfaction.
7. Prior to the water/sewer works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
8. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
9. Prior to the issue of a Consent to Register a Legal Document or a Certificate of Compliance (Building and Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan(s), are to be at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
10. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and/or sewerage works and prior to TasWater issuing a Consent to Register a Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a) Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b) A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c) Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank cheque or bank guarantee as approved by TasWater;
 - d) As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will arrange for the release of any security held, for the defects liability period, at the issue of the "Certificate of Final Acceptance".



- The newly constructed infrastructure will be transferred to TasWater upon issue of the Certificate of Practical Completion
13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
 14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
 15. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.
 16. The developer must apply to TasWater for reimbursement for costs for design and construction of eligible works (as applicable). To be eligible for reimbursement, costs for which reimbursement is claimed must be determined from a competitive public tender process, with process and reimbursements determined prior to construction, and to the written approval of TasWater.
- FINAL PLANS, EASEMENTS & ENDORSEMENTS**
17. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
 18. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard Pipeline and Services Easement conditions.
- 56W CONSENT (AS APPLICABLE)**
19. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.
- The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;
- a) Existing pipe depth and proposed finished surface levels over the pipe;
 - b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
 - c) A note on the plan indicating how the pipe location and depth were ascertained.
- LAND STABILITY**
20. All geotechnical recommendations made in the geotechnical report must be implemented by the developer in relation to the design, alignment, installation and construction of all water and sewerage services.



21. The geotechnical engineer must provide TasWater with written certification that recommended works contained within their report (submitted as part of this application) have been completed to their satisfaction at intervals which are determined by the geotechnical engineer.

TRADE WASTE

23. Prior to the commencement of operation the developer/property owner must obtain a TasWater Consent to Discharge Trade Waste.
24. The developer must install appropriately sized and suitable pre-treatment devices, prior to gaining a TasWater Consent to Discharge Trade Waste, for the following:
- Container wash.
 - Refuelling areas.
23. The existing pH neutralising of the liquid waste from the existing 'dangerous goods' transfer station is to be retained or upgraded to ensure that all liquid trade waste, discharged to the sewer, has a pH of between 6-10
24. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent.

DEVELOPMENT ASSESSMENT FEES

25. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
- \$456.00 for development assessment; and
 - \$216.00 for Consent to Register a Legal Document
- The payment is required within 30 days of the issue of an invoice by TasWater.
26. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

GENERAL

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

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

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

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

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the full extent of the lots on the plan.



CCTV INSPECTION for Certificate of Certifiable Works

When concreting of the hard stand areas has been finalised, CCTV of the TasWater sewer main within the proposed development must be carried out to ascertain if any pipes have incurred any damage during the construction of the hard stand areas, by the Developer at the developer cost.

TRADE WASTE

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate of Certifiable Work (Building and/or Plumbing). The Certificate of Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

- Location of all pre-treatment devices i.e. Oil Water Separator;
- Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and
- Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

At the time of submitting the Certificate of Certifiable Work (Building and/or Plumbing) a Trade Waste Application together with the Motor Trades Supplement form is required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.


The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-Waste/Commercial>

Further information regarding Trade Waste can be found at www.taswater.com.au

Declaration

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

Authorised by



Jason Taylor
Development Assessment Manager

TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code

FILE NO: SF6607

AUTHOR: Claire Fawdry (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To decide whether to determine to initiate Amendment 37 to:

1. Insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in the Light and General Industrial Zones; and
2. Insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the requirement for 1 car parking space per employee.

PREVIOUS COUNCIL CONSIDERATION:

The draft amendment was previously considered by the Council at its meeting on 26 June 2017.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015; and
 2. Pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 37 to the Launceston Interim Planning Scheme 2015 to insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking; and
 3. Pursuant to the former section 35 of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown in Attachment 1; and
 4. In accordance with the former section 38(1)(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
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REPORT:

This proposed amendment has returned to Council for consideration as the incorrect section of the *Land Use Planning and Approvals Act 1993* was referred to in the original recommendation which was before Council on 26 June 2017. That is, a draft amendment which has been instigated internally and not in response to a request made to Council, is made under Section 34(1)(b) of the Act. The original recommendation referred to Section 33(3) of the Act which deals with requests to a Council to amend its planning scheme.

A further clarification has also been added to the description of the amendment to specify 'crop raising'.

Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the *former provisions* remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

1. Introduction

The Planning Department, on behalf of the City of Launceston, has decided to initiate a planning scheme text amendment to the Launceston Interim Planning Scheme 2015 to allow for Resource Development (if for controlled environmental agriculture (crop raising)) as a permitted use class in the two industrial zones of the Launceston Interim Planning Scheme 2015. A text amendment to the Parking and Sustainable Transport Code is also proposed to remove the automatic discretion triggered by the absence of parking requirements in Table E6.1.

2. Background

All use and development is controlled by the Launceston Interim Planning Scheme 2015 (the planning scheme), and all development must be assigned a use class as defined in the planning scheme. The cultivation of a plant in an indoor and controlled environment is best defined as Resource Development in Table 8.2 of the planning scheme as follows - *use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.*

Controlled environmental agriculture is defined in Clause 4.1 as -

Controlled environmental agriculture means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the

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effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures, and hydroponic facilities.

Crop raising is defined in Clause 4.1 as -
means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds and vegetables.

The planning scheme allows for the Resource Development use class, if for controlled environmental agriculture, in the Rural Resource Zone as a permitted use on the basis that it is not on prime agricultural land, otherwise it is discretionary. It is also allowable in the Rural Living Zone as a discretionary use. The use is currently prohibited in every other zone.

This can be difficult for processes that do not require soil as a growth medium and/or use a hydroponic method for growing plants, herbs or vegetables. In some circumstances, this type of use is more appropriate in an urban location where it is closer to city conveniences and monitoring. This is especially apparent with the recent legalisation of medicinal cannabis. The Office of Drug Control requires strict security arrangements for sites which will be used to cultivate and/or manufacture cannabis. These requirements mean that locations which are closer to the city are favourable to those in a rural area. The properties which would appear to be most suitable are zoned commercial or industrial whereby the Resource Development (controlled environmental agriculture) use class is currently prohibited by the planning scheme. It is noted that Resource Development (if for controlled environmental agriculture) is also prohibited in commercial and industrial zones in the recently approved State Planning Provisions which will form part of the future Tasmanian Planning Scheme.

The proposed solution is to initiate a text amendment to the Launceston Interim Planning Scheme 2015 to allow Resource Development (if for controlled environmental agriculture (crop raising)) as a permitted use in the Light Industrial and General Industrial Zones. Although there may be some sites in the Commercial Zone which may be suitable for controlled environmental agriculture uses, the Commercial Zone has not been included in the proposed amendment to the industrial zones on the basis that Resource Development (controlled environmental agriculture) is inconsistent with the zone purpose statements of the Commercial Zone.

The Parking and Sustainable Transport Code applies to all use and development and Table E6.1 details the number of on-site parking spaces required for each use listed. Where a use is not listed in the table, as is the case for Resource Development (controlled environmental agriculture), clause E6.2.2 of the Code applies as follows:

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An application for a use not included in Table E6.1 must be determined as a discretionary use or development.

The effect of this is that notwithstanding the use classification in the zone, the development application would become discretionary under section 57 of the *Land Use Planning and Approvals Act 1993* (the Act). This would contravene the intent of the proposed planning scheme amendment to allow the use to be permitted in the industrial zones.

This is the basis for the second component of the proposed text amendment to the Parking and Sustainable Transport Code to insert a parking requirement for Resource Development (controlled environmental agriculture) in Table E6.1 and allow for a permitted pathway.

There are other Codes in the planning scheme which may trigger assessment against performance criteria and consequently a discretionary development application, but these will apply on a case by case basis if the amendment is progressed.

3. Proposed Amendment

The proposed amendment seeks to insert the Resource Development use class, with the qualification of 'if for controlled environmental agriculture (crop raising)', as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone. Concurrently, an amendment to the Parking and Sustainable Transport Code is proposed to insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking.

3.1 Text Amendment

The proposed amendment will be achieved by making the three alterations below to the Launceston Interim Planning Scheme 2015:

24.0 Light Industrial Zone

Table 24.2 Use Table

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

25.0 General Industrial Zone

Table 25.2 Use Table

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop

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	raising)
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The existing Use Tables for the Light and General Industrial Zones prohibits the Resource Development use class. The purpose of the planning scheme amendment is to allow this use to occur, but only for controlled environmental agriculture (crop raising).

E6.0 Parking and Sustainable Transport Code

Table E6.1 Parking space requirements

Use	Parking Requirement	
	Car	Bicycle
Resource development:		
Controlled environmental agriculture	One space per employee	No requirement

The current parking space requirements table in the Parking and Sustainable Transport Code does not list Resource Development (controlled environmental agriculture). The effect of this pursuant to clause E6.2.2 is that an application for a use not listed must be determined as a discretionary use or development which is contrary to the objective of the proposed amendment.

3.2 Zone Purpose Statements

It is considered that the proposed amendment will not substantially alter the functionality of the Launceston Interim Planning Scheme 2015 apart from the insertion of an additional use class which is currently prohibited in the Light and General Industrial Zones. The proposed use is considered to be compatible with the anticipated impacts of other permitted uses in the two zones and aligns with the zone purpose statements as follows -

24.0 Light Industrial Zone

24.1.1 Zone Purpose Statements

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

25.0 General Industrial Zone

25.1.1 Zone Purpose Statements

25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.

25.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

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It is considered that any future development applications made under a scenario where the proposed amendment is approved are able to demonstrate consistency with the zone purposes statements insofar as:

- The locations of the majority of land zoned industrial, often on the urban periphery, would appear to be suitable for a controlled environmental agriculture use;
- Controlled environmental agriculture is a technology based approach towards food production whereby optimal growing conditions can be controlled year round without seasonal influences. The impacts of the use are arguably lesser than other permitted uses in the Light and General Industrial Zones such as Service Industry, Transport Depot and Distribution, Equipment and Machinery Sales and Hire.
- The anticipated impacts from a controlled environmental agricultural use compared to other permitted uses in the industrial zones is reasonable in most circumstances. That is, there will be no external storage of good or materials and minimal emissions which may impact nearby sensitive uses; and
- Controlled environmental agriculture is inconsistent with the purpose statements of the Commercial or Urban Mixed Use Zones.

Notwithstanding, any development application made under a scenario where the proposed amendment is approved will be subject to assessment against all relevant standards of the scheme including zone and code use and development standards.

Overall, the proposed amendment is considered to be compatible with the scheme.

4. Requirements of the Act

The amendment must be decided under section 34 of the *Land Use Planning and Approvals Act 1993* which reads:

- (1) *A planning authority may -
 - (a) in response to a request under Section 33; or
 - (b) of its own motion -initiate an amendment of a planning scheme administered by it.*
 - (2) *The Commission may, with the approval of the Minister, give a written direction to a planning authority to initiate an amendment of a planning scheme administered by the authority and the authority must initiate the amendment of the planning scheme in accordance with the direction within 10 weeks after receiving the direction or such longer period as the Commission allows.*
 - (3) *A planning authority may at any time determine to withdraw an amendment, of a planning scheme administered by it, that it has initiated of its own motion.*
 - (4) *The withdrawal of an amendment of a planning scheme comes into effect 7 days after the date on which the planning authority determines to withdraw the amendment.*
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- (5) *The planning authority is to -*
- (a) *notify the Commission of the withdrawal of the amendment; and*
 - (b) *give notice, in a daily newspaper circulating generally in the area, that the amendment has been withdrawn and of the date on which the withdrawal takes effect.*

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in section 32 of the Act and are set out in subsequent sections of this report.

Should the Council decide to initiate the amendment, the draft amendment will be publicly exhibited for a period of 28 days, or a longer period agreed to by the Council and the Commission pursuant to section 38 of the Act. During the public exhibition period, representations may be submitted to the Council before the expiration of the exhibition period.

Following the public exhibition period, pursuant to section 39 of the Act the Council must, no later than 35 days after the exhibition period, provide the Commission with a report comprising the following elements:

- a. Copy of each representation received, or if no representations were received, a statement to that effect; and
- b. A statement of Council's opinion as to the merit of each representation (if any), including, in particular Council's views as to -
 - i. the need for modification of the draft amendment in light of each representation; and
 - ii. the impact of that representation on the draft amendment as a whole; and
- c. Any recommendations in relation to the draft amendment as Council considers necessary.

The Commission must then consider the draft amendment in addition to the representations (if any), statements and recommendations contained in Council's report and where necessary, conduct hearings pursuant to section 40 of the Act. The Commission then makes a decision to modify, reject or approve the draft amendment pursuant to sections 41-42 of the Act.

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5. Assessment

5.1 Strategic Plan 2014-2024

The Strategic Plan 2014-2024 seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the City of Launceston. The Strategic Plan essentially indicates the actions and strategies that the Council will implement to deliver on the Greater Launceston Plan goals. The relevant goals are addressed below.

Goal 5 - A city that values its environment

The proposed amendment seeks to allow a use which does not require soil as a growth medium, to be conducted in a more urban environment. The Light and General Industrial Zones have been selected due to the capacity for impacts on residential amenity to be managed and mitigated. This means that the impact on the natural environment can be reduced.

Goal 6 - A city building its future

The proposed amendment seeks to allow for a positive land use planning outcome by allowing for a use in an appropriate zone. This will allow for new businesses to operate in locations in Launceston. This will allow for increased customer satisfaction and maximise public benefits of development.

Goal 7 - A city that stimulates economic activity and vibrancy

The proposed amendment will allow for new businesses in the controlled environmental agriculture industry to locate in Launceston. This directly aligns with the key directions of this goal being to provide an environment that is conducive to business and development.

5.2 Northern Regional Land Use Strategy

Section 30O(1) of the Act requires the amendment to be, as far as practicable, consistent with the Strategy. The Northern Regional Land Use Strategy (the NRLUS) was declared by the Minister for Planning on 16 October 2013 pursuant to section 30C(3) of the Act. The NRLUS is a policy framework that guides land use, development and infrastructure decisions across the northern region by State and Local Government and other relevant infrastructure providers. The NRLUS has provided significant guidance for the preparation of the Launceston Interim Planning Scheme 2012 and 2015.

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Part D of the NRLUS details the desired regional outcomes that have been determined as priorities for the northern region which include:

- Regional strategic planning directions and principles necessary to achieve those outcomes;
- Specific strategic policies to be applied to guide state and local government planning process and decision-making; and
- Specific regional planning projects and programs to be implemented over the life of the plan.

Of the six key desired regional outcomes, the Regional Economic Development is considered to be the most relevant to the proposed amendment. The proposed amendment appears to align with regional principle 2 which states - '*to pursue a range of new and innovative investment and product development opportunities in locations and sectors generally not previously targeted...*'. Although the focus of this outcome is on infrastructure, economic growth and new employment initiatives are also acknowledged.

5.3 Section 33 Considerations

Before making a decision as to whether or not to initiate a draft amendment, section 33(2B) of the Act requires Council to consider whether the amendment is consistent with the requirements of other legislative requirements including section 32 of the Act.

Section 32(1) specifies that a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of Council –

- must, as far as practicable, avoid the potential for land use conflicts with the use and development permissible under the planning scheme applying to the adjacent area; and
- must not conflict with the requirements of section 30O of the Act; and
- must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The following discussion examines these requirements in greater detail.

5.3.1 Land Use Conflict

There is a use standard in the Light and General Industrial Zones which deals with proximity to sensitive uses. Compliance with the acceptable solutions of the zone will be required to maintain the permitted status of the development application. It should be noted that any future use or development will be subject to a separate development application in which any real or perceived impacts on adjacent and surrounding sensitive uses can be managed through conditions if required or be publicly advertised where an acceptable solution cannot be met.

It is considered that the use which would be permissible as a result of the proposed amendment is similar in impact to other permitted, if not discretionary uses, allowable in the Light and General Industrial Zones.

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5.3.2 Section 300

Section 300(2) through to (4) of the Act allows for an amendment to the planning scheme to occur for the purposes of inserting a new provision into the scheme provided that the amendment:

- is not directly or indirectly inconsistent with a common provision of the scheme;
- does not revoke or amend an overriding local provision;
- does not result in a conflicting local provision; and
- does not impact upon a common provision within the scheme.

The proposed amendment aims to broaden the scope of uses that can be considered in the industrial zones through the insertion of an additional use class and qualification in the use tables which is consistent with the format of Planning Directive No. 1 - The Format and Structure of Planning Schemes. The proposed amendment will not override, be in conflict or inconsistent with, any other local or common provision of the scheme. The proposed amendment merely enables a use which does not require a rural location to operate, to be located on the urban fringe in an industrial zone. The use status will be permitted, but will be subject to compliance with the applicable use and development standards of the planning scheme. All relevant local and common provisions will remain applicable to any future development application.

5.3.3 Regional Impact

The proposed amendment is not expected to impact the region from an environmental, economic or social perspective on the following basis:

- the environmental impacts of the proposed amendment are considered to be limited given that the use will be undertaken in a building or enclosed structure;
- the proposed amendment will not have a significant impact on the Launceston Central Business District or Activity Centre Hierarchy;
- the proposed amendment is not likely to create any adverse impacts on adjoining residential areas. Notwithstanding, the Light Industrial Zone includes a use standard relating to amenity of sensitive uses within 100m.

It is considered that the proposed amendment will have a minimal impact on the region as a whole.

5.4 Objectives of the Resource Management and Planning System

Section 20(1)(a) of the Act requires a planning scheme to seek to further the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

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5.4.1 Schedule 1 - Part 1

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

The proposed amendment will not adversely impact upon natural, ecological or physical values. It will rather seek to allow a use which does not require the soil as a growth medium to occur on non-agricultural land.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

The proposed amendment will not directly impact the sustainable use of air, land and water in terms of creating environmental nuisances.

(c) to encourage public involvement in resource management and planning; and
Should Council decide to initiate the proposed amendment, public consultation will be undertaken in accordance with the Act. This will ensure the public are aware of the proposal and will enable the public to engage with the process through submissions.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

The proposed amendment will enable the industrial zones to be utilised for an additional complementary use. The proposed amendment is not expected to generate any additional impact to the amenity of surrounding sensitive uses greater than the level that currently exists from industrial uses.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

This is facilitated through the amendment process and application of relevant legislation.

5.4.2 Schedule 1 - Part 2

(a) to require sound strategic planning and co-ordinated action by State and local government; and

The proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme. Co-ordinated action by the State and local government is facilitated through the amendment process and application of relevant legislation.

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(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

The proposed amendment seeks to effectively allow a broader range of uses to occur in industrial zones that will be similar in nature as the uses currently allowable in the zone. The amendment process is an established mechanism under the Act to allow the amendment to be lawfully considered. The proposed amendment has been assessed as being consistent with the established land use pattern within the industrial zones and is not expected to generate any additional impacts to surrounding sensitive uses greater than the level that already occurs from existing uses and surrounding activity. Any future use and development will be subject to a separate development application in which appropriate controls for the use and development can be enforced.

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

The proposed amendment is not expected to have any adverse social and economic impacts on the surrounding area. The proposed amendment is not expected to have a significant impact on the natural, biological and physical values of the area.

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

All relevant regional and state policies have been considered through the amendment process.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and

This objective is not relevant to the proposed amendment.

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

It is considered that existing use and development standards within the scheme are sufficiently robust to control any future development applications made as a result of the proposed amendment.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

The proposed amendment is to allow a use class to be considered in the zone. Individual places of scientific, aesthetic, architectural or historical interest will be managed through the appropriate Codes of the planning scheme and legislation on a case by case basis.

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and

The proposed amendment will not impact any public infrastructure or assets.

(i) to provide a planning framework which full considered land capability.

Consideration of land capability is not relevant.

6. State Legislation & Policies

6.1 State Policy on the Protection of Agricultural Land 2009

The industrial zones are not spatially distributed over agricultural land. The proposal seeks to provide another suitable option for controlled environmental agriculture where soil as a growth medium is not required.

6.2 State Policy on Water Quality Management 1997

Any future use and development will be subject to complying with development standards that are consistent with the policy.

6.3 State Coastal Policy 1996

Any future use and development will be subject to complying with development standards that are consistent with the policy.

6.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are automatically adopted as State Policies. They outline common environmental objectives for managing the environment.

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environmental Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

In this situation, the NEPMs are either not applicable, or will not be impacted upon by the proposed amendment.

6.5 Gas Pipelines Act 2000

Any future use and development will be subject to complying with development standards that are consistent with the Act.

8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)

7. Conclusion

The application for amendment seeks to insert the Resource Development use class (if for controlled environmental agriculture (crop raising)) as a permitted use in Table 24.2 of the Light Industrial Zone and Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015 and insert Controlled Environmental Agriculture as a sub-use class under Resource Development in Table E6.1 of the Parking and Sustainable Transport Code with the text requirement for 1 car parking space per employee and no requirement for bicycle parking.

The amendment is supported based on the following:

- Land use conflicts will be minimal as it is considered that the controlled environmental agriculture use would still be subject to the use standards which deal with proximity to sensitive uses;
- The locations of the majority of land zoned industrial, often on the urban periphery, would be suitable for a controlled environmental agriculture use;
- Controlled environmental agriculture is a technology based approach towards food production whereby optimal growing conditions can be controlled year round without seasonal influences. The impacts of the use are arguably lesser than other permitted uses in the Light and General Industrial Zones such as Service Industry, Transport Depot and Distribution, Equipment and Machinery Sales and Hire.

The proposed amendment has been assessed as being supportive of the objectives of the Act, NRLUS and the Scheme.

ECONOMIC IMPACT:

No significant economic impacts have been identified.

ENVIRONMENTAL IMPACT:

No significant environmental impacts have been identified.

SOCIAL IMPACT:

No significant social impacts have been identified.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015
Land Use Planning and Approvals Act 1993
Local Government Act 1993

- 8.8 Amendment 37 - Text Amendment to Include Resource Development (if for Controlled Environmental Agriculture) as a Permitted Use in the Light and General Industrial Zones with Associated Amendments to the Parking and Sustainable Transport Code...(Cont'd)**
-

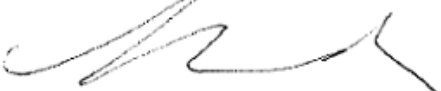
BUDGET & FINANCIAL ASPECTS:

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.



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Instrument for Certification - Amendment 37
-

Launceston Interim Planning Scheme 2015

AMENDMENT 37

Insert the following use class and qualification in Table 24.2 of the Light Industrial Zone of the Launceston Interim Planning Scheme 2015 -

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following use class and qualification in Table 25.2 of the General Industrial Zone of the Launceston Interim Planning Scheme 2015 -

Permitted	
Use Class	Qualification
Resource development	If for controlled environmental agriculture (crop raising)

Insert the following sub-use class and parking requirements for car and bicycle in the Parking and Sustainable Transport Code of the Launceston Interim Planning Scheme 2015 -

Use	Parking Requirement	
	Car	Bicycle
Resource development:		
Controlled environmental agriculture	1 space per employee	No requirement

The City of Launceston resolved at its meeting on 21 August 2017 that Amendment 37 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act 1993.

THE COMMON SEAL of the
City of Launceston is affixed,
pursuant to the Council's resolution
on 21 August 2017 in the presence of:-

John Davis
Manager Corporate Strategy
City of Launceston

Leanne Hurst
Director Development Services
City of Launceston

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO:** SF2375

Tuesday 8 August 2017

- Officiated and attended the Opening Night Performance of the Adams Family at the Princess Theatre

Wednesday 9 August 2017

- Attended the Remembrance Day for Jessica Kupsch at the Northern Suburbs Community Centre
- Attended and met players at the Australian Futsal Association's first National Disabilities Futsal Tournament at the Launceston Christian School

Thursday 10 August 2017

- Attended the Launceston BMW Launch Event at Launceston BMW

Saturday 12 August 2017

- Attended the Rocherlea Action Group 1st Birthday Celebration at Rocherlea
- Officiated and attended the 2017 Tasmanian Open DanceSport Championships at the Launceston Silverdome

Sunday 13 August 2017

- Attended the Presidents Lunch and Hawthorn v's North Melbourne Game at UTAS Stadium

Thursday 17 August 2017

- Attended the Cityprom facilitated planning session at Town Hall

Friday 18 August 2017

- Attended the Official Lunch of the Autonomous Maritime Systems Laboratory at the Australian Maritime College at Newnham
 - Officiated at the Vietnam Vietnam Veterans Day at the Launceston Cenotaph
 - Attended the Tasmanian Leaders Networking Event at the UTAS Academy Gallery
 - Attended the NTJFA Best & Fairest Dinner at Tailrace Function Centre
-

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.)

No Aldermen's Questions on Notice have been identified as part of this Agenda

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 Pedestrian and Bike Committee Meeting - 25 July 2017****FILE NO:** SF0618**AUTHOR:** Cathy Williams (Built Environment Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the Pedestrian and Bike Committee Meeting held on 25 July 2017.

RECOMMENDATION:

That Council receive the report from the Pedestrian and Bike Committee Meeting held on 25 July 2017.

REPORT:

The Pedestrian & Bike Committee Meeting held on 25 July 2017:

- received and supported the presentation regarding sustainable transport by Corey Peterson from UTas.
- noted a need for ongoing collaboration with the committee regarding the Master Plan for the UTas relocation to Inveresk.
- would like to invite UTas to provide a deputation or workshop on sustainable transportation at a Strategic Planning and Policy Meeting.
- would like to provide a workshop with Aldermen regarding Pedestrian & Bike Strategies and travel around the city.
- supports Ride to Work Day on 17 October 2017.
- reports that the Tamar Bicycle Users Group (TBUG) Annual General Meeting is on 20 September 2017.
- noted that members of the Pedestrian & Bike Committee will present to the Launceston Walking Club on 18 October 2017 outlining the workings of the committee, its program and strategies. Dr John Ralph will also present at the meeting on his Launceston Urban Fringe Trail.

ECONOMIC IMPACT:

Not considered relevant to this report.

12.1 Pedestrian and Bike Committee Meeting - 25 July 2017...(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 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Direction -

6. To promote active and healthy lifestyles

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

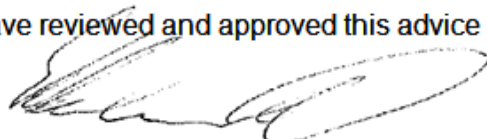
BUDGET & FINANCIAL ASPECTS:

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

13 COUNCIL WORKSHOPS

Council Workshops conducted on 14 August were:

- Update on the Greater Launceston Transformational Project
 - Update on University relocation process
 - MONA FOMA
 - ISD Policy Framework
 - Food Vans
-

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop

FILE NO: SF5547

AUTHOR: John Davis (Manager Corporate Strategy)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider rescinding the Motion relating to St John Street Bus Stop.

Pursuant to regulation 18(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015* a council may only overturn a decision passed at a previous meeting held since the last ordinary election by an absolute majority.

RECOMMENDATION: N/A**Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop**

That the Council rescind only that portion of the following determination of the Council at its ordinary meeting held on 24 April 2017 which relates to the relocation of the St John Street Bus Stop:

- a. That Council endorses the design as per Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South);
 - b. That Council specifically endorses the location of public art installations on the design of the St John Street Redevelopment to assist in guiding future process on the project in this priority area.
-

REPORT:

Alderman Sands will speak to this matter.

General Manager Comments:

Pursuant to regulation 18(3) of the *Local Government (Meeting Procedures) Regulations 2015* please note the following:

14.1 Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop...(Cont'd)

- a) The proposed motion, if resolved in the affirmative, will overturn part of the previous Council decision of 24 April 2017.
- b) The portion of the previous decision that would be overturned would involve only those parts relating to the re-location of the St John Street bus stop.
- c) The only action to be taken at the time of the Council decision was to approve the design of the location of the St John Street bus stop.
- d) Other than design there has been no further action to implement this project.

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

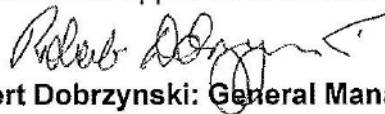
BUDGET & FINANCIAL ASPECTS:

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.



Robert Dobrzynski: General Manager

ATTACHMENTS:

- 1. Notice of Motion - Rescission of Motion relating to St John Street Bus Stop
-

Attachment 1. Notice of Motion - Rescission of Motion relating to St John Street Bus Stop

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF6160 / SF6519 / SF2011
TS
DATE: 11 August 2017

TO: Robert Dobrzynski General Manager
c.c. Committee Clerks

FROM: Ted Sands Alderman

**SUBJECT: Notice of Motion - Rescission of Motion relating to St John Street
Bus Stops**

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 21 August 2017.

Motion

1. Rescission of Motion relating to St John Street Bus Stops

That the Council rescind only that portion of the following determination of the Council at its ordinary meeting held on 24 April 2017 which relates to the relocation of the St John Street Bus Stop:

1. *That Council endorses the design as per Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South).*
2. *That Council specifically endorses the location of public art installations on the design of the St John Street Redevelopment to assist in guiding future process on the project in this priority area.*

In the event that the Notice of Motion above is successfully determined by the Council, the following Notice of Motion will be placed before the Council for consideration:

2. Siting of Relocated St John Street Bus Stops

That in light of the fact that construction of the St John Street Redevelopment (St John Street Central South) Bus Stop relocation element is not planned to commence until 2018, and in consideration of the findings in the Pitt and Sherry Report commissioned by the Council into Bus Stop locations., the Council request that the General Manager provide a report to the Council which considers the relocation of the contentious St John Street Bus Stop in the vicinity of Civic Square and that such report be brought to a Council Workshop as soon as practicable.

Background

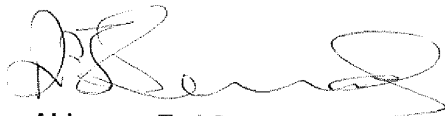
Alderman Sands will speak to this matter.

CITY OF LAUNCESTON

MEMORANDUM

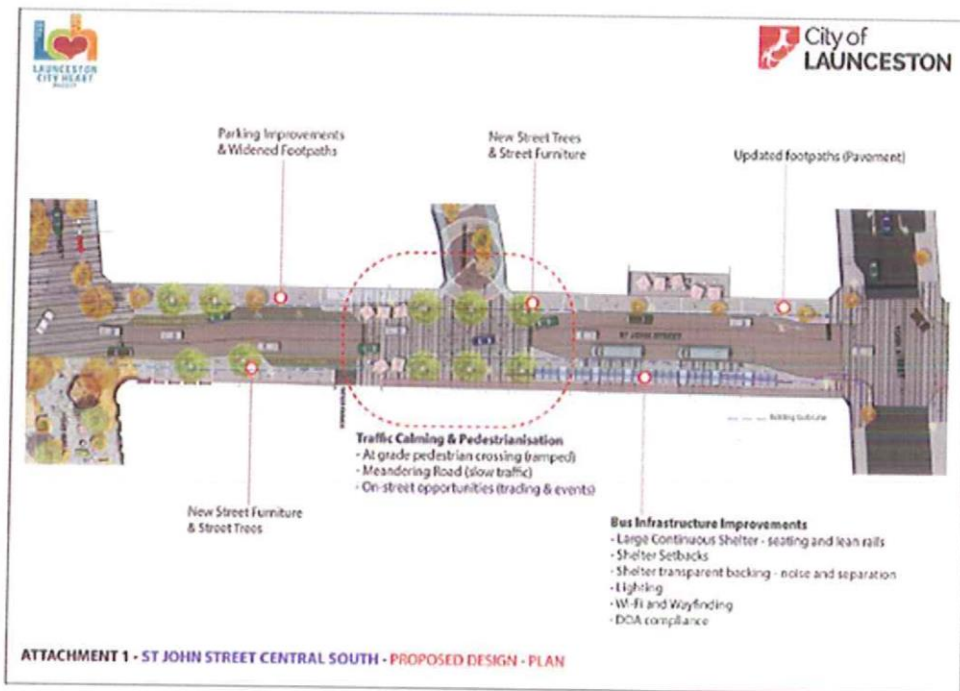
Attachments

Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South).



Alderman Ted Sands

Attachment 1 - St John Street Central South - Proposed Design Plan.



Attachment 2 - St John Street Central South - Proposed Design Before and After.



14.2 Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops**FILE NO:** SF5547**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

DECISION STATEMENT:

In the event that the previous Notice of Motion in this Agenda, 14.1 Rescission of Motion relating to St John Street Bus Stop, is successfully determined by the Council, the following Notice of Motion will be placed before the Council for consideration.

RECOMMENDATION: N/A**Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops**

That in light of the fact that construction of the St John Street Redevelopment (St John Street Central South) Bus Stop relocation element is not planned to commence until 2018, and in consideration of the findings in the Pitt and Sherry Report commissioned by the Council into Bus Stop locations., the Council request that the General Manager provide a report to the Council which considers the relocation of the contentious St John Street Bus Stop in the vicinity of Civic Square and that such report be brought to a Council Workshop as soon as practicable.

REPORT:

Alderman Sands will speak to this item

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

14.2 Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops

STRATEGIC DOCUMENT REFERENCE:

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

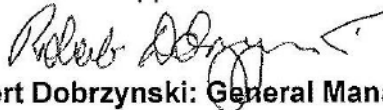
BUDGET & FINANCIAL ASPECTS:

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.



Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Notice of Motion - Rescission of Motion relating to St John Street Bus Stop
-

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SF6160 / SF6519 / SF2011
TS
DATE: 11 August 2017

TO: Robert Dobrzynski General Manager
c.c. Committee Clerks

FROM: Ted Sands Alderman

SUBJECT: **Notice of Motion - Rescission of Motion relating to St John Street Bus Stops**

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 21 August 2017.

Motion**1. Rescission of Motion relating to St John Street Bus Stops**

That the Council rescind only that portion of the following determination of the Council at its ordinary meeting held on 24 April 2017 which relates to the relocation of the St John Street Bus Stop:

1. *That Council endorses the design as per Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South).*
2. *That Council specifically endorses the location of public art installations on the design of the St John Street Redevelopment to assist in guiding future process on the project in this priority area.*

In the event that the Notice of Motion above is successfully determined by the Council, the following Notice of Motion will be placed before the Council for consideration:

2. Siting of Relocated St John Street Bus Stops

That in light of the fact that construction of the St John Street Redevelopment (St John Street Central South) Bus Stop relocation element is not planned to commence until 2018, and in consideration of the findings in the Pitt and Sherry Report commissioned by the Council into Bus Stop locations., the Council request that the General Manager provide a report to the Council which considers the relocation of the contentious St John Street Bus Stop in the vicinity of Civic Square and that such report be brought to a Council Workshop as soon as practicable.

Background

Alderman Sands will speak to this matter.

CITY OF LAUNCESTON

MEMORANDUM

Attachments

Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South).



Alderman Ted Sands

Attachment 1 - St John Street Central South - Proposed Design Plan.



Attachment 2 - St John Street Central South - Proposed Design Before and After.



15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS**16.1 Turf Replacement Project - University of Tasmania Stadium****FILE NO:** SF0880**AUTHOR:** Robert Groenewegen (Manager Inveresk and University of Tasmania Stadium)**DIRECTOR:** Matthew Skirving (Acting Director Facilities Management)

DECISION STATEMENT:

To approve the purchase of 22,000m² of Turf Stabiliser product to facilitate the University of Tasmania Stadium resurfacing project without calling public tenders.

This decision under clause 27(i) of the Local Government (General) Regulations 2015 requires an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 19/06/2017 - Turf Farm Proposal

RECOMMENDATION:

That pursuant to:

1. Section 333A(1) *Tenders and contracts for goods and services of the Local Government Act 1993*
2. Clause 27(i)(iii) *Non-application of public tender process of the Local Government (General) Regulations 2015*

Council approves the purchase of 22,000m² of Turf Stabiliser product without calling public tenders, based on the unavailability of competitive alternate suppliers able to provide the required product for use in the proposed Council-owned turf farm project.

REPORT:

This report seeks a decision from Council to waive the requirement to call public tenders for the supply of materials associated with the reconstruction of the playing surface at University of Tasmania Stadium.

16.1 Turf Replacement Project - University of Tasmania Stadium ...(Cont'd)

Background

The University of Tasmania Stadium playing field is in need of a complete reconstruction. The current playing surface has served the needs of facility user groups well, but is nearing the end of its useful life. Typically, sand-based sports fields can expect to achieve a useful life of around 10 years. By the time the University of Tasmania Stadium surface reconstruction is complete, the current playing surface will have been in use for 20 years. The longevity is largely due to the expertise of our maintenance staff.

In order to maintain and continue to attract both National and International sport, the playing surface and drainage infrastructure must meet the ever increasing standards required for these sports, and to provide a safe workplace for elite athletes.

The proposal for the City of Launceston to construct its own turf farm is part of the stadium playing surface reconstruction process. The Turf Stabiliser product that is the subject of this report is a critical component in the development of the turf farm. Using this reconstruction method minimises the venues downtime allowing a complete AFL season and major cricket events such as Big Bash to be scheduled at the venue without being impacted by the reconstruction project. Using the proposed approach, the playing field can be used within days of the new playing surface being laid.

Broadly, the playing field reconstruction timeline is as follows:

Action	Timeframe
Secure land (lease) for Turf Farm	July 2017
Purchase Turf Stabiliser Product for Turf Farm	August 2017
Delivery of Turf Stabiliser Product to Turf Farm	December 2017
Commence construction of Turf Farm	January 2018
Call for Tenders for Playing Field Reconstruction	April 2018
Commence University of Tasmania Stadium playing field reconstruction	August 2018
Harvest turf and lay at University of Tasmania Stadium	October / November 2018
Playing field reconstruction complete	November 2018

16.1 Turf Replacement Project - University of Tasmania Stadium ...(Cont'd)

What is Turf Stabiliser?

The major component of developing a 'ready to play' sports turf is the reinforcement material (Turf Stabiliser) that acts as a binding sub-structure holding large turf segments together. It comes in various proprietary forms and sports turf supply companies through extensive research and development have produced their own unique patented systems.

Turf Stabiliser enables new grass sporting surfaces to be grown remotely from the intended end-use facility, allowing that venue to remain in use during this period and not subject to closure while new turf is grown in-situ.

The stabiliser material allows the remotely grown turf to be harvested in sections (typically slabs or rolls) to be transported, placed (and replaced as necessary over time) on site while maintaining healthy and viable turf, fast installation speed and high quality surface finish.

The process enables sport to be played on the surface within hours of installation.

Non-application of a the public tender process

Section 333A(1) of the *Local Government Act (1993)* requires public tenders to be called where the value of the purchase goods and services exceeds a prescribed limit (\$250,000).

Clause 27(i) of the *Local Government (General) Regulations 2015* specifies the circumstances for non-application of a public tender process, being:

27. Non-application of public tender process

The following situations and contracts are prescribed for the purposes of section 333A(3) of the Act:

- (i) a contract for goods or services, if the council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of –*
- (iii) the unavailability of competitive or reliable tenders.*

The cost of the Turf Stabiliser product is the major cost component of the Turf Farm project budget, and exceeds the \$250,000 tender threshold. Pricing details are provided in the Closed Council agenda item accompanying this report.

16.1 Turf Replacement Project - University of Tasmania Stadium ...(Cont'd)

Despite there being a number of proprietary sports turf systems and product suppliers available nationally, none have an established production facility in Tasmania capable of providing the product required for use at University of Tasmania Stadium. Transport timeframes, and other logistics constraints make utilisation of turf grown interstate unviable. These constraints, along with the overall cost advantage, have been the primary drivers behind Council developing its own turf farm proposal.

The supplier of the proprietary Turf Stabiliser product proposed to be used in the Council-developed turf farm is willing to release their product to us for this project. No other supplier has been identified that are willing to release their proprietary products for use in a one-off turf farm development that is owned and developed by the City of Launceston.

University of Tasmania Stadium maintenance staff are familiar with the proposed product, its performance, and processes in growing, harvesting and installation of the resulting turf. This same process has been in place for the past 5 years for the reinstatement of cricket wickets with turf from our turf nursery.

ECONOMIC IMPACT:

Major events hosted at the University of Tasmania Stadium underpin significant economic activity in the Launceston municipality. The proposed project methodology for the stadium resurfacing project will minimise downtime at the venue, and enable the current program of major events to be accommodated.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Major events hosted at the venue provide a significant contribution to the social and recreation opportunities within the Launceston Municipality.

16.1 Turf Replacement Project - University of Tasmania Stadium ...(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

To continue to ensure the long-term sustainability of our Organisation

Key Directions -

5. To strategically manage our assets, facilities and services

6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

The turf farm project is funded in the 2017/18 Capital Works Program

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.



Matthew Skirving: Acting Director Facilities Management

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 Final progress against 2016-2017 Annual Plan Action for period ending 30 June 2017****FILE NO:** SF6178**AUTHOR:** Leisa Hilkmann (Corporate Planning Administration Officer)**DIRECTOR:** Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider reports on progress against Council's 2017-2018 Annual Plan Actions for period ending 30 June 2017.

RECOMMENDATION:

That Council:

1. Notes progress against 2016-2017 Annual Plan Actions for period ending 2017; and
 2. Notes treatment of 2016-2017 Annual Plan Actions that have not been completed in the 2016-2017 financial period.
-

REPORT:

The purpose of this report is to provide Aldermen with an update on the final status of 2016-2017 Annual Plan Actions for period ending 30 June 2017.

Progress against our 2016-2017 Annual Plan is reported in terms of the plan's contribution to our achievement of strategic goals. Our reporting takes its structure from a framework that is taken directly from our Strategic Plan 2014-2024.

Attachment 1 Strategic Plan Report is included to remind Aldermen of the content of the framework within which the 2016-2017 Annual Plan was developed.




The framework is based on the eight sections from the Strategic Plan. Each section from the Strategic Plan is shown as a Priority Area in our strategic framework. Each Priority Area has at least one 10-Year Goal. Each 10-Year Goal has at least one Key Direction. Each Action included in our 2016-2017 Annual Plan is linked to a Key Direction, contributing to the achievement of the 10-Year Goals that sit within each Priority Area.

20.1 Final Progress Against 2016-2017 Annual Plan Action for Period Ending 30 June 2017 ...(Cont'd)

Our 2016-2017 Annual Plan addressed all eight Priority Areas, ten 10-Year Goals from the Strategic Plan 2014-2024, and twenty of the 44 Key Directions were addressed, noting that all Key Directions from the Strategic Plan 2014-2024 will be covered over the life of the Strategic Plan.

Attachment 2 provides detail on progress against Actions, listed in order of Priority Area, 10-Year Goal and Key Direction. For each Action, the tables in attachment 2 also include: a status, progress comments, the Directorate responsible for the Action, a percentage complete and progress against a target.

Progress against targets set for each Action within Attachment 2 is indicated with one of the following icons, which reflects the tolerance provided by the software being used and assists actioning officers with their planning during the course of the financial year:

	At least 80% of target achieved
	Between 60% and 79% of target achieved
	Less than 60% of target achieved

The final status of the actions is summarised in the following table:

Action Status	No. of Actions	%
Completed	33	81
*Not completed	8	19
Total number of Actions	41	100

* The outcome of each of the Actions not completed was outside of the Council's operational control.

For the purpose of transparency, and to explain the various ways Actions have been treated to wrap-up the 2016-17 reporting period, the following table outlines actions that have not progressed as planned due to, for example, changing priorities and dependencies and remain incomplete as at 30 June 2017.

Those incomplete actions not rolled over into the 2017/18 Annual Plan approved by Council on 24 April 2017 will be carried forward into the 2017/18 Directorate Plans. These Actions and their anticipated timeframes for completion are as follows:

20.1 Final Progress Against 2016-2017 Annual Plan Action for Period Ending 30 June 2017 ...(Cont'd)

ACTION	DIR.	STATUS AT 30/06/2017	COMMENTS
<i>2.1.1.9 Undertake the renewal of the Seaport board walk</i>	ISD	85%	<p>The Seaport to Royal Park boardwalk deck renewal program is nearing practical completion with the river cruise section at Home Point being the final stage. The project has seen an upgrade to the decking surface, replacement of timber bearers and protection of the supporting pylons along with the replacement of new LED lights along the board walk.</p> <p>This Action will be completed in the first half of the 2017/18 Financial Year</p>
<i>2.1.3.10 To undertake upgrades of public area CCTV network in accordance with priorities identified by Tasmania Police</i>	FMD	10%	<p>Council received the funding agreement from the Australian Government in late May 2017. Following formal execution of this agreement, the first stage of works on this project are expected to commence in mid- June 2017.</p> <p>It is anticipated that this Action will be completed by December 2017</p>
<i>3.1.3.1 To undertake the development of a new parking strategy for Launceston</i>	FMD	80%	<p>The feedback has been provided to the consultant. The consultant has made the amendments to the document and has sent the final draft for review.</p> <p>Decision: This action will be rolled over in to the 2017-18 Directorate planning process.</p>

20.1 Final Progress Against 2016-2017 Annual Plan Action for Period Ending 30 June 2017 ...(Cont'd)

ACTION	DIR.	STATUS AT 30/06/2017	COMMENTS
<p><i>5.1.5.5 Kerbside organic collection and regional composting service - A commercial food and green organics composting facility at the Launceston Waste Centre and the introduction of a 3rd green and food organics kerbside service.</i></p>	<p>ISD</p>	<p>54%</p>	<p>Delays in lodgement of the Development Application occurred due to resourcing issues at the EPA. The Development Application was submitted on 22 June 2017 after final sign off from EPA. Mobile bins quotes have been obtained and tender documents for the collection contract and equipment supply are being finalised.</p> <p>The intention is to commence collections on 2 October 2017.</p>
<p><i>6.1.3.7 St Leonards Area Plan - Stage One - Stage One of the St Leonards Area Plan Project (GLP Project G.3) - to develop an integrated physical development strategy for the longer term consolidation of the St Leonards area and progressive development of a new major growth area in the City of Launceston</i></p>	<p>DSD</p>	<p>85%</p>	<p>The Stage 1 documents are in the final stages of preparation and should be finalised and presented to Council by the end of July with a view to complete by 30 September 2017.</p> <p>It is anticipated that this Action will be completed by 30 September 2017</p>
<p><i>6.1.2.3 St Leonards Area Plan - Stage 2 - To develop an integrated physical development strategy for the longer term consolidation of the St Leonards area and progressive development of a new major growth area in the City of Launceston</i></p>	<p>DSD</p>	<p>25%</p>	<p>The analysis component of the project has been completed. Draft recommendations are being developed. Delays have been occurred in obtaining the views of Tas Water which have meant finalisation has been delayed. Given the timing of this project the results will be integrated with the current Planning Scheme review.</p> <p>It is anticipated that this Action will be completed by 30 November 2017.</p>

20.1 Final Progress Against 2016-2017 Annual Plan Action for Period Ending 30 June 2017 ...(Cont'd)

ACTION	DIR.	STATUS AT 30/06/2017	COMMENTS
<i>8.5.1.41 To complete the review of the 2005 Inveresk Master Plan including consideration of UTAS relocation proposal, current and future Precinct user groups</i>	FMD	70%	This action is considered complete in terms of Annual Plan reporting. This Action will be managed at a Directorate level in 2017/18.
<i>8.5.1.42 To complete York Park Masterplan 2016-2026 to identify future upgrade and renewal actions to maintain the facility as a premier boutique sporting stadium and major regional sporting facility</i>	FMD	75%	This action is considered complete in terms of Annual Plan reporting. This Action will be managed at a Directorate level in 2017/18.

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

20.1 Final Progress Against 2016-2017 Annual Plan Action for Period Ending 30 June 2017 ...(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.


Michael Tidey: Director Corporate Services

ATTACHMENTS:

1. City of Launceston Strategic Plan Report
 2. Interplan Report - Final progress against 2016-2017 Annual Plan Action for period ending 30 June 2017.
-

Strategic Plan 2014-2024

Strategic Plan Report - Priority Areas, 10-Year Goals, and Key Directions

Priority Area	1	A creative and innovative city
10-Year Goal	1.1	To foster creative and innovative people and industries
Key Direction	1.1.1	To establish appropriate mechanisms to support the retail sector
	1.1.2	To understand and support the establishment and growth of creative industries in Launceston
	1.1.3	To optimise the use and usability of our assets for different types of activities
	1.1.4	To support and promote alternative uses of underutilised buildings
	1.1.5	To promote the wide variety of learning opportunities within Launceston
	1.1.6	To contribute towards artistic, cultural and heritage outcomes

Priority Area	2	A city where people choose to live
10-Year Goal	2.1	To promote Launceston as a unique place to live, work, study and play
Key Direction	2.1.1	To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston
	2.1.2	To support the CBD and commercial areas as activity places during day and night
	2.1.3	To contribute to enhanced public health and amenity to promote a safe and secure environment
	2.1.4	To promote Launceston's rich heritage and natural environment
	2.1.5	To plan for better connections between the river and Launceston
	2.1.6	To promote active and healthy lifestyles

Strategic Plan 2014-2024

Strategic Plan Report - Priority Areas, 10-Year Goals, and Key Directions - Page 2 of 4

Priority Area	3	A city in touch with its region
10-Year Goal	3.1	To ensure Launceston is accessible and connected through efficient transport and digital networks
Key Direction	3.1.1	To engage with neighbouring Councils, as well as infrastructure and transport providers, to improve access to greater Launceston for all modes of transport through planning and advocacy
	3.1.2	To improve and maintain accessibility within the City of Launceston area, including its rural areas
	3.1.3	To regularly review our strategic approach to parking in Launceston
	3.1.4	To promote digital connectivity for industry sectors, households and the community

Priority Area	4	A diverse and welcoming city
10-Year Goal	4.1	To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities
Key Direction	4.1.1	To understand the needs and requirements of the key community service providers and stakeholders
	4.1.2	To plan services and facilities that recognise the changing demographics of our community
	4.1.3	To define and communicate our role in promoting social inclusion and equity
	4.1.4	To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community
	4.1.5	To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities
	4.1.6	To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life

Strategic Plan 2014-2024

Strategic Plan Report - Priority Areas, 10-Year Goals, and Key Directions - Page 3 of 4

Priority Area	5	A city that values its environment
10-Year Goal	5.1	To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards
Key Direction	5.1.1	To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
	5.1.2	To manage the risks of climate-related events particularly in the area of stormwater management
	5.1.3	To enhance community awareness and resilience to uncertain weather patterns
	5.1.4	To implement floodplain management plans in the Invermay area
	5.1.5	To reduce our and the community's impact on the natural environment

Priority Area	6	A city building its future
10-Year Goal	6.1	To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions
Key Direction	6.1.1	To advocate and collaborate to address regionally significant infrastructure and transport solutions
	6.1.2	To develop and take a strategic approach to development sites to maximise public benefits of development
	6.1.3	To ensure that the planning system at a local and regional level is effective and efficient
	6.1.4	To explore opportunities to minimise heavy freight movements through residential areas and the central area

Strategic Plan 2014-2024

Strategic Plan Report - Priority Areas, 10-Year Goals, and Key Directions - Page 4 of 4

Priority Area	7	A city that stimulates economic activity and vibrancy
10-Year Goal	7.1	To develop a strategic and dedicated approach to securing economic investment in Launceston
Key Direction	7.1.1	To actively market the City and Region and pursue investment
	7.1.2	To provide an environment that is conducive to business and development
	7.1.3	To promote tourism and a quality Launceston tourism offering
	7.1.4	To promote and attract national and international events and support the sector to ensure a diverse annual events calendar
	7.1.5	To support sustainable population growth in Launceston
	7.1.6	To facilitate direct investment in the local economy to support its growth

Priority Area	8	A secure, accountable and responsive Organisation
10-Year Goal	8.1	To communicate and engage consistently and effectively with our community and stakeholders
Key Direction	8.1.1	To develop and consistently use community engagement processes
10-Year Goal	8.2	To seek and champion collaboration to address major issues for Northern Tasmania
Key Direction	8.2.1	To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives
10-Year Goal	8.3	To ensure decisions are made in a transparent and accountable way
Key Direction	8.3.1	To ensure decisions are made on the basis of accurate and relevant information
10-Year Goal	8.4	To continue to meet our statutory obligations and deliver quality services
Key Direction	8.4.1	To continually improve our service delivery and supporting processes
10-Year Goal	8.5	To continue to ensure the long term sustainability of our Organisation
Key Direction	8.5.1	To strategically manage our assets, facilities and services
	8.5.2	To maintain a financially sustainable organisation
	8.5.3	To strengthen our workforce capabilities

Attachment 2

2016-2017 Annual Plan Actions
For period ending 30 June 2017

Final Progress Report

Annual Plan Actions



*shaded actions indicate 2015-16 Annual Plan Actions that were carried over into the 2016-17 period.





Priority Area: 1 A creative and innovative

10-Year Goal: To foster creative and innovative people and industries

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
Key Direction: To support and promote alternative uses of underutilised buildings Macquarie House - Manage the redevelopment of Macquarie House to accommodate the Macquarie House Innovation Hub MEASURES OF SUCCESS - Completed Detailed Design and Documentation process - Secure approvals and permits - Manage construction project - Manage Lease agreements - Complete Capital Work Project	Completed	Statutory approvals and tender documentation have been finalised in readiness for the next stage of the project. Management of the redevelopment of Macquarie House in now complete with a new action for the completion of the redevelopment of Macquarie House to commence in the new financial year.	Facilities Management	100%	

Final Progress to 30 June 2017




City of Launceston

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To contribute towards artistic, cultural and heritage outcomes</p> <p>Heritage List Review - Stage 2 Review the Launceston Heritage List to ensure its currency and consistency with the State Heritage List</p> <p>MEASURES OF SUCCESS - Update local heritage database for the City of Launceston</p> <p>Review signage and wayfinding with a view to bringing this to an appropriate national/international standard, integrated with the City Heart Project</p> <p>MEASURES OF SUCCESS - New promotional signage methods trialled - Improved wayfinding signage installed</p> <p>Produce the permanent exhibition gallery titled "Gallery of the First Tasmanians"</p> <p>MEASURES OF SUCCESS - Increased awareness of Tasmanian Aboriginal culture - Increase in visitor numbers to the art gallery - Adoption of gallery into regional schools including site visits</p> <p>Provide strategic support for the development of the City of Launceston's future Cultural Framework and Strategy</p> <p>MEASURES OF SUCCESS - Increased awareness of cultural activities within the region - Greater collaboration amongst the cultural/arts organisations - Increased use of cultural facilities - Greater recognition of regional cultural product in the tourism industry</p>	Completed	<p>Following completion of Stage 1 a revised work program has been agreed by the Council. This will see the work progress in 5 stages over 5 years commencing in the 2017/ 2018 financial year. Documents are currently being finalised for an 'Invitation for Consultancy Offer' with the aim of consultants beginning work on the first group of precincts in 2 months time (September 2017), and completed by 30 June 2018. The following 4 stages are to be completed over the subsequent 4 financial years.</p> <p>The Art Gallery way-finding sign for the TAFE building has now been installed. The flag poles at the Art Gallery have been recommissioned to fly the City of Launceston, Aboriginal and Australian flags. There are options, when it is appropriate, to fly the State Government flag or the Torres Strait Islander Flag (e.g. Naidoc week). An additional benefit of this is that the movement of the flags also assists in attracting attention to the Art Gallery.</p> <p>Exhibition is on track to be opened by the Governor of Tasmania on 7 July 2017.</p>	Development Services	100%	
	Completed		Queen Victoria Museum and Art Gallery	100%	
	Completed		Queen Victoria Museum and Art Gallery	100%	
	Completed		Queen Victoria Museum and Art Gallery	100%	




Final Progress to 30 June 2017

Priority Area: 2 A city where people choose to live

10-Year Goal: To promote Launceston as a unique place to live, work, study and play

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston</p> <p>North Bank - Implement Stage 1 of the North Bank project plan</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Delivery of projects as identified in the 3-year project plan 	Completed	<p>North Bank Pedestrian Bridge - the Pedestrian Bridge tender documentation is currently being developed on the basis of Design and Construct being the preferred procurement and delivery model. Documentation shall be completed prior to end of month (EOM) June 2017. The planned construction start has been deferred 4 weeks (August) to allow for a competitive tender process and an appropriate tender assessment process.</p> <p>North Bank Park - the North Bank early works DA was submitted on Monday 19 June, the DA seeks approval to permit upgrades to existing stormwater, sewer and water infrastructure with provision of work/s to lower the redundant levee as an engineering control to improve the current stability safety factor. The lowering of the levee also facilitates the Pedestrian Bridge connectivity.</p>	Major Projects	100%	
<p>Gorge Reimagining - Implementation to the Gorge White Paper adopted by Council in 2015/2016.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Development of a prioritised implementation plan for capital upgrades - Commence implementation of the prioritised action plan 	Completed	<p>The Reimagining the Gorge project has been completed with a number of activities undertaken to enhance the visitor experience at the Cataract Gorge Reserve.</p> <p>The Gorge cottage, restaurant, rotunda and fencing rails have all been painted preserving these assets. Upgrades to pathway lighting and improvements to deck safety barriers have been finalised. An extensive weed eradication programme in and around Kings Bridge and Fairy Dell was completed with future works planned for other areas of the Cataract Gorge during 2017/18.</p>	Infrastructure Services	100%	
<p>Resurface the St Leonards Athletics Centre running track</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Resurfaced track 	Completed	<p>Polytan were awarded the tender with resurfacing work on the St Leonards athletic track commencing February 2017. Resurfacing works were completed and user groups were engaged during the delivery of the project.</p> <p>Financial completion will occur once IAAF certification is received and a reimbursement of surplus materials from the contractor is received including a financial contribution from the stakeholder group</p>	Infrastructure Services	100%	




Final Progress to 30 June 2017

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
Undertake the renewal of the Seaport board walk MEASURES OF SUCCESS - Existing timber board walk replaced with a recycled plastic product	In Progress	The Seaport to Royal Park boardwalk deck renewal program is nearing practical completion with the river cruise section at Home Point being the final stage. The project has seen an upgrade to the decking surface, replacement of timber bearers and protection of the supporting pylons along with the replacement of new LED lights along the board walk. The project is expected to be completed as scheduled early in the 2017/18 financial year.	Infrastructure Services	85%	
Key Direction: To support the CBD and commercial areas as activity places during day and night					
Promote Inner City Living in the City of Launceston - Develop resources to assist investors to access information about the development of residential accommodation in the Launceston CBD MEASURES OF SUCCESS - Guidelines published	Completed	A draft pamphlet has been produced and will be reviewed for final publication after consultation with key stakeholders. Consultation with stakeholders is completed. Finalisation of pamphlet is with Communications. This project will be completed by September 2016. Publication of the guidelines has been completed by our Communications Department and the Guidelines will be published on website during the website upgrade.	Development Services	100%	
Implement the Launceston City Heart Project - Implementation of priority projects identified within the Launceston City Heart Project Masterplan Stage 1. MEASURES OF SUCCESS - Successful application for Stronger Regions Funding Round 3 - Major Public Spaces - Commencement of identified key major public spaces (detailed design process early 2016)	Completed	The Launceston City Heart project has successfully secured Federal and State funding for Stage 1 of the project. The implementation of four out of the five stage 1 projects will commence in the 2017/2018 financial year. Projects include Civic Square, St John Street Central South (Stage 1 of the Public Transport Improvements), Brisbane Street Mall and the commencement of the rollout of Wayfinding signage. The Civic Square Construction Contract has been awarded to VOS Construction & Joinery Pty Ltd. The construction shall be delivered in a staged manner to minimise disruption and maximise pedestrian access throughout project delivery. Stage 1 will commence from the St John Street entrance, with work/s concluding at the Charles Street entrance.	Major Projects	100%	
Launceston City Heart Events and Activation Plan - Support the Major Projects Unit to develop a program of events that activate and create vibrancy in the City Centre MEASURES OF SUCCESS - Develop and Implement the Launceston City Heart Events and Activation Plan	Completed	A draft LCH Activities Plan and procedures has been produced and was presented and accepted by the Launceston City Heart Reference Group. To date four activities (3 in Quadrant Mall/Dicky Whites Lane and 1 in Brisbane Street Mall) have been funded out of the Activation budget.	Major Projects	100%	

City of Launceston

Final Progress to 30 June 2017


City of Launceston

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Wayfinding and Connectivity Strategy Implementation - Implementation of the wayfinding treatment in the CBD area (Launceston City Heart area).</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Develop and implement signage treatments across the City Heart area 	<p>Completed</p>	<p>The development of the Wayfinding signage treatments are completed as part of the Stage 2 (Guidelines). Detailed Design documentation will be completed before the end of the financial year ready for tender. The implementation of the Wayfinding signage treatment will occur in the 2017/2018 financial year.</p> <p>Detailed Design documentation will be completed and ready for Col to review early July 2017. Expression of Interest for Supply and Implementation will be advertised early July 2017. The Tender process and Procurement of select Wayfinding signage will follow. The implementation of the Wayfinding signage treatment will still occur in the 2017/2018 financial year.</p>	<p>Major Projects</p>	<p>100%</p>	
<p>Key Direction: To contribute to enhanced public health and amenity to promote a safe and secure environment</p>					
<p>Review the Smoke-free area in the Launceston CBD - Facilitate the expansion of the smoke-free area in the Launceston CBD and review regulatory processes</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Smoke-free area in CBD reviewed and expansion implemented if determined necessary 	<p>Completed</p>	<p>Staff will continue to patrol the zone to ensure compliance.</p>	<p>Development Services</p>	<p>100%</p>	
<p>To undertake upgrades of public area CCTV network in accordance with priorities identified by Tasmania Police</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Installation complete in identified areas 	<p>In Progress</p>	<p>Council received the funding agreement from the Australian Government in late May 2017. Following formal execution of this agreement, the first stage of works on this project are expected to commence in mid June 2017.</p>	<p>Facilities Management</p>	<p>10%</p>	

Final Progress to 30 June 2017

Priority Area: 3 A city in touch with its region


10-Year Goal: To ensure Launceston is accessible and connected through efficient transport and digital networks

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To regularly review our strategic approach to parking in Launceston</p> <p>To undertake the development of a new parking strategy for Launceston</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Draft plan developed and presented for discussion with Aldermen - Strategy plan adopted by Council 	<p>In Progress</p>	<p>The draft strategy has been received and a briefing document has been presented to the General Manager and feedback sought from internal key stakeholders, with a view to present to the Executive Management Committee and Strategic Planning & Policy Committee before the end of the 2016-17 Financial Year.</p> <p>Feedback has been provided to the consultant with their amendments to the document sent to Col. for a final review.</p> <p>This project will carry over into the 2017-18 financial year with an estimated completion date of 30 November 2017.</p>	<p>Facilities Management</p>	<p>80%</p>	

City of Launceston Final Progress to 30 June 2017

Priority Area: 4 A diverse and welcoming city




10-Year Goal: To offer access to services and spaces for all community members to work in partnership with others to address the needs of vulnerable and diverse communities

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
Key Direction: To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life Events Strategy Action Plan - Development of an Action Plan and supporting policies to coordinate the implementation of the City of Launceston Events Strategy MEASURES OF SUCCESS - Action Plan is developed and implemented	Completed	These actions have been completed: - Event Sponsorship Policies and Guidelines, and TOR for Assessment Panel endorsed by Council. - Marketing Roadmap developed for events promotion. - Business case for Cool Season Strategy developed in conjunction with key stakeholders.	Development Services	100%	

Final Progress to 30 June 2017



Priority Area: 5 A city that values its environment

10-Year Goal: To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders</p> <p>Tamar River Health and Amenity - To collaborate with the State, Australian Governments and other key stakeholders to develop a strategy in accordance with the funding model to address the longterm health and amenity of the Tamar River.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Strategy & funding model for the medium term adopted - Funding applications prepared by the responsible organisation within the agreed model - Area of riparian revegetation - Sediment removed from the yacht basin 	Completed	<p>Health of the Tamar Estuary has been incorporated as a priority action in the Launceston City Deal.</p> <p>This partnership approach between Local, State and Federal government will deliver a river health action plan in the coming 12 months.</p>	Infrastructure Services	100%	
<p>Key Direction: To manage the risks of climate-related events particularly in the area of stormwater management</p> <p>Undertake hydraulic modelling and development of Stormwater Management Plans for priority catchments</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Priority catchments identified - Models for priority catchments developed - Work on stormwater management plans for priority catchments commenced 	Completed	<p>Final models, results and reporting received for four catchments. Modelling will continue on the remaining storm water catchments in 2018/2019.</p>	Infrastructure Services	100%	
<p>Key Direction: To reduce our and the community's impact on the natural environment</p> <p>Kerbside organic collection and regional composting service - A commercial food and green organics composting facility at the Launceston Waste Centre and the introduction of a 3rd green and food organics kerbside service.</p> <p>MEASURES OF SUCCESS</p> <p>Year 2 of 2 year project:</p> <ul style="list-style-type: none"> - Commissioning of regional composting facility by October 2016 - Start organics kerbside wheelie bin service by March 2017 	In Progress	<p>Delays in lodgement of the Development Application occurred due to resourcing issues at the EPA. The Development Application was submitted on 22 June 2017 after final sign off from EPA. Mobile bins quotes have been obtained and tender documents for the collection contract and equipment supply are being finalised.</p> <p>The intention is to open registrations in mid-July with a view to commencing collections on 2 October 2017.</p>	Infrastructure Services	54%	

Final Progress to 30 June 2017




City of Launceston




ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Kerbside organic collection and regional composting service - Organics recovery is a priority in the interim waste strategy and action plan (ISAP). A business case outlining the cost of a commercial food and green organics composting facility at Launceston landfill and the cost of introducing a third green and food organics bin for residents is to be prepared</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Second draft of business plan to SPCC in September 2015 - Decision by Council on implementation in March 2016 	<p>Completed</p>	<p>Business case for kerbside organic collection and composting service completed and adopted by Council at a meeting on 11 July 2016. The decision made was to approve the establishment of a commercial organics processing facility at the Launceston Waste Centre (LWC) and the establishment of a new kerbside food organics and garden organics service (FOGO).</p>	<p>Infrastructure Services</p>	<p>100%</p>	
<p>LED street light project - Replacement of all local street lighting over 2 years with more efficient and clearer light LEDs</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Replacement of existing local street lights with LEDs - Improved lighting levels in local streets - Reduced on-going street lighting costs 	<p>Completed</p>	<p>Council entered into an agreement with TasNetworks for replacement of minor street lights with LED lights in the Launceston Municipality. Installation of replacement lights commenced in February 2017.</p> <p>3112 LED lights were been installed in the Launceston Municipality which equates to 66% of the LED light installation across the municipality being complete. This is equivalent to 100% of 2016/2017 project.</p> <p>The remaining LED light installation is programmed and budgeted to commence in 2017/2018.</p>	<p>Infrastructure Services</p>	<p>100%</p>	

Final Progress to 30 June 2017

Priority Area: 6 A city building its future

10-Year Goal: To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions



ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To develop and take a strategic approach to development sites to maximise public benefits of development</p> <p>Residential Land Use Audit - Review and update the Residential Land Use Audit to identify the availability of land for future residential development in the Launceston Municipality</p> <p>MEASURES OF SUCCESS - Audit complete</p>	Completed	The analysis component of the project has been completed. Draft recommendations are being developed. Delays have been occurred in obtaining the views of Tas Water which have meant finalisation has been delayed. Given the timing of this project the results will be integrated with the current Planning Scheme review.	Development Services	100%	
<p>St Leonards Area Plan - Stage 2</p> <p>To develop an integrated physical development strategy for the longer term consolidation of the St Leonards area and progressive development of a new major growth area in the City of Launceston</p> <p>MEASURES OF SUCCESS - Development Plan presented to Council</p>	In Progress	The project has recommenced following recruitment of a project manager. The final documents for the conclusion of Stage 1 are being finalised. The strategy development will commence later in the year.	Development Services	25%	
<p>Relocation of the University of Tasmania's Launceston campus - Represent the City of Launceston's interests in negotiations around the relocation of the University of Tasmania's Launceston campus to an inner city location</p> <p>MEASURES OF SUCCESS - Active participation in the reference group</p>	Completed	<p>The Council is undertaking partner consultancies with the University regarding high priority areas including integration of the Inveresk Precinct with the CBD, activation of the site as a priority community space through the provision of innovative, cultural activities, high emphasis on the human experience of engagement with the precinct, undertaking a demand analysis of parking required by all users in the precinct to ensure that appropriate supply is maintained to meet community expectations and that the proposed Inner City Campus development contributes appropriately to the parking demand generated by the development.</p> <p>The University Master Plan for the Inner City Campus at Inveresk will be released for community consultation by the University, reflecting the University's vision for the Inner City Campus. The Council continues to engage with strategic positioning of Launceston as a University City and working with the University through the reference group and meetings with Aldermen to maximise the community benefits arising from the Inner City Campus.</p>	General Manager	100%	

City of Launceston		Final Progress to 30 June 2017			
ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To ensure that the planning system at a local and regional level is effective and efficient</p> <p>Northern Suburbs Revitalisation Project - Undertake the development of an integrated strategy for the City of Launceston Northern Suburbs (GLP Project G.2). A comprehensive broadly based strategy encompassing social and physical planning with economic and housing initiatives noting the changes that may happen with the relation of the University.</p> <p>MEASURES OF SUCCESS - Stakeholder group established with Terms of Reference - Identified projects completed</p> <p>Conversion to Statewide Planning Scheme - Work with the Tasmanian Planning Commission to develop and finalise the local provisions in the new statewide Planning Scheme, following the completion of the statewide Provisions</p> <p>MEASURES OF SUCCESS - Progress consistent with statewide planning reform timelines</p> <p>Scenic Protection Code Review - Review the Scenic Protection Code within the Launceston Interim Planning Scheme 2015 to ensure its currency and effectiveness in guiding future development within the City of Launceston</p> <p>MEASURES OF SUCCESS - Presenting a draft scenic management code to the Aldermen</p> <p>St Leonards Area Plan - Stage One Stage One of the St Leonards Area Plan Project (GLP Project G.3) - to develop an integrated physical development strategy for the longer term consolidation of the St Leonards area and progressive development of a new major growth area in the City of Launceston</p> <p>MEASURES OF SUCCESS - Completed strategy</p>	<p>Completed</p>	<p>These actions have been completed: - Rocherlea ABCDE Learning Site commenced Aug 2016. - Rocherlea Asset Map completed. - Rocherlea list of priority projects completed. - Ravenswood ABCD Learning Site community gathering commenced June 2017.</p> <p>This project now links with the Launceston City Deal and work will continue on the preparation of the revitalisation strategy in partnership with other key stakeholders as part of the Launceston City Deal commitment, which is due for completion in 2018.</p> <p>The SPP's are now finalised. The work program has been outlined and will be conformed following consultation with the Council. It is anticipated that the scheme will be ready by mid 2018.</p>	<p>Development Services</p>	<p>100%</p>	
<p>MEASURES OF SUCCESS - Progress consistent with statewide planning reform timelines</p> <p>Scenic Protection Code Review - Review the Scenic Protection Code within the Launceston Interim Planning Scheme 2015 to ensure its currency and effectiveness in guiding future development within the City of Launceston</p> <p>MEASURES OF SUCCESS - Presenting a draft scenic management code to the Aldermen</p> <p>St Leonards Area Plan - Stage One Stage One of the St Leonards Area Plan Project (GLP Project G.3) - to develop an integrated physical development strategy for the longer term consolidation of the St Leonards area and progressive development of a new major growth area in the City of Launceston</p> <p>MEASURES OF SUCCESS - Completed strategy</p>	<p>Completed</p>	<p>Following the community consultation project this action was paused whilst awaiting the release of the draft statewide provisions which occurred in January 2017. The outcomes from the consultation will now be included in the work being undertaken as part of the broader planning scheme review and preparation of local planning provisions, due for completion in 2018.</p>	<p>Development Services</p>	<p>100%</p>	
<p>MEASURES OF SUCCESS - Completed strategy</p>	<p>In Progress</p>	<p>The Stage 1 documents are in the final stages of preparation and should be finalised and presented to Council by the end of July 2017</p>	<p>Development Services</p>	<p>85%</p>	

Final Progress to 30 June 2017




7 A city that stimulates economic activity and vibrancy

10-Year Goal: To develop a strategic and dedicated approach to securing economic investment in Launceston

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To actively market the City and Region an pursue investment Implement the City of Launceston Asia Engagement Strategy - Actively investigate opportunities and promote business, educational and cultural exchange and engagement opportunities between the City of Launceston and identified markets in Asia, including Indonesia and China</p> <p>MEASURES OF SUCCESS - Facilitation of business exports or inbound investment; facilitation of outward and inward trade missions; participation with northern and Statewide initiatives to grow relationships with Asia</p>	<p>Completed</p>	<p>An opportunity to participate in the TSO concert series in Fujian Province, China, has been identified and progressed and has been work shopped with Council. Putian City have confirmed they will sign the Sister City Agreement and are seeking approval to visit the City of Launceston in 2017</p> <p>Meetings have been attended to progress the development of a Northern Tasmania Asian Engagement Strategy. This strategy was completed in September 2016 by Asia Australis [Consultants]. Collaboration on the development of funding proposals from NTDC have since been initiated. A civic reception and welcome to Tasmania of the Xiamen Phipharmonic Orchestra was organised for 24th March 2016.</p> <p>Webchat communication has been established with officials from the Municipal Government of Putian. Putian City have approached Council seeking to send a delegation to sign a Sister City agreement in August 2017</p>	<p>Development Services</p>	<p>100%</p>	
<p>Key Direction: To provide an environment that is conducive to business and development Economic Development Strategy - Implement an economic development strategy which positions Launceston within Regional, State and National economic development policies and strategies</p> <p>MEASURES OF SUCCESS - Economic development strategy developed</p>	<p>Completed</p>	<p>Draft Economic Development Strategy Discussion Paper has been presented to SPPC workshop.</p> <p>The Final draft of the strategy is now completed. Drafts are being proofed for printing. A final presentation of the Strategy will be made to the Economic Development Committee prior to bringing the strategy to Council. Council consideration of the strategy is planned by end of 2016.</p> <p>Council adopted the Economic Development Strategy on 20th March 2017. The only remaining task is to edit the Consultant's report to reflect the City of Launceston publication style guide and insert local imagery. It is anticipated that this task and the production of printed documents will occur prior to mid-2017.</p>	<p>Development Services</p>	<p>100%</p>	

Final Progress to 30 June 2017

City of Launceston

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To promote tourism and a quality Launceston tourism offering</p> <p>Review and update the City of Launceston Tourism Plan - Undertake a review of the City of Launceston Tourism Strategy, roles and responsibilities to prepare an updated plan that ensures a consistent approach by stakeholders to the development and promotion of Launceston as a premier tourism destination</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Tourism Plan updated - Tourism Plan reviewed, developed and endorsed by Council 	Completed	<p>The following actions have been completed which will inform the review of the Tourism Strategy which will now be completed in the next financial year:</p> <ul style="list-style-type: none"> - Destination Action Plan - Cool Season Strategy - Wayfinding and Signage 	Development Services	100%	
<p>Tourism Interpretation, Signage and Lighting Project - Implement the project</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Project completed 	Completed	<p>These actions have been completed:</p> <ul style="list-style-type: none"> - Tourism Demand Drive Infrastructure Program Funding \$50,000 received, applied and acquitted for development of a Wayfinding system using both static and electronic signage to direct and encourage tourists to connect with and explore iconic destinations within Launceston's CBD and its surrounds. - Project integrated with Launceston City Heart Wayfinding and interpretation project, with the following strategies: <ul style="list-style-type: none"> - Launceston Connectivity and Wayfinding Strategy - Launceston Banner Guidelines - Launceston Heritage and Interpretation Strategy 	Development Services	100%	
<p>Key Direction: To facilitate direct investment in the local economy to support its growth</p> <p>UTAS Launceston Campus - To work with UTAS, the State and Australian Government to relocate the UTAS Launceston campus, other than the Australian Maritime College, to the Inveresk and Willis Street Precincts. To collaborate with UTAS to achieve improved educational and economic outcomes for the northern region and the state.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Planned change endorsed with required funding committed by all levels of government - Timetable for the relocation confirmed 	Completed	<p>Previous comments in 6.1.2.5 refer to this action item. The University of Tasmania Inner City Campus development at Inveresk forms a fundamental part of the City Deal Agreement signed by the Prime Minister, Premier and Mayor in April. The proposed \$260million development will have a major social and economic impact on both Launceston and the region. The Council is working with the University and other stakeholders to ensure that urban planning considerations relating to this major infrastructure development are appropriately managed in the community's interests.</p>	General Manager	100%	



Final Progress to 30 June 2017

8 A secure, accountable and responsive Organisation

To communicate and engage consistently and effectively with our community and stakeholders



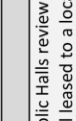

Priority Area:

10-Year Goal:

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To develop and consistently use community engagement processes</p> <p>Community Engagement Framework - Facilitate an integrated Council wide Community Engagement Framework progressively over a three year period</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - The community has more opportunity to have their say - Improvement in the transparency of Council decision-making 	<p>Completed</p>	<p>The community have been consulted on five projects:</p> <ul style="list-style-type: none"> - LET'S TALK Total visits: 272, Engaged: 38, Informed: 129, Aware: 251, Submissions: 38, Brainstormer: 1. - OPTIMISING OUR EVENTS Total visits 198, Engaged: 17, Informed: 107, Aware: 188, Submissions: 17. - FLOOD FEEDBACK Total visits: 56, Engaged: 6, Informed: 27, Aware: 55, Submissions: 6. - PARKING IN LAUNCESTON Total visits: 1430, Parking precinct map: 491, Engaged: 512, Informed: 1006, Aware: 1237, Submissions: 519. - ST LEONARDS: PLANNING FOR THE FUTURE Total visits: 267, Engaged: 29, Informed: 110, Aware: 233, Submissions: 29. <p>Measures of success have now been completed.</p>	<p>General Manager</p>	<p>100%</p>	
<p>Key Direction: To develop and consistently use community engagement processes</p> <p>Develop a new Sustainability Strategy</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Sustainability Strategy completed and endorsed 	<p>Completed</p>	<p>Draft strategy finalised. Briefing paper to SPPC in 2016/17. Sustainability Strategy completed. Actions and projects identified in the strategy have been incorporated into the Sustainability annual operating and capital plan.</p>	<p>Development Services</p>	<p>100%</p>	

City of Launceston

Final Progress to 30 June 2017

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Municipal Property Revaluation - Assist with managing the revaluation by the Office of the Valuer General and complete transfer of updated property values to Council's property system which will be used as the basis of rates for the year ending 30 June 2018</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Reliable values received from the Office of the Valuer General - Load into Council's system complete - Rate modelling based on new values completed for year ending 30 June 2018 issued before 31 July 2017 	Completed	Final data has been received.	Corporate Services	100%	
Key Direction: To strategically manage our assets, facilities and services					
<p>Public halls review - Review usage levels, catchment areas, building condition, leasing and long term capacity</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - The review will identify halls to be sold and halls requiring upgrades - A report adopted by Council on the disposal and upgrade of halls as recommended by the review 	Completed	Public Halls review was completed with the Ravenswood Memorial Hall leased to a local community group and the sale of the Numamara Hall to another local community group is pending. Future plans include the demolition of the St Leonards Memorial Hall and redevelopment of Soldiers Hall as the community use centre.	Infrastructure Services	100%	
<p>To complete the review of the 2005 Inveresk Master Plan including consideration of UTAS relocation proposal, current and future Precinct user groups</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Master plan completed - Implementation plan completed for priority actions identified in the Masterplan 	In Progress	<ul style="list-style-type: none"> - IMP Review Stakeholder Document completed - Outline Plan completed by PLA - IMP broad costing plan completed - Gate 1 CDG funding submission completed - First meeting with UTAS Architects completed - exchange of information and sub group identified. <p>The remaining part of this Action will be transferred to Directorate level for reporting and completion in 17/18.</p>	Facilities Management	70%	
<p>To complete York Park Masterplan 2016-2026 to identify future upgrade and renewal actions to maintain the facility as a premier boutique sporting stadium and major regional sporting facility</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Master plan completed - Implementation plan completed for priority actions identified in the Masterplan 	In Progress	<ul style="list-style-type: none"> - Master Plan completed and implementation of key findings started. Implementation plan being developed in conjunction with stadium amenity planning. - Concept design and business case to upgrade the stadium amenity, concessions, concourse, circulation and sense of arrival are being further developed with UTAS Consultants. <p>The remaining part of this Action will be transferred to Directorate level for reporting and completion in 17/18.</p>	Facilities Management	75%	


City of Launceston

August 2017

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Final Progress to 30 June 2017

City of Launceston

ACTION	STATUS	PROGRESS COMMENTS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Key Direction: To maintain a financially sustainable organisation</p> <p>Replacement of Multistorey Car Parking Ticketing Equipment</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Suitable replacement identified - Tender for replacement - Tender awarded - Installation complete - System commissioned and operational 	<p>Completed</p>	<p>Preparation work has been completed ready for the installation of hardware which will begin in July. Credit Card contract work is being undertaken and the Communication Strategy will be implemented during July. IT communication work is underway, as is the relocation of the Technicians' workshop and creation of the Parking Officers' locker and meeting room.</p> <p>The installation of the Elizabeth Street car park operating system has commenced. The Paterson East and West car parks are now operational.</p> <p>The Pensioner Parking Scheme system is taking longer than anticipated. Meetings are being held during October in an attempt to rectify the situation.</p> <p>The Pensioner Parking Scheme issue has not been resolved.</p> <p>The Pensioner Parking system has been successfully tested with the supplier. Further work is required to have information downloaded to the cards from the CoL system. This will occur in February 2017.</p> <p>The Smart Card system for pensioners has been installed and is working effectively.</p>	<p>Facilities Management</p>	<p>100%</p>	

21 GENERAL MANAGER'S DIRECTORATE ITEMS**21.1 Northern Tasmania Development Corporation Ltd - Quarterly Progress Report****FILE NO:** SF3532**AUTHOR:** John Davis (Manager Corporate Strategy)**GENERAL MANAGER:** Robert Dobrzynski

DECISION STATEMENT:

To receive the Northern Tasmania Development Corporation Ltd (NTDC) Quarterly Organisation Progress Report to Council Members – August 2017

RECOMMENDATION:

Pursuant to section 21 of the *Local Government Act 1993* Council receives the Northern Tasmania Development Corporation Ltd Quarterly Organisation Progress Report to Council Members – August 2017.

REPORT:

The NTDC was formed under section 21 of the *Local Government Act 1993* (the Act):

21. Enterprise powers

- (1) *In carrying out any of its functions, a council may –*
- (a) *form or participate in the formation and operation of a corporation, trust, partnership or other body; and*
 - (b) *subscribe for, or otherwise acquire and dispose of, shares in or debentures or other securities of a corporation; and*
 - (c) *become a member of a company limited by guarantee; and*
 - (d) *subscribe for, or otherwise acquire and dispose of, units in a trust; and*
 - (e) *acquire and dispose of an interest in a partnership or other body; and*
 - (f) *enter into partnership or into any arrangement for sharing of profits, union of interest, cooperation, joint venture, reciprocal concession or otherwise, with any person carrying on, or engaged in, or about to carry on or engage in, any business or transaction capable of being conducted so as to directly or indirectly benefit the community; and*
 - (g) *undertake a project or activity not directly authorized by this or another Act for the purpose of raising revenue.*
- (1A) *A motion by a council to exercise any of its powers under subsection (1) must be accompanied by a statement of the objectives of the exercise of that power.*
-

**21.1 Northern Tasmania Development Corporation Ltd - Quarterly Progress Report
...(Cont'd)**

- (2) *A council must obtain the approval of the Minister before exercising any of its powers under subsection (1) if the exercise of that power would –*
 - (a) *involve an expenditure of at least \$250 000 or 5% or more of its general rates revenue for the previous financial year, whichever is the greater; or*
 - (b) *extend the council's expenditure required to service its total borrowings to an amount in excess of 30% of its revenue other than grants made to the council for the previous financial year.*
- (3) *Before giving an approval, the Minister may require a council to –*
 - (a) *invite submissions from the public or conduct an elector poll in relation to the proposed exercise of any power; and*
 - (b) *consider any submissions and the result of an elector poll; and*
 - (c) *provide any further information the Minister requires.*
- (4) *A council may exercise any power under subsection (1) outside the boundaries of its municipal area if that exercise is consistent with the competitive neutrality principles.*
- (5) *The general manager is to report to the council –*
 - (a) *at least once every 3 months in respect of the performance of any activities carried out pursuant to subsection (1) and any strategic issues related to those activities; and*
 - (b) *any adverse developments that significantly affect or are likely to significantly affect the financial viability, the operating viability or any other aspect of any of those activities.*

Under subsection 5 the General Manager is to report on the performance of the corporation at least once every three months. The attached report (Attachment 1) outlines the activities of the NTDC. This report is self-explanatory and provides an update on the performance of the corporation. There are no adverse developments to be reported on.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**21.1 Northern Tasmania Development Corporation Ltd - Quarterly Progress Report
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

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

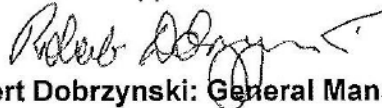
BUDGET & FINANCIAL ASPECTS:

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.



Robert Dobrzynski: General Manager

ATTACHMENTS:

1. NTDC Quarterly Report to members - 3 August 2017
-

Attachment 1 - NTDC Quarterly Report to Members 3 August 2017**NTDC LTD Quarterly Organisation Progress Report
to Council Members – August 2017**

Welcome to the newly incorporated NTDC!

As of March 2017 the new NTDC Ltd formed. The organisation has made a few changes to streamline the business, lower overheads and align ourselves with the business and entrepreneurial sector. We have moved into a collective work space, “Co-Work Launceston” at 93 York St Launceston and interact with other small business and innovators that supports economic development.

1. NTDC’s Role in the Launceston City Deal – Working to Gain the Benefit for the Whole Region!

The Northern Tasmania Development Corporation Ltd (NTDC) has been appointed as the lead agency to develop and be the custodian of a Regional Economic Development Plan (The Plan) as outlined in the City Deal of April 2017, with completion due in 2018.

The Plan will provide a shared understanding of where future economic and jobs growth will come from. This strategic outlook will help coordinate future government investments, encourage new private sector investment, improve planning and provide support for ongoing regulatory reform. The Plan will be action orientated and will cover the three financial years FY2019 – FY2021. Although we are aware that Council Members would not consider a new ‘plan’ to be a priority for NTDC – it was considered that by 2018 (when the Plan is due to be released) the new Plan will be a natural revision of the 2015 Northern Regional Futures Plan.

NTDC will work closely with Council Members in planning the consultation phase, to ensure we are adding-value and coordinated in our approach.

2. Resources for NTDC

To assist NTDC with the development of the plan and our approach to engage with Council Members the business community and the sectors where appropriate – the Tasmanian Government have allocated NTDC Ltd \$140,000 for 2017-18. It is envisaged that some of these funds will be allocated to consultancy support and the remainder to appoint a Project Officer to coordinate the consultation and develop an Opportunities Database (and document impediments and issues) as part of The Plan.

3. Regional Prioritisation of Projects

NTDC tabled a methodology for prioritising projects at a regional level at the May Council Members meeting in Launceston. After some agreed changes and fine-tuning from that meeting, NTDC now has a methodology to prioritise the top regional projects i.e. Tier 1 projects (>\$50M) and Tier 2 projects (<\$50M), in the lead up to State and Federal elections. NTDC will be requesting each LGA’s projects for consideration in August.

4. Working with Council Members

The Chair, the CEO and various NTDC Directors have met with all seven (7) councils to provide an overview on NTDC Ltd organisational progress and plans. These sessions were also an opportunity to hear from councillors on their priority issues on both local government and economic development issues within their municipalities.

NTDC has provided the following support to Councils:

a) Valley Central Industrial Estate - Meander Valley Council

NTDC has been working with Meander Valley Council to assist them with a ‘road block’ with the Environmental Protection Agency (EPA) that could impact up to \$500 million worth of industrial development on the Valley Central Industrial Estate. Other Council Members have also registered their concern regarding the EPA’s process.

After meeting, discussions and correspondence the EPA are undertaking a review of their processes and have committed to consulting with Council Members to gather specific information.

NTDC has also provided advice and support to Meander Valley Council to escalate issues in TasNetworks and provided some advice on the Bio-Energy Project feasibility work.

b) b. Flinders Council – Home Loans and Banking

John Pitt and Maree Tetlow met twice with representatives of Bendigo Bank (the new bank branch on FI) to discuss the need for equity of access of home loans on Flinders similar to that of the rest of the State. It appears that there has been some improvements over the past few months, but the availability of Loan Mortgage Insurance (LMI) for loans over 80% of the value of the home continues to be a problem. Also the cost of gaining home valuations is an issue, as potential home loan applicants must pay high costs of Valuers travelling to the island to provide this service. NTDC is working to overcome these barriers.

Congratulations to Flinders Council for their win in securing \$11 million for upgrading mobile and communications infrastructure – what a great outcome for future development on the island!

c) c. Launceston Gateway Project (Translink) – Northern Midlands Council (NMC)

NTDC has supported NMC with their efforts to continue to develop the Launceston Gateway Project out at the Launceston Airport Precinct. The interest and feasibility of the project has been renewed with the advice by Toll of their intended investment in their Boland Street Launceston depot, and the community concerns with the trucks traversing the City and especially with the announced plans for a more pedestrianised City as a result of the UTASS Transformation Project and the City Heart Project.

Discussions have been held between some of the parties to gain their level of interest and agreed next step is to produce a concept design of how the Launceston Gateway site will operate to table with interested logistics companies.

d) d. Review of Forest Areas – Break O’Day Council (BODC)

BODC have engaged with NTDC on the future use of some of their forestry reserves post plantation maturity. This is a very early stage project and NTDC has participated in some of the early testing of the concepts and provided some technical expertise at this stage.

Congratulations also to BODC on the grant announced for the Mountain Biking Project – Stage 2.

5. Other NTDC Activities

a) Agri-tourism Day – Northern Midlands

In July NTDC (through Chris Griffin of TNT and Greg Bott) worked to encourage farmers, initially in the NMC area, to consider extending their operations to consider hosting visitors.

Advocacy work has also been underway by NTDC to escalate the lamb processing issues and investigate the opportunity around a ‘Lamb Tasmania’ collaborative effort to increase supply and branding of quality Tasmanian Lamb.

b) Food Cluster Development

The NTDC Board have approved the allocation of \$20,000 of NTDC’s budget to develop a Food Cluster in the North and North East. The purpose of a Food Cluster is to support the development of new food businesses, and expand those already in business – with an emphasis on interstate and international exporting. The key KPI’s will be about growing business revenues, new jobs and new private-sector investments.

NTDC has also had initial discussions with Cradle Coast Authority to secure some funds to ensure that our food businesses work across the two regional areas. Dr Tom Lewis will be appointed to develop the cluster and seek matching funding from appropriate Commonwealth agencies. Once the funding is secured Tom Lewis and NTDC will be in touch with all Council Members about potential participants. The Food Cluster participants will decide what priority skills, projects are needed to achieve the purpose.

c) Forestry and Bio-Energy

NTDC's Chair, John Pitt, has been working to bring together the forestry players to understand the future value-adding projects that could be developed in parallel with further investment (announced as part of City Deal) into the UTAS R&D in Wood Science and Forestry areas. John is keen to ensure we have a coordinated approach in our region to ensure we maximise our forestry resources and value add into areas such as bio-energy plants, bio-compounds (from wood), new wood construction products etc.

6. Changes to Key Council Personnel

a) Farewell Robert Dobrzynski and Welcome (back) Michael Stretton, City of Launceston

Robert continues to work on the Launceston City Deal and contribute at the City Deal Executive Board level. Thank you Robert for your guidance on how we maximise the opportunities of the City Deal for the Northern Region.

Robert departs in October and Michael Stretton, GM of Waratah Wynyard (and ex Director of Development Services in Launceston) commences around the same time. We look forward to welcoming Michael back to Launceston!

b) Welcome Justine Brooks-Bedelph, General Manager of George Town Council

Justine has been appointed internally from managing the Development Services area to General Manager of George Town Council. Justine commenced on 31 July, congratulations Justine!

Raoul Harper has finished his consultancy role supporting George Town Council through the GM appointment process, and has advised he is about to take a month's leave surfing on a remote Indonesian island. He looks forward to working in the region when he returns. Raoul can be contacted via email at: bayoffires@mac.com

If you would like more information on any of these subjects – or you would like to share your views on an opportunity or impediment – don't hesitate to contact us – details below:

NTDC Office Phone: 0400338410

Maree Tetlow, CEO, Phone: 0408 825060, and email: maree@northerntasmania.org.au

Rikki-lee Ross, new Executive Support and Communications Officer (at office number) and email: rikki-lee@northerntasmania.org.au

John Pitt, NTDC Chair Phone: 0417 310 490 and email: jpitt@uhuru.com.au

Office address: Level 1, 93 York Street (above Foot Care between St John and Charles St) Launceston

Mail Address remains as: PO Box 603, Launceston TAS 7250

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.

No Urgent Items have been identified as part of this Agenda

23 CLOSED COUNCIL

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

23.1 Confirmation of the Minutes**23.3 Turf Replacement - University of Tasmania Stadium****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 Turf Replacement - University of Tasmania Stadium

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
