



City of  
**LAUNCESTON**

# **COUNCIL MINUTES**

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

# City of Launceston

COUNCIL MINUTES

Monday 21 August 2017

---

The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 21 August 2017

Time: 1.00pm

---

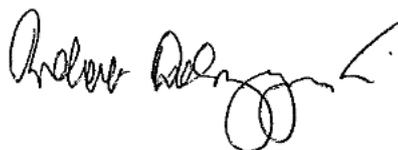
## Section 65 Certificate of Qualified Advice

### 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 Minutes Items for this Meeting.



**Robert Dobrzynski**  
General Manager

---

# City of Launceston

COUNCIL MINUTES

Monday 21 August 2017

---

|                       |                 |  |
|-----------------------|-----------------|--|
| <b>Present:</b>       | <b>Alderman</b> | <b>A M van Zetten (Mayor)</b><br><b>R I Soward (Deputy Mayor)</b><br><b>R J Sands</b><br><b>D H McKenzie</b><br><b>J G Cox</b><br><b>D C Gibson</b><br><b>J Finlay</b><br><b>D W Alexander</b><br><b>S R F Wood</b><br><b>E K Williams</b><br><b>K P Stojansek</b>   |
| <b>In Attendance:</b> |                 | <b>Mr R S Dobrzynski (General Manager)</b><br><b>Mr S G Eberhardt (Director Infrastructure Services)</b><br><b>Mrs L M Hurst (Director Development Services)</b><br><b>Mr M Skirving (Acting Director Facilities Management)</b><br><b>Mr R Mulvaney (Director Queen Victoria Museum and Art Gallery)</b><br><b>Mr M J Tidey (Director Corporate Services)</b><br><b>Mr D E Sinfield (Director Major Projects)</b><br><b>Mrs L Purchase (Governance and Planning Coordinator)</b><br><b>Mrs L Hilkmann (Corporate Planning Administration Officer)</b> |
| <b>Apologies:</b>     | <b>Alderman</b> | <b>R L McKendrick</b>  |

---

### ORDER OF BUSINESS

| <b>Item No</b> | <b>Item</b>   | <b>Page No</b> |
|----------------|---|----------------|
| 1              | <b>OPENING OF MEETING - ATTENDANCE AND APOLOGIES</b>                              | 1              |
| 2              | <b>DECLARATIONS OF INTEREST</b>   | 1              |
| 3              | <b>CONFIRMATION OF MINUTES</b>  | 1              |
| 4              | <b>DEPUTATIONS</b>  | 2              |
|                | <b>No Deputations were identified as part of these Minutes</b>                    |                |
| 5              | <b>PETITIONS</b>  | 2              |
|                | <b>No Petitions were identified as part of these Minutes</b>                      |                |
| 6              | <b>COMMUNITY REPORTS</b>  | 2              |
|                | <b>No Community Reports were registered with Council as part of these Minutes</b> |                |
| 7              | <b>PUBLIC QUESTION TIME</b>   | 2              |
| 7.1            | <b>Public Questions on Notice</b>   | 2              |
|                | <b>No Public Questions on Notice were identified as part of these Minutes</b>     |                |
| 7.2            | <b>Public Questions without Notice</b>  | 3              |
| 7.2.1          | <b>Mr Basil Fitch - UTAS Masterplan</b>   | 4              |
| 7.2.2          | <b>Mr Robin Smith - Facebook comments and Launceston City Heart Project</b>       | 5              |
| 7.2.3          | <b>Mr Ross Anthony - Kerb and Gutter on Waverley Road</b>                         | 6              |
| 8              | <b>PLANNING AUTHORITY</b>   | 7              |

---

# City of Launceston

COUNCIL MINUTES

Monday 21 August 2017

---

| Item No | Item   | Page No |
|---------|--|---------|
| 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 | 8       |
| 8.1     | 7 Cartiere Place, Newstead - Residential - multiple dwellings; construction of two dwellings   | 39      |
| 8.2     | 21 Waverley Road, Waverley - Residential - subdivision; subdivide lot to create two lots plus balance  | 41      |
| 8.3     | 43 Los Angeles Road, Swan Bay - Visitor Accommodation - holiday cabin; construction of three self contained two bedroom cabins; signage  | 47      |
| 8.4     | 2 Invermay Road, Invermay - Subdivide one new lot  | 54      |
| 8.5     | 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation  | 58      |
| 8.6     | 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling  | 76      |
| 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    | 83      |
| 14.1    | Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop   | 86      |
| 14.2    | Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops   | 89      |
| 9       | ANNOUNCEMENTS BY THE MAYOR   | 91      |
| 9.1     | Mayor's Announcements  | 91      |
| 10      | ALDERMEN'S REPORTS   | 92      |

---

# City of Launceston

## COUNCIL MINUTES

Monday 21 August 2017

---

| Item No | Item   | Page No |
|---------|--|---------|
| 11      | <b>QUESTIONS BY ALDERMEN</b>   | 93      |
| 11.1    | Questions on Notice  | 93      |
|         | No Aldermen's Questions on Notice were identified as part of these Minutes |         |
| 11.2    | Questions without Notice   | 93      |
| 11.2.1  | Alderman D C Gibson - The Theatre North Lease of Princess Theatre          | 94      |
| 12      | <b>COMMITTEE REPORTS</b>   | 95      |
| 12.1    | Pedestrian and Bike Committee Meeting - 25 July 2017                       | 95      |
| 13      | <b>COUNCIL WORKSHOPS</b>   | 96      |
| 14      | <b>NOTICES OF MOTION</b>   | 97      |
| 15      | <b>DEVELOPMENT SERVICES DIRECTORATE ITEMS</b>                              | 98      |
|         | No Items were identified as part of these Minutes                          |         |
| 16      | <b>FACILITIES MANAGEMENT DIRECTORATE ITEMS</b>                             | 99      |
| 16.1    | Turf Replacement Project - University of Tasmania Stadium                  | 99      |
| 17      | <b>QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS</b>             | 101     |
|         | No Items were identified as part of these Minutes                          |         |
| 18      | <b>INFRASTRUCTURE SERVICES DIRECTORATE ITEMS</b>                           | 101     |
|         | No Items were identified as part of these Minutes                          |         |
| 19      | <b>MAJOR PROJECTS DIRECTORATE ITEMS</b>                                    | 101     |
|         | No Items were identified as part of these Minutes                          |         |
| 20      | <b>CORPORATE SERVICES DIRECTORATE ITEMS</b>                                | 102     |
| 20.1    | Final progress against 2016-2017 Annual Plan Action                        | 102     |

---

# City of Launceston

## COUNCIL MINUTES

Monday 21 August 2017

---

| Item No | Item   | Page No |
|---------|--|---------|
|         | for period ending 30 June 2017   |         |
| 21      | <b>GENERAL MANAGER'S DIRECTORATE ITEMS</b>                                   | 103     |
| 21.1    | Northern Tasmania Development Corporation Ltd -<br>Quarterly Progress Report | 103     |
| 22      | <b>URGENT BUSINESS</b>   | 104     |
|         | No Urgent Items were identified as part of these<br>Minutes                  |         |
| 23      | <b>CLOSED COUNCIL</b>  | 104     |
| 23.1    | Confirmation of the Minutes  | 104     |
| 23.3    | Turf Replacement - University of Tasmania Stadium                            | 104     |
| 24      | <b>MEETING CLOSURE</b>   | 105     |

---

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

The Mayor, Alderman A M van Zetten, opened the Meeting at 1.00pm and noted an apology from Alderman R L McKendrick.

**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 these Minutes**

**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.

**DECISION: 21 August 2017****MOTION**

Moved Alderman S R F Wood, seconded Alderman E K Williams.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

---



**4 DEPUTATIONS**

**No Deputations were identified as part of these Minutes**

**5 PETITIONS**

*Local Government Act 1993 - Sections 57 and 58*

**No Petitions were identified as part of these Minutes**

**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 Minutes Items; that opportunity exists when that Minutes 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 were registered with Council as part of these Minutes**

**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 were identified as part of these Minutes**

---

**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.)*

---

## 7.2.1 Mr Basil Fitch - UTAS Masterplan

**Is the UTAS Masterplan a proper masterplan for people to make a valued judgement on?**

**The Mayor, Alderman A M van Zetten advised that this masterplan belongs to the University of Tasmania and Council continues to have discussions with them on many occasions.**

---

**7.2.2 Mr Robin Smith - Facebook comments and Launceston City Heart Project****1. Facebook comments**

[With reference to comments read by Mr Smith at the Council Meeting on 5 June 2017]...the comments put up and curated by Council were in alignment with the post written by Council; the comments that were concealed by Council supported [Coffee Republic's] side of the situation. Do I have that correct?

Mr Robert Dobrzynski (General Manager) noted that Mr Smith has been provided with a detailed response to his questions previously. Mr Dobrzynski invited Mr Smith, if he has further complaints, to provide him with specific details in writing so that a specific response can be provided.

**2. Comments on the City Heart Project for the Brisbane Street Mall**

If issues raised by traders are not to Council's liking, Council's response is that the issues can't be addressed because Council has signed off and approved the plans. One of the issues is seating, which is not really open to debate given the plans are approved. What situation are we left in as far as the issues that we bring up?

The Mayor, Alderman A M van Zetten, advised that if there is enough comment on anything, Aldermen will consider it and take it on board.

**3. I chalked out a number of aspects on the pavement of some of the plans.**

Council threatened me with an approximately \$1600 fine for marking the pavement. Is that because Council is particularly worried about chalk on the pavement or is there another reason for that?

Mr Robert Dobrzynski (General Manager) invited Mr Smith to provide concerns for investigation and response.

Mr Dobrzynski advised that, if during the course of master-planning major projects, there are significant concerns about elements of a project, they will be revisited and there is scope for them to be amended. Council talks with the Chamber of Commerce and CityProm who are typically seen to articulate the business view, as well as listening broadly.

The Major, Alderman A M van Zetten, requested that Mr Smith put his concerns in writing to the General Manager.

---

## 7.2.3 Mr Ross Anthony - Kerb and Gutter on Waverley Road

**When is the kerb and gutter going to be done for Waverley Road from number 25 to the junction at Ravenswood Road? It has water ponding for the winter and spring months and a collector for dumping take away wrappers and cans etc.**

**Mr Shane Eberhardt (Director Infrastructure Services) advised that the question would be taken on notice.**

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

## **8 PLANNING AUTHORITY**

**DECISION: 21 August 2017**

### **MOTION**

Moved Alderman R I Soward, seconded Alderman D H McKenzie.

That Council move to discuss Agenda Item 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.

**CARRIED 11:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

Council moved to Agenda Item 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 at 1.12pm.

---

**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*

**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)

**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:

---

**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)**

---

- 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;
  - 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;
-



**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)**

---

- 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;
- 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:

---

**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)**

---

- 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.

**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.

---

- 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)**
- 

## **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).

## **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
-

**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)**

---

- 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.

**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.

---

- 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)**
- 

## **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.

## **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.

---

- 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)**
- 

## **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.

## **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*.

---

- 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)**
- 

## **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.

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.
-

**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. 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.

**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).

---



- 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)**
- 

**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,
- 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).

---

- 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)**
- 

## **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.

## **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.

---

- 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)**
- 

#### **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.

#### 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.*

---

- 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)**
- 

**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.*

**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) <<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.*

---

**Mrs L Hurst (Director Development Services), Mr Richard Jamieson (Manager Planning) and Ms Chloe Lyne (Consultant Planner) were in attendance to answer questions of Council in respect of this Agenda Item.**

---

- 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)
- 

Ms Susan Hunter spoke against the item.

Ms Barbara Cox spoke against the item.

Mr Richard Jones spoke against the item.

Mr Mark Daly spoke against the item.

Mr Don Cox spoke against the item.

Mr Leigh Dyson spoke against the item.

Ms Sue Dyson spoke against the item.

Ms Wendy Runciman spoke against the item.

Ms Kelly Brown spoke against the item.

Mr Robert Davies spoke against the item.

Ms Claire Gregg spoke for the item.

**DECISION: 21 August 2017**

**MOTION 1**

**Moved Alderman R J Sands, seconded Alderman J G Cox.**

**That the item lay on the table so that responses to the speakers' requests can be prepared.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

---

- 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)
- 

The Item was laid on the Table at 1.41pm.

The Item was taken off the Table at 3.29pm.

**DECISION:** 21 August 2017

## **MOTION 2**

Moved Alderman D H McKenzie, seconded Alderman J Finlay.

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;
-

**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)**

---

- 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;**
  - 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;**
-

- 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)
- 

- 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;
- 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 operating of forklifts (excluding container forklifts) is prohibited outside the roofed areas of the buildings between the hours of 8:00pm and 6:00am.

---



- 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)**
- 

**5. CONTAINER FORKLIFT OPERATION**

Container forklifts (32 tonne and 40 tonne forklifts) cannot be used between the hours of 8pm and 6am 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.

**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:

---

**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)**

---

- 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. This register will be cross referenced with any complaints received by Council or its customer service department,**

**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).**

**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**
-

- 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)
- 

- 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.

## 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;
-

**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)**

---

- 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.**

## **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.**

---

- 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)**
- 

**An application for such work must be lodged electronically via the Councils 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.**

## **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.**
-

**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. 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.**

**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.**
-

- 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)**
- 

- 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.**

**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).**

---

- 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)
- 

### 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,
- 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).

---



- 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)
- 

## 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.

## 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.

---

- 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)
- 

#### 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.

#### 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.*

---

- 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. 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.*

**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) <<http://www.rmpat.tas.gov.au>>*

---

- 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)
- 

**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.*

**DECISION: 21 AUGUST 2017**

**MOTION 3**

Moved Alderman R I Soward, seconded Alderman J Finlay.

That an extension of time of three minutes be granted to Alderman D H McKenzie.

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek  
**ABSENT FOR VOTE:** Alderman J G Cox and Alderman D W Alexander

**DECISION: 21 AUGUST 2017**

**MOTION 4**

Moved Alderman D H McKenzie, seconded Alderman S R F Wood.

That an extension of time of three minutes be granted to Alderman R I Soward.

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek  
**ABSENT FOR VOTE:** Alderman J G Cox and Alderman D W Alexander

---

- 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)
- 

**THE MOTION WAS PUT AND CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**  
**ABSENT FOR VOTE: Alderman J G Cox and Alderman D W Alexander**

---

**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*.

**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:

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.

---

**Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

---

**DECISION:** 21 August 2017

**MOTION**

Moved Alderman D H McKenzie, seconded Alderman R J Sands.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 11:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

---

**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.

**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).

**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.

---



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

---

**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.

**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.

---

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

---

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.

**11. CONSTRUCTION OF WORKS**

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

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

---

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

---

- a. Stormwater
  - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
  - ii. The provision of a DN 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.

**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.

---

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

---

**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.*

**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.*

---

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

---

**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) <<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.*

---

**Mrs L Hurst (Director Development Services) and Mr Richard Jamieson (Manager Planning) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Ross Anthony spoke to the item.**

**Mr Stephen Hayes spoke to the item.**

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 11:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman D W Alexander, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

---

**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*.

**PREVIOUS COUNCIL CONSIDERATION:**

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

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

**RECOMMENDATION:**

It is recommended that in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 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).
  - 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.
-

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

---

**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. 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

---

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

---

**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.

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

---



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

---

**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.

**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).

---

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

---

**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.*

**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.*

---

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

---

*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) <<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.*

---

**Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**Ms Edwina Mulholland spoke against the item.**

**Ms Pat Jackson spoke against the item.**

**Mr George Walker spoke for the item.**

**Alderman D W Alexander retired from the Meeting at 1.51pm.**

---

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

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FOR VOTE: Alderman D W Alexander**

---

**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*.

**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.

**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.

---

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

---

**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 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.*

---

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

---

**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.

**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) <<http://www.rmpat.tas.gov.au>>

---

**Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

---

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

---

Basil Fitch spoke to the item.

**DECISION: 21 August 2017**

**MOTION**

Moved Alderman D H McKenzie, seconded Alderman J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

**CARRIED 10:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

**ABSENT FOR VOTE:** Alderman D W Alexander

---



**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.

**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
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;
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- 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

**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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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.

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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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.
- 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:

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- a. Stormwater
  - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
  - ii. The provision of a DN 100 connection to 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:

- 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
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- 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.
- 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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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)
- 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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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.*

**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.*

---



**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

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

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

**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.*

---

**Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman J Finlay, seconded Alderman E K Williams.**

**That Council:**

- 1. Pursuant to the former section 33(3) and 34(1)(a) 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**
  - 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:**
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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

**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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

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
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- d. Involve opening or breaking trafficable surfaces.**

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

**9. 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.**
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- 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.**

**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,**
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

- 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:

- 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.
-

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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.
- 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.

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**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)
- 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).*

---



**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(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.*

**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) <<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.*

---

**8.5 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation ...(Cont'd)**

---

**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FOR VOTE: Alderman D W Alexander**

---

**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

**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;
- 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).

---

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings; construction of a new dwelling behind an existing dwelling...(Cont'd)**

---

**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 6m<sup>3</sup> 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.

**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.

---

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;  
construction of a new dwelling behind an existing dwelling...(Cont'd)**

---

**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.

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/alterd, 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.

---

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;  
construction of a new dwelling behind an existing dwelling...(Cont'd)**

---

**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.

**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.

---

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;  
construction of a new dwelling behind an existing dwelling...(Cont'd)**

---

**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.*

*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.*

---

**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;  
construction of a new dwelling behind an existing dwelling...(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) <<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.*

---

**Mrs L Hurst (Director Development Services) and Mr Richard Jamieson (Manager Planning) were in attendance to answer questions of Council in respect of this Agenda Item.**

**Ms Angela Verle spoke for the item.**

---



**8.6 8 Harold Street, Kings Meadows - Residential - multiple dwellings;  
construction of a new dwelling behind an existing dwelling...(Cont'd)**

---

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:1**

**FOR VOTE: Mayor Alderman A M van Zetten, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**AGAINST VOTE: Deputy Mayor Alderman R I Soward**

**ABSENT FOR VOTE: Alderman D W Alexander**

---

**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.
- 
-

- 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)**
- 

**Mrs L Hurst (Director Development Services) and Mr Richard Jamieson (Manager Planning) were in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman E K Williams, seconded Alderman D H McKenzie.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FROM VOTE: Alderman D W Alexander**

**The Mayor, Alderman A M van Zetten, announced that Council no longer sits as a Planning Authority.**

---

**DECISION:** 21 August 2017

**MOTION**

Moved Alderman R I Soward, seconded Alderman D H McKenzie.

That Council move to discuss Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop and 14.2 - Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops.

**CARRIED 10:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek

**ABSENT FOR VOTE:** Alderman D W Alexander

Council moved to Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop at 2.21pm.

---

## COUNCIL MINUTES

Monday 21 August 2017

---

### 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

#### **COUNCIL MINUTES**

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.

---

**Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.**

**Mr Basil Fitch spoke to the item.**

**Mr Tim Holder spoke for the item.**

**Mr Steve Henty spoke for the item.**

**Ms Jan Davis spoke for the item.**

**Mr Robin Smith spoke for the item.**

---

**14.1 Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop...(Cont'd)**

---

**DECISION: 21 August 2017****MOTION 1****Moved Alderman R J Sands, seconded Alderman D H McKenzie.****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.**

**DECISION: 21 August 2017****AMENDMENT****Moved Alderman J Finlay, seconded Alderman E K Williams.****That the Council place a hold on 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.**

**THE AMENDMENT WAS PUT AND LOST 4:6****FOR VOTE: Alderman J G Cox, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams****AGAINST VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson and Alderman K P Stojansek****ABSENT FROM VOTE: Alderman D W Alexander**

---

**14.1 Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop...(Cont'd)**

---

**DECISION: 21 August 2017**

**MOTION 2**

**Moved Alderman D H McKenzie, seconded Alderman J G Cox.**

**That an extension of time of three minutes be granted to Alderman R I Soward.**

**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FROM VOTE: Alderman D W Alexander**

**THE ORIGINAL MOTION WAS PUT AND CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FROM VOTE: Alderman D W Alexander**

---

## COUNCIL MINUTES

Monday 21 August 2017

---

### **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

#### **COUNCIL MINUTES**

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.

---

**DECISION: 21 August 2017**

#### **MOTION**

**Moved Alderman R J Sands, seconded Alderman D H McKenzie.**

**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 and that such report be brought to a Council Workshop as soon as practicable.**

---



**CARRIED 10:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman J G Cox, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**

**ABSENT FROM VOTE: Alderman D W Alexander**

**Council adjourned for a break at 3.10pm.**

**Alderman J G Cox retired from the Meeting at 3.10pm.**

**Council resumed following the break at 3.23pm.**

**Council resumed the published order of business at Agenda Item 9.1 - Mayor's Announcements.**

---

**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 Addams 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 1<sup>st</sup> 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 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.)*

**10.1 Alderman R J Sands**

- **Noted that the right turn lights on Bladon Street and Hobart Road in Kings Meadows have been restored and are functioning**

**10.2 Alderman D H McKenzie**

- **Noted the success of QVMAG's Science Week events**

**10.3 Alderman D C Gibson**

- **Noted the success of the DanceSport Championships held on 12 August 2017**
  - **Attended the Launch of Junction Arts Festival for 2017**
-

**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 were identified as part of these Minutes**

**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.)*

---

## 11.2.1 Alderman D C Gibson - The Theatre North Lease of Princess Theatre

**Can Aldermen be provided with an update in regard to the plans for the advertisement for the extension of the Theatre North lease of Princess Theatre?**

**This question was taken on notice and an answer will be provided in the next Council Agenda on 4 September 2017.**

---

## 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.

---

**Mr Shane Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 21 August 2017**

#### **MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek  
**ABSENT FROM VOTING:** Alderman D W Alexander and J G Cox

---

## **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**

**A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 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 - on Page 100 of these Minutes**

**14.2 Notice of Motion - Alderman R J Sands - Siting of Relocated St John Street Bus Stops**

**A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 14.1 - Notice of Motion - Alderman R J Sands - Rescission of Motion relating to St John Street Bus Stop - on Page 103 of these Minutes.**

---



**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**

**No Items were identified as part of these Minutes**

---

## 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 22,000m<sup>2</sup> 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 22,000m<sup>2</sup> 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.

---

**Mr Matthew Skirving (Acting Director Facilities Management) and Mr Robert Groenewegen (Manager Inveresk Precinct) were in attendance to answer questions of Council in respect of this Agenda Item.**

---

**16.1 Turf Replacement Project - University of Tasmania Stadium...(Cont'd)**

---

**DECISION: 21 August 2017**

**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman R J Sands.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**  
**ABSENT FOR VOTE: Alderman D W Alexander and Alderman J G Cox**

---

**17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

**19 MAJOR PROJECTS DIRECTORATE ITEMS**

No Items were identified as part of these Minutes

---

**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.
- 

**Mr M Tidey (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION:** 21 August 2017**MOTION**

**Moved Alderman D H McKenzie, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek  
**ABSENT FOR VOTE:** Alderman D W Alexander and Alderman J G Cox

---

**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.

---

**Mr R Dobrzynski (General Manager) was in attendance to answer questions of Council in respect of this Agenda Item.**

**DECISION: 21 August 2017****MOTION**

**Moved Alderman D C Gibson, seconded Alderman J Finlay.**

**That the Motion, as per the Recommendation to Council, be adopted.**

**CARRIED 9:0**

**FOR VOTE:** Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek  
**ABSENT FOR VOTE:** Alderman D W Alexander and Alderman J G Cox

---

**Council returned to discuss Agenda Item 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 at 3.29pm.**

## **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 Minutes.*

**No Urgent Items were identified as part of these Minutes**

## **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.

#### **DECISION: 21 August 2017**

#### **MOTION**

**Moved Alderman R I Soward, seconded Alderman D H McKenzie.**

**That the Motion, as per the Recommendation to Council, be adopted.**

---

**CARRIED 9:0**

**FOR VOTE: Mayor Alderman A M van Zetten, Deputy Mayor Alderman R I Soward, Alderman R J Sands, Alderman D H McKenzie, Alderman D C Gibson, Alderman J Finlay, Alderman S R F Wood, Alderman E K Williams and Alderman K P Stojansek**  
**ABSENT FOR VOTE: Alderman D W Alexander and Alderman J G Cox**

**Council moved to Closed Session at 4.12pm.**

**Council returned to Open Session at 4.13pm.**

**24 MEETING CLOSURE**

**The Mayor, Alderman A M van Zetten, closed the Meeting at 4.13pm.**

---