COUNCIL MEETING
MONDAY 24 APRIL 2017
1.00pm
Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 24 April 2017
Time: 1.00pm

Section 65 Certificate of Qualified Advice

Background

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

Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the Agenda Items for this Meeting.

Robert Dobrzynski
General Manager
# ORDER OF BUSINESS

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City of Launceston
council Agenda
Monday 24 April 2017

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST
Local Government Act 1993 - Section 48

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

3 CONFIRMATION OF MINUTES
Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 3 April 2017 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS
Local Government Act 1993 - Sections 57 and 58

No Petitions have been identified as part of this Agenda
6 COMMUNITY REPORTS

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

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

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)
7.2 Public Questions without Notice

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

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)
Under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs

FILE NO: DA0574/2016

AUTHOR: Fiona Ranson (Urban Designer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: University of Tasmania
Property: University Accommodation 6 Barnards Way, Invermay
Zoning: Particular Purpose 4 - Inveresk Site
Receipt Date: 24/11/2016
Validity Date: 24/11/2016
Further Information Request: 25/11/2016
Further Information Received: 21/02/2017
Deemed Approval: 2/04/2017 (Extension of Time granted to 24/04/2017)
Representations: Four

PREVIOUS COUNCIL CONSIDERATION:

The building upon which the signage is proposed to be applied was approved by Council on 24 November 2014 (DA0393/2014 - 'Residential - communal residence; construction of a building for student housing and associated vehicular access, parking, landscaping and associated works' at 2 Invermay Road, Invermay.)
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont'd)

RECOMMENDATION:

That, in accordance with section 51 and section 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0574/2016 - Residential - communal residence; installation of four signs, two internally illuminated' at University Accommodation - 6 Barnards Way, Invermay, subject to the following conditions:

1. **ENDORSED PLANS & DOCUMENTS**
   The development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:
   a. Location Plan (Site Plan), Morrison Breytenbach Architects, Drawing No. 1404 SN-0, UTas Inveresk Apartments, Page No. 1, 13/10/2016.
   b. Signage 1, Morrison Breytenbach Architects, Drawing No. 1404 SN-1, UTas Inveresk Apartments, Page No. 2, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.
   c. Signage 2, Morrison Breytenbach Architects, Drawing No. 1404 SN-2, UTas Inveresk Apartments, Page No. 3, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.
   d. Signage 3, Morrison Breytenbach Architects, Drawing No. 1404 SN-3, UTas Inveresk Apartments, Page No. 4, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.
   e. Signage 4, Morrison Breytenbach Architects, Drawing No. 1404 SN-4, UTas Inveresk Apartments, Page No. 5, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.
   f. Signage 5, Morrison Breytenbach Architects, Drawing No. 1404 SN-5, UTas Inveresk Apartments, Page No. 6, 13/10/2016. **Plan to be amended** in accordance with the Amended Plans Required condition.

2. **AMENDED PLANS REQUIRED**
   Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager of Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit.

   The amended plans must show:
   (a) The removal of the reference to illumination of the flames on Sign 1 and Sign 3 (drawing numbers 1404 SN-1 and 1404 SN-3 to be amended).
   (b) The graphic shown as black on the plans provided for signs 1 and 3, must be reduced to a mid-grey tone.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)

(c) Details of all signs proposed, including height, width, depth, location in relation to edges of building, and specified materials and (all signage drawings to be amended).

3. ILLUMINATION OF SIGN 1 AND SIGN 3 NOT APPROVED
The internal illumination of the red ‘flame’ elements proposed as part of signs 1 and 3 is not approved as part of this permit, and this must be reflected on amended plans as described within the Amended Plans Required condition.

4. REDUCTION IN BOLDNESS OF SIGN 1 AND SIGN 3 REQUIRED
The black outline elements proposed as part of signs 1 and 3 is not approved as part of this permit. This graphic shown as black on the plans provided for signs 1 and 3 must be reduced to a mid-grey tone, to the satisfaction of the Manager of Planning Services, and this must be reflected on amended plans as described within the Amended Plans Required condition.

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

6. HOURS OF CONSTRUCTION
Construction works must only be carried out between the hours of:
7.00am and 6.00pm Monday to Friday
8.00am and 5.00pm Saturday, and
No works on Sunday or Public Holidays.

7. HERITAGE
The Tasmanian Heritage Council ‘Notice of Heritage Decision’ for THC Works Reference Number 5204, is endorsed and forms part of this permit.

8. SIGNAGE CONTENT
Content of the sign must not be updated or changed without separate approval of Council.

9. SIGN MAINTENANCE
The signs must be constructed and maintained in good condition to the satisfaction of the Council.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont'd)

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

Notes

A. General
This permit was issued based on the proposal documents submitted for DA0574/2016. 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 withdrawn or determined; or

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

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

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

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

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)


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.

E. Signs as Part of Larger Signage Scheme
The signs approved by this Permit are considered to be a part of the signage scheme for the UTAS campus at Inveresk and therefore may be reassessed as part of any masterplan or holistic signage scheme when future stages of development on the Inveresk site are proposed.

REPORT:

1. THE PROPOSAL

The University of Tasmania (UTAS) seeks approval to install signage on the site of the existing communal residence at the Inveresk site. The signage is not just for identification of the student accommodation building to which it is to be applied, but is intended to provide for ‘way finding’ and to assist in the ‘management of campus safety’, as well as to ‘establish and convey the University campus identity to the community’.

There are five signs in total which are described as follows:

- **Sign 1**: A large scale 'lion' graphic (also known as a Griffin, in black outline, holding a torch - the UTAS logo) to the western façade of the NW wing of the accommodation building, including internal illumination of the red flame element (refer: drawing no. SN-1 for scale and location)
- **Sign 2**: High level signage to the south west end of the southern façade including “University of Tasmania” text and the UTAS logo, all internally illuminated (refer: drawing no. SN-2 for scale and location)
- **Sign 3**: A large scale 'lion' graphic to the eastern facade of the SE wing of the accommodation building, including internal illumination of the red flame element (refer: drawing no. SN-3 for scale and location)
- **Sign 4**: A large scale 'lion' graphic above the main entrance portico to the northern façade of the building (refer: drawing no. SN-4 for scale and location)
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs …(Cont’d)

- **Sign 5:** Text signage to student letter box wall to the centre of the northern façade of the building, to the northern entrance portico (refer: drawing no. SN-5 for scale and location)

*Note: the descriptions are based on those included within the Heritage Impact Statement produced by Morrison and Breytenbach Architects.*

2. **LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located to the south edge of the larger Inveresk site, which lies to the north-east of Launceston's city centre. The North Esk River corridor forms the southern boundary of the subject site and the larger site and the Invermay Road commercial strip lies to the west.

The Inveresk site contains the former Launceston Railyard Workshops and railway station which have been redeveloped to accommodate two campuses of the University of Tasmania, an annexe of the Launceston Queen Victoria Museum and the Tramsheds Function Centre. University of Tasmania Stadium, a number of other sports fields and facilities and the show grounds are all located within this larger site further to the north.

There are not any uses in the area that may cause environmental harm, however, the site is known to be contaminated, being part of the Launceston railway operations.

**Site Description**

The site is of a generally rectangular shape with an area of 3750m², which was approved by subdivision permit DA0468/2013.

Access to the site is directly off the internal road frontage over a sealed drive.

The site is practically flat and does not lie within an identified landslip area.

The site is cleared of vegetation and is not within 100m of bushfire prone vegetation, but a row of trees has been planted directly adjacent to the property boundary, between the site and the river edge.

**Existing buildings**

Currently the site is developed with the four storey building used for student accommodation, and associated car parking.

This building covers a footprint of 1700m² and there is no change proposed to this existing floor area.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs …(Cont’d)

There are residences on the subject site and across the river, within 120m of the site. As the proposal is for signage to an existing building only, it will not cause any overshadowing or overlooking of the adjoining property.

Site Services
The road is sealed and drained to Council standard.

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

The North Esk River is located directly adjacent to the site.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose
35.0 Particular Purpose Zone 4 - Inveresk Site

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<td>35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses.</td>
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<td>35.1.1.3 To locate use and development appropriately within the precincts of the zone.</td>
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Consistent
The proposal is for signage on an existing building used for residential purposes and supporting a larger educational use within the zone. The signage is intended to identify the area as a campus for an educational institution and is therefore considered to be compatible with the purpose of the zone.

E13.0 Local Historic Cultural Heritage Code

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<td>(a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;</td>
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<td>(b) encourage and facilitate the continued use of these places;</td>
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<td>(c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and</td>
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<td>(d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.</td>
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Consistent
By condition.
The application is for signage only and the subject building is not a heritage item, being completed in 2015-2016. The signs are to be located mostly to the upper levels of the building and some will be visible from the larger heritage place and other from other viewpoints along the river and across the northern side of the city. The signage is generally not considered to be detrimental to the historic cultural heritage significance of the fabric of the place, however, the illumination proposed (to the torch elements only) to the eastern and western ends of the accommodation building is not considered to be useful for wayfinding, or in the identification of the building and is not considered to be sympathetic to the historic cultural heritage significance of the place. These elements which will appear as luminous red masses in the night sky are considered to visually detract from the heritage significance of the broader setting of the heritage place as they will intrude on views including the Inveresk site and the larger river edge area of the city, which has obvious historic heritage, natural and general aesthetic values, of interest to both residents and visitors to the city. A condition is therefore recommended requiring removal of the proposed illumination of signs 1 and 3 from the application.

The bold graphic of the large griffin or ‘Lion’ elements which form the majority of these signs is also considered to be excessively dominant without justification for wayfinding and therefore a condition is recommended requiring a ‘toning down’ of the black outline proposed for these signs.

It is also noted that the signage elements proposed are extremely large in scale and are only considered to be appropriate in scale when considered in the context of the broader site which is proposed to form the new campus for UTAS. Therefore, there is concern in regard to the potential for excessive signage if and when future stages are developed of the campus are developed, and alternatively, if the future development of the larger site does not go ahead, the signage proposal should be re-assessed in regard to its appropriateness of scale and content for the smaller site.

A note is therefore recommended to inform the applicant that the subject signs should form part of a holistic signage scheme for the campus when future stages of the UTAS development on the Inveresk site are proposed, and as such, they may be reassessed at this time.

E13.6 Development Standards
E13.6.13 Signage

Objective:
To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont'd)

<table>
<thead>
<tr>
<th>Consistent</th>
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<tbody>
<tr>
<td>By condition.</td>
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<tr>
<td>Generally the signage proposed is considered to be compatible with the historic cultural heritage significance of the local heritage place and acceptable due to the scale and nature of the use of the site, however the illumination proposed (to the torch elements only) and the boldness of the black graphic to the eastern and western ends of the accommodation building is not considered to be useful for wayfinding, or in the identification of the building, and is not considered to be sympathetic to the historic cultural heritage significance of the place or its setting. A condition is therefore recommended requiring removal of the proposed illumination of signs 1 and 3 from the application, and also the toning down of the black Griffin outline, reducing this to a mid-grey tone.</td>
</tr>
<tr>
<td>It is also noted that the signage elements proposed are extremely large in scale and are only considered to be appropriate in this regard when considered in the context of the broader site which is proposed to form the new campus for UTAS. Therefore, there is concern in regard to the potential for excessive signage if and when future stages are developed of the campus. Alternatively, if the future development of the larger site does not go ahead, the signage proposal should be re-assessed in regard to its appropriateness of scale and content for the smaller site. A note is therefore recommended to inform the applicant that the subject signs should form part of a holistic signage scheme for the campus when future stages of the UTAS development on the Inveresk site are proposed, and as such, they may be reassessed at this time.</td>
</tr>
</tbody>
</table>

| A1 | No more than one sign, not greater than 0.2m², identifying the use, heritage significance, and the name and occupation of the owners of the property. |

<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
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<tbody>
<tr>
<td>As the proposal does not fit the acceptable solution, the proposal must be assessed against the performance criteria and the purpose of the code.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>P1</th>
<th>New signs must be compatible with the historic cultural heritage of the local heritage place and its setting, having regard to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>the cultural heritage values of the local heritage place and setting;</td>
</tr>
<tr>
<td>(b)</td>
<td>the size and location of the proposed sign;</td>
</tr>
<tr>
<td>(c)</td>
<td>the area and location of existing signage on the site;</td>
</tr>
<tr>
<td>(d)</td>
<td>the period details, windows, doors and other architectural details of the building;</td>
</tr>
<tr>
<td>(e)</td>
<td>any destruction, removal or concealment of heritage fabric through attaching signage; and</td>
</tr>
<tr>
<td>(f)</td>
<td>the streetscape.</td>
</tr>
</tbody>
</table>
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont'd)

Complies

The proposed signs, if amended in line with the conditions recommended to be applied to any planning permit issued, may be considered to be compatible with the historic cultural heritage of the local heritage place and its setting.

This recommendation, as discussed previously, has regard to the cultural heritage values of the local heritage place and its setting, the size and location of the proposed signs and existing signage on the site, the 'streetscape', and views into and out of the larger Inveresk site.

As it is to be attached to a new building outside of the main complex of railway building remaining on the site, the proposed signage is generally not considered to be detrimental to the historic cultural heritage significance of the fabric of the place (which is clearly defined within the Launceston Railway Workshop Conservation Plans), however, there are some amendments which are considered to be necessary in order for the proposal to be considered to be appropriate in this location on this important site.

The illumination proposed (to the torch elements only) to the eastern and western ends of the accommodation building is not considered to be useful for wayfinding, or in the identification of the building and is not considered to be sympathetic to the historic cultural heritage significance of the place. The boldness of the black graphic outline to these same signs is also not considered to be necessary for wayfinding, or for the identification of the building, and is considered to be too bold to be sympathetic to the historic cultural heritage significance of the place or its setting.

The signs are to be located mostly to the upper levels of the building and in the darkness (from around 5.00pm to 7.00am in our Winter) the illuminated elements will be visible from the larger heritage place, and from other viewpoints along the river and across the northern side of the City which also have heritage significance. Some of these view fields are documented within the Launceston Railway Workshops Conservation Plans, the Inveresk Master Plan 2005, and the CMP developed for the original Student Accommodation proposal as being of importance. Therefore, these illuminated elements, which will appear only as luminous red masses in the night sky, are considered to visually detract from the heritage significance of the broader setting of the heritage place as they will intrude on views including the Inveresk site and the larger river edge area of the City, all of which have obvious historic heritage, natural, and general aesthetic values, which are of interest to both residents and visitors to the city.

A condition is therefore recommended requiring removal of the proposed illumination of signs 1 and 3 from the application. The graphics for signs 1 and 3 may remain in an unilluminated form, however, a condition requiring the toning down of the black Griffin outline, reducing this to a mid-grey tone, is also recommended.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs …(Cont’d)

Sign 2, which is considered to be useful for identification and wayfinding purposes may remain in its proposed illuminated form, and signs 4 and 5, which are to be located to the northern side of the site are also considered to be appropriate for approval in their proposed form (non-illuminated). However, this assessment is reliant upon consideration of the following issue of scale and content in relation to the larger UTAS campus site.

The signage elements proposed are considered to be appropriate in scale when considered in the context of the broader site which is proposed to form the new campus for UTAS, however, there is concern in regard to the potential for excessive signage if and when future stages of the campus are developed.

A note is therefore recommended to inform the applicant that the subject signs should form part of a holistic signage scheme for the campus when future stages of the UTAS development on the Inveresk site are proposed, and that as such, they may be reassessed at this time.

E16.0 Invermay/Inveresk Flood Inundation Area Code

E16.1 The purpose of this provision is to:
(a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area;
(b) ensure that new development is sited and designed to minimise the impact of flooding; and
(c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.

Consistent
As the proposal is for signage only, it is not considered to have any impact on the potential risks and hazards from flooding in the Invermay/Inveresk flood inundation area.

E16.7 Development Standards
E16.7.1 Intensification of residential development

Objective:
To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.

Consistent
The residential use is existing on the site and the signage proposed will not result in any intensification of this use.
City of Launceston

COUNCIL AGENDA

Monday 24 April 2017

8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)

4. REFERRALS

<table>
<thead>
<tr>
<th>REFERRAL</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERNAL</td>
<td></td>
</tr>
<tr>
<td>Infrastructure Services</td>
<td>No referral required.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Conditional consent provided. Conditions recommended relation to:</td>
</tr>
<tr>
<td>Heritage/Urban Design</td>
<td>No referral required. The proposal has been assessed by the Urban Design and Heritage Planner.</td>
</tr>
<tr>
<td>Building and Plumbing</td>
<td>No referral required.</td>
</tr>
<tr>
<td>EXTERNAL</td>
<td></td>
</tr>
<tr>
<td>TasWater</td>
<td>No referral required.</td>
</tr>
<tr>
<td>State Growth</td>
<td>No referral required.</td>
</tr>
<tr>
<td>TasFire</td>
<td>No referral required.</td>
</tr>
<tr>
<td>Tas Heritage Council</td>
<td>The THC issued a Notice of Heritage Decision with Works Reference number 5204 on 16 March 2017, approving the works without conditions.</td>
</tr>
<tr>
<td>Crown Land</td>
<td>No referral required.</td>
</tr>
<tr>
<td>TasRail</td>
<td>No referral required.</td>
</tr>
<tr>
<td>EPA</td>
<td>No referral required.</td>
</tr>
<tr>
<td>Aurora</td>
<td>No referral required.</td>
</tr>
</tbody>
</table>

5. REPRESENTATIONS

Pursuant to section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 25 February 2017 to 14 March 2017, and re-advertised from 18 March 2017 to 3 April 2017, due to an administrative error in the description of the application. Four representations were received within these periods. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised, it should be read in conjunction with the representations received which are attached to this report.
<table>
<thead>
<tr>
<th>ISSUE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. There is objection to the size, scale and number of signs proposed.</td>
<td>There is one larger sign proposed for each elevation of the subject building and a smaller signage element at the entry point. It is agreed that these signs are of a large scale, but also that development on the site (old and new) is of a large scale and that there is a legitimate purpose for some signage for the campus to be visible from more distant views to assist in wayfinding. The overall proposal has been assessed against the relevant performance criteria (E13.6.13 - P1) and the assessment forms part of this report. There is no change recommended in regard to the scale or number of signs.</td>
</tr>
<tr>
<td>2. The design of the signs is considered to be bold, unsympathetic and inappropriate for the significant heritage site.</td>
<td>It is agreed that the larger sign elements are bold, but as stated above, it is also acknowledged that development on the site (old and new) utilises robust forms which may carry this type of signage, and that there is a legitimate purpose for some signage to be visible from outside of the site to assist in wayfinding. The overall proposal has been assessed against the relevant performance criteria (E13.6.13 - P1) and the assessment forms part of this report. In order to minimise the impacts which are not considered to be necessary for wayfinding, conditions have been recommended requiring that the red ‘flame’ elements which form part of Signs 1 and 3 not be illuminated, and also that the black outline of the Griffin logo be ‘toned down’ by half, to a mid-grey.</td>
</tr>
<tr>
<td>3. The signs are considered to have a negative aesthetic impact.</td>
<td>This is a subjective assessment, and any unnecessary visual impact is considered to be addressed by the conditions proposed to be applied to Signs 1 and 3.</td>
</tr>
<tr>
<td>4. The signage scheme is not considered to fit ‘the intention of any of the heritage planning documents’ and to show ‘ignorance and/or lack of understanding of the original vision for heritage protection and preservation for the Precinct’.</td>
<td>There is no provision for the appropriate management or assessment of new signage for new buildings within the original Launceston Railway Workshops Conservation Plan, or the updated version from 1999. The subject building is outside of the areas of high significance and the application of signage to the facades of this building is not considered to be controlled by this document, other than by the general</td>
</tr>
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</table>
### University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs

**Cont'd**

<table>
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<tr>
<th>is not considered to be consistent with the Master Plan 2005, or to be provided for by the CMP.</th>
<th>statements of significance which have been considered as part of the assessment and have resulted in minor amendments to the proposal being recommended by condition. Generally the Conservation Plans describe the defining character of the site as a 'functional aesthetic'. The robust form of the subject building is considered to be compatible with this aesthetic, and the signage scheme, when amended by the conditions proposed, is considered to be an acceptable addition to this area. The application of the sign to the this building rather than on 'stand alone' signage installations which may interfere with more significant view fields across the 'Workshops western forecourt' is also considered to be a preferable solution to signage for new development on the site. The Inveresk Master Plan 2005 deals with broad issues in regard to future development and does not include advice or controls in regard to signage. There are references to 'Views and Vistas of importance', with '3.5.1 - Invermay Road Entry Vista', '3.5.2 - Victoria Bridge Approach Vista', and '3.5.3 - View From The Gas Works' being potentially relevant to this proposal, however these focus on retaining views through open spaces, not what may be applied to existing buildings. The 'Landscape and Urban Design Elements' section (4.4.4) has not been developed and therefore there are no specific requirements or guidelines included for the subject site (part of the larger Site A).</th>
</tr>
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<tbody>
<tr>
<td>5. The existing signage philosophy and scheme (including the yellow steel structure on the Invermay Road frontage), is believed to include 'well-considered, carefully chosen, suitable signage of appropriate scale and location' and therefore any new signage should adhere to this.</td>
<td>This is a valid point, however as the development of the site has progressed, the extension of the signage on the site is considered to be warranted. It is not considered to be feasible to include all the uses on the site on the large yellow structure at a scale which is readable, without being considered to contribute to visual clutter within view fields which include the entry to the QVMAG and the array of early structures on the site. The views from Invermay Road which remain open are considered to be more significant than the views including walls of the subject student accommodation building.</td>
</tr>
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</table>
### 8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs …(Cont'd)

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<tr>
<td>6. 'Small-scale, low-level, low-impact signage is all that is required'.</td>
<td>It is agreed that the signage specific to the accommodation building need only be at a low level, being able to be found after the site is identified as part of the University.</td>
</tr>
<tr>
<td>7. The description of the signs as murals is considered to be inappropriate when these large corporate logos and signage panels appear more like billboard sky signs.</td>
<td>The description of the signs as murals has no effect on their consideration against the requirements of the Local Historic Cultural Heritage Code (Heritage Code).</td>
</tr>
<tr>
<td>8. The arguments made to justify the signs are considered to be 'outrageous', and present the applicant as a 'discourteous and poor corporate citizen', showing 'disregard for the public, the local area on both sides of the river, the precinct' and 'the heritage values of the old railyard' site.</td>
<td>The initial statements are subjective statements which are not able to be considered within the realms of the relevant planning provisions. As stated in the submitted documents, the signage 'is intended to identify the University presence in the City of Launceston', and this is considered to be an acceptable intention. The remaining issue is whether this presence is projected in an appropriate way. As discussed throughout the assessment, the proposed signage is considered to be acceptable if Signs 1 and 3 are amended as outlined previously.</td>
</tr>
<tr>
<td>9. The proposal is not considered to be consistent with the Tasmanian Heritage Council’s Works Guidelines (Part 14.3) relating to 'the proliferation of signs' and 'illuminated signs'. The height of the sign is also considered to have same effect as a 'sky sign'.</td>
<td>The Tasmanian Heritage Council has issued a Notice of Heritage Decision approving the proposal without conditions.</td>
</tr>
<tr>
<td>10. The heritage, historic and recreational values of the precinct are being eroded and subsumed by the UTAS presence with its bold corporate branding. The NRAS student accommodation building has taken away the broad views and the addition of unnecessary corporate billboard-style corporate signage would further</td>
<td>The construction of the subject building was approved by Council previously and is not the subject of this application. The signs will be visible from broad views as described by the report submitted as part of the application. Sign 2 is 'intended to be seen from across the river and in the city' to support wayfinding to the site, and as stated previously, the location of the signs on the existing 'new' building on the site is considered to be appropriate. If the recommended conditions are applied to any planning permit, the heritage and aesthetic values of the larger former</td>
</tr>
</tbody>
</table>
### 8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)

<table>
<thead>
<tr>
<th>Statement</th>
<th>Counter-Argument</th>
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<tbody>
<tr>
<td>destroy the aesthetic values of the area. The argument that the signs 'do not project into these view fields' is 'nonsense'.</td>
<td>railway yard site will not be considered to be compromised. As stated previously the Inveresk Master Plan 2005 references to Views and Vistas of importance, however, these focus on retaining views through open spaces, not what may be applied to existing buildings, and there are controls in regard to signage.</td>
</tr>
<tr>
<td>11. It is stated that the subject building is not an educational building, and that its size and location is being inappropriately used as a 'backdrop to support advertising signs that otherwise could not be constructed to the dimensions proposed'.</td>
<td>It is acknowledged that the building is a residential accommodation building under the National Rental Affordability Scheme, however, it is owned by the University of Tasmania and is to form part of the proposed enlarged campus on the Inveresk site. A note is proposed to be applied to any Planning Permit acknowledging this point and noting that this proposal may form part of a larger signage scheme for the future UTAS development on the site.</td>
</tr>
<tr>
<td>12. It is stated that the proposed signage (excluding sign 5) is 'prohibited by the provisions of the planning scheme' and that 'A1 limits a place to one sign'.</td>
<td>These statements are not correct. The proposal is not subject to the Signs Code, but rather the Heritage Code. There are no specified sign types within this code and nothing which can be described as prohibited. The clause referred to (E13.6.13 - A1) is an 'acceptable solution'. If the proposal complied with this acceptable solution, no formal planning approval would be required. As it did not meet A1, it was assessed against the 'performance criteria' (E13.6.13 - P1) and this assessment forms part of this report.</td>
</tr>
<tr>
<td>13. The local Historic Heritage Code is considered to be 'incomplete' and 'inadequate to protect Launceston's varied collection of significant heritage places, townscape and cultural river edge environment'.</td>
<td>This may be the case, however, the Heritage Code within the Launceston Interim Planning Scheme 2015 is the statutory document which must be used to assess this proposal.</td>
</tr>
</tbody>
</table>

All representors have been contacted and there has been no request to meet to discuss the issues further.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)

6. CONCLUSION

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

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.
8.1 University Accommodation - 6 Barnards Way, Invermay: Residential - Communal Residence; Installation of Signage, Including Illuminated Signs ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Plan (distributed electronically)
2. Representations (distributed electronically)
3. Plans (distributed electronically)
4. Notice of Heritage Decision (distributed electronically)
8.2 Residential - Sub-division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl

FILE NO: DA0389/2016

AUTHOR: Claire Fawdry (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

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

PLANNING APPLICATION INFORMATION:
Applicant: Cohen & Associates Pty Ltd
Property: 65 Punchbowl Road, Punchbowl
Zoning: General Residential
Receipt Date: 2/09/2016
Validity Date: 6/09/2016
Further Information Request: 14/09/2016
Further Information Received: 14/03/2017
Deemed Approval: 24/04/2017
Representations: Three

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 pursuant to a delegation from Council, for DA0389/2016 Residential - subdivision; staged subdivision creating 21 new residential lots including a new road with balance land comprised in lot 200; 5 road lots (lot 100, 101, 102, 103 & 104) at 65 Punchbowl Road, Punchbowl 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) Plan of Subdivision Sheet 1 of 2, by Cohen & Associates Pty Ltd, Ref: 117/47 (5485), Version B, Dated: 21-10-16;
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

(c) Street Tree & Driveway Planting List, by Greenhill Nursery, Dated: 1/10/2016;
(d) Traffic Impact Assessment, by IPD Consulting Pty Ltd, Project Name: Proposed New Road Access (Junction) 65 Punchbowl Road, Launceston, Job No. 1501, Version B, Dated: 31/08/2016;
(e) BAL Assessment, by Cohen & Associates Pty Ltd, Project Name: 65 Punchbowl Road, Punchbowl, Dated: 29/08/2016;
(f) Landslide Risk Assessment, by GeoTon Pty Ltd, Project Name: 65 Punchbowl Road, Punchbowl, Ref: GL 10084Ab, Dated: 18/03/2011;
(g) Preliminary Contaminated Site Assessment, by Environmental Service & Design, Project Name: 65 Punchbowl Road, Punchbowl, Project No. 5672, Dated: 02/12/2016;

2. STREET TREES
Prior to sealing of the Final Plan of the respective stage, or a further period as agreed by the Manager Planning Services, the street trees are to be planted.

To ensure their reasonable success and suitability, prior to planting, the species and maturity of the trees is to be approved by the Manager Planning Services.

3. FINAL PLAN OF SURVEY
The final plan of survey will not be sealed until all conditions have been complied with, or an agreement has been entered into providing for the completion of works at a later stage.

4. ROAD LOTS
Lots 101, 102, 103 and 104 as identified on the endorsed plans must form part of stage 2 of the Final Plan.

5. CONNECTIVITY THROUGH BENNETT STREET
Prior to construction of road lot 101 in stage 2, a plan detailing the pedestrian connectivity arrangement with Bennett Street is required to be provided 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. HOURS OF CONSTRUCTION
Construction works must only be carried out between the hours of:
7.00am to 6.00pm Monday to Friday
8.00am to 5.00pm Saturday
No works on Sunday or Public Holidays.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

8. TASWATER
The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2016/01285-LCC) (attached).

9. EROSION CONTROL
In accordance with the endorsed Landslide Risk Assessment, vegetation is to be maintained on slope angles greater than 8 degrees where possible and cut/fill batter slopes are to be revegetated as soon as practical to control erosion to the satisfaction of the Manager Planning Services.

10. 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 expressly authorised by the consent in writing of the Council.
(c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

11. STAGED SUBDIVISION
The subdivision must proceed in the order of stages as shown on the endorsed plans.

12. TIME FOR STARTING AND COMPLETING A SUBDIVISION
This permit will expire if one of the following circumstances applies:
(a) The subdivision is not started (certification) within two years of the date of granting of this permit.
(b) The subdivision is not completed (statement of compliance) within five years of the date of granting of this permit.

The Council may extend the periods referred to if a request is made in writing before the permit expires. Prior to approval being given for extension the Council may require the review and re-submission of Plans, Computations and other relevant information to accord with current requirements, Acts and Regulations, Codes of Practice and Australian Standards.
8.2 **Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl**

... (Cont’d)

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13. **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 percent 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.

14. **DAMAGE TO COUNCIL INFRASTRUCTURE**

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

15. **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.

16. **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.
17. **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.

18. **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 1.5m 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 3m 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*.

19. **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.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(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 percent 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.

20. 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 8.9m 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 a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,

   (iii) Provision of a single vehicular crossing for each lot within the subdivision,

   (iv) Provision of a sealed temporary turning head of a suitable size for incomplete roads,

   (v) all necessary line marking, signage and other traffic control devices.

(c) Public Open Space

   (i) All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

(d) Electricity, Communications and Other Utilities

   (i) An underground reticulated electricity system and public street lighting
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

scheme must be provided to service all lots and installed to the approval of the Responsible Authority,

(ii) An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,

(iii) Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.

(iv) 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; and

(d) Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

21. 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.

22. 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
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

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.

23. 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.

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

25. SEALING PLANS OF SUBDIVISION
No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

(a) The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.

(b) The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.

(c) The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.
26. **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.

27. **AS CONSTRUCTED PLANS**
   An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Services Directorate.

28. **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.

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

30. **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.

**Notes**

A. **General**
   *This permit was issued based on the proposal documents submitted for DA0389/2016. 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 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 enquiries 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.


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.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

REPORT:

1. THE PROPOSAL

A development application was lodged by Cohen & Associates on behalf of the owner of the land, LN Wilkes. The application is for a subdivision to create 21 residential lots, including a new road off Punchbowl Road between No. 57 and 59, five small road lots to clean up the road reserve along Punchbowl Road and balance land comprised in proposed lot 200.

This development application is for the first two stages of subdivision to the south west of the site and will include construction of the intersection off Punchbowl Road, a cul-de-sac to the west opposite Bennett Street and 21 residential lots. Four of the 21 lots will be internal lots. Lot sizes will be as follows:

Stage 1:
- Lot 1 - 627m²
- Lot 2 - 611m²
- Lot 3 - 599m²
- Lot 4 - 601m²
- Lot 5 - 646m²
- Lot 14 - 1379m² (internal)
- Lot 15 - 732m²
- Lot 16 - 817m²
- Lot 17 - 1645m² (internal)
- Lot 18 - 806m²
- Lot 19 - 711m²
- Lot 20 - 769m²
- Lot 21 - 770m²
- Lot 100 (road) - 3603m²

Stage 2:
- Lot 6 - 695m²
- Lot 7 - 743m²
- Lot 8 - 1067m²
- Lot 9 - 1232m² (internal)
- Lot 10 - 593m²
- Lot 11 - 677m²
- Lot 12 - 714m²
- Lot 13 - 1255m² (internal)
- Lot 101 (road) - 1518m²
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

It is noted that the Plan of Subdivision and supporting documentation does not specify whether road lots 102 (2700m²), 103 (1368m²) and 104 (22.8m²) will be within stage 1 or 2. A permit condition is recommended for these lots to fall within stage 2 of the works.

Pedestrian footpaths are proposed on the western and southern side of the proposed road with connection through to Bennett Street. The pavement width will be 8.9m, plus road reserve including a 1.5m wide footpath. Street trees are proposed (one per lot) within the road reserve in appropriate locations so as not to impact upon underground services.

Easements are identified on the Plan of Subdivision Sheet 2 along the western side boundaries of lots 8 and 9 and also parallel to the southern boundaries of lots 1-7. The approximate location of a 2.44m wide storm-water easement which will run through the northern rear yards of the properties along Punchbowl Road to the south of the subject site.

A public open space area is not proposed in stages 1 or 2. Discussions have occurred with the applicant regarding the future stages of development, pedestrian linkages and public open space, however for this development application, a cash in lieu contribution has been agreed rather than public open space.

Site History
This site has a long history of zoning changes and subdivision feasibility investigations. A planning permit was issued on 17 January 1985 for S20/88 Building estate 102 lots when this land formed part of the Municipality of St Leonards.

In the Launceston Planning Scheme 1996 this land was zoned Low Density Residential. Cohen & Associates put submissions to Council in May 2011 for it to be rezoned Closed Residential however this did not eventuate. Submissions were again received during the consultation period for the Launceston Interim Planning Scheme which occurred in May 2011. The position was put forward that this site should be zoned General Residential as the Low Density Residential zoning was unduly restrictive and minimises lot yield.

The site was zoned General Residential in the Launceston Interim Planning Scheme 2012.

Due to the complexities of the site, extensive pre-lodgement discussions occurred prior to lodgement of the current development application in September 2016. The original subdivision concept included vehicular connection through Bennett Street, however, over time and many meetings, it was decided to remove this connection in the Plan of Subdivision lodged for development assessment.
Concerns were flagged with the applicant through a further information request that a road linkage through to Bennett Street aligns with the principles of good planning by providing connectivity. In this regard, consideration of section 85(a) of the Local Government (Building and Miscellaneous Provisions) Act 1993 is required:

85. Refusal of application for subdivision
The council may refuse to approve a plan of subdivision if it is of the opinion -
(a) that the roads will not suit the public convenience, or will not give satisfactory
inter-communication to the inhabitants both of the subdivision and the municipal
area in which it is;

A comprehensive assessment against the relevant standards of the General Residential Zone that relate to connectivity is provided in the body of this report.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located to the north of Punchbowl Road with frontage to Bennett Street to the west and Punchbowl Road to the south and east. The neighbouring properties are primarily zoned General Residential and developed with single and multiple dwellings. The Punchbowl Reserve is located to the east of the site. The old Southern Cross site is located to the north and is zoned Commercial.

The site is formally described in Certificate of Title Volume 53711 Folio 1 and occupies an area of 12.361ha. The site is irregular in shape and has frontage to Bennett Street to the west, Punchbowl Road to the south and east. Vehicular access to the site will be off Punchbowl Road to the south with pedestrian/bicycle access via Bennett Street.

The Plan of Subdivision Sheet 1 identifies areas with a slope of greater than 20 percent based on site survey information. Note that the site is not mapped as being within a class 4 or 5 landslip area, except for a small area to the east near 103-105 Punchbowl Road which is mapped as class 5. Although not effective in the Launceston Interim Planning Scheme 2015, it is noted that the Landslide Hazard Maps identify the majority of the site as "Medium" with small fringe areas of "Low". The area mapped as class 5 roughly aligns with an area of "Medium to Active".

The site is scattered with wattle and native vegetation. The northern portion of the site contains a Priority Habitat overlay which extends from the site to the east over the Punchbowl Reserve, however it is not applicable to the current application. The site is considered to be bushfire prone and a BAL assessment was provided with the lodgement documentation. There are no watercourses within 50m of the site.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

Currently the site is developed with a single dwelling and associated outbuildings and an old stable. The existing dwelling will not form part of stage 1 or 2 and temporary access will be provided until the future road is development in subsequent stages of development.

The proposed lots will be connected to reticulated water, sewer and storm-water, telecommunications, electricity and gas.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.

10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.

Consistent

The proposed subdivision will provide for 21 residential lots of varying shapes and sizes. The lots will be connected to full infrastructure services. The lot layout is constrained by the topography of the site, however the lot layout for stages 1 and 2 are considered to afford an appropriate level of solar access to any future dwellings; subject to site specific design. There are four Metro bus stops located in the section of Punchbowl Road between the Talbot Road intersection and Herring Street, and two additional bus stops to the south of Bennett Street on Talbot Road. The proposed subdivision is proposed to have 1.5m wide pedestrian footpaths on one side of the street and a pedestrian/bicycle connection through to Bennett Street is also proposed. In future stages of subdivision it is proposed to provide pedestrian access from the northern end of the site through to Punchbowl Road to encourage access for the Punchbowl Primary School or the Punchbowl Reserve.

The proposal is consistent with the purpose statements of the zone.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

10.4 Development Standards

10.4.15 Lot size and dimensions

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

| Consistent                                                                 |
| The proposed lot sizes and shapes would allow for a diversity of development options. The proposal is consistent with the objective. |

| A1.1 Each lot, or a lot proposed in a plan of subdivision, must: |
| (a) have a minimum area of no less than 500m²; and |
| (b) be able to contain a rectangle measuring 10m by 15m; or |

| A1.2 Each lot, or a lot proposed in a plan of subdivision, must: |
| (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or |
| (b) be required for the provision of public utilities; or |
| (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and |

| A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks. |

| Complies |
| A1.1 and A1.3 apply to the proposal. Note that the road lots will not form part of the assessment against A1.1. |

The proposed subdivision will involve lot sizes as follows:

Stage 1:
- Lot 1 - 627m²
- Lot 2 - 611m²
- Lot 3 - 599m²
- Lot 4 - 601m²
- Lot 5 - 646m²
- Lot 14 - 1379m² (internal)
- Lot 15 - 732m²
- Lot 16 - 817m²
- Lot 17 - 1645m² (internal)
- Lot 18 - 806m²
- Lot 19 - 711m²
- Lot 20 - 769m²
- Lot 21 - 770m²
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

Stage 2:
- Lot 6 - 695m²
- Lot 7 - 743m²
- Lot 8 - 1067m²
- Lot 9 - 1232m² (internal)
- Lot 10 - 593m²
- Lot 11 - 677m²
- Lot 12 - 714m²
- Lot 13 - 1255m² (internal)

Each lot, except for the four internal lots, has a width of frontage in excess of 14m and is at least 31.2m long easily accommodating a rectangle measuring 10m x 15m. The internal lots are significantly larger due to their wide internal accesses (ie. at least 6m wide x at least 31m long) and therefore also meet the minimum dimensions.

Stages 1 and 2 involve vacant land and there are no existing buildings to consider in relation to the setbacks.

The proposal complies with A1.1 and A1.3.

10.4.16 Frontage and access

Objective:
To ensure that lots provide:
(a) appropriate frontage to a road; and
(b) safe and appropriate access suitable for the intended use.

Consistent
Each of the proposed residential lots is designed to have independent frontage to the road. The proposal is consistent with the objective.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.

Complies
Each lot will have frontage to the proposed road, which will be managed by the Council, well in excess of 3.6m (refer to the Plan of Subdivision Sheet 2).

A2 No acceptable solution.

Relies on Performance Criteria
In the absence of an acceptable solution, assessment against the performance criteria is required for compliance.

P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:
(a) the topography of the site;
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

(b) the distance between the lot or building area and the carriageway;
(c) the nature of the road and the traffic;
(d) the character of the area; and
(e) the advice of the road authority.

**Complies**

Each of the proposed residential lots on the Plan of Subdivision Sheet 2 will be provided with a vehicular crossover to provide access from the new road. The crossovers appear to have been located having consideration for the topography of the land, proposed street trees and underground infrastructure. Although some of the proposed lots will have a slope of greater than 20 percent, the internal lots on the northern side will have driveways which are at least 6m wide to manage the topographical constraints. Council’s Infrastructure Services have reviewed the development application and have not determined that any significant measures are required to the access arrangement.

10.4.17 Discharge of stormwater

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

**Consistent**
The proposed subdivision layout appears to have considered appropriate drainage lines for stormwater to be captured and discharged.

The proposal is consistent with the objective.

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

**Complies**
Each lot is proposed to be connected to the public stormwater system.

A2 The Council’s General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

**Complies**
In this instance, written advice has been provided by the General Manager of the City of Launceston (via an instrument of delegation dated 9 September 2016) specifying that the existing public stormwater management system has the capacity to accommodate the stormwater discharge from the proposed subdivision. Therefore, the acceptable solution is met.

10.4.18 Water and sewerage services

**Objective:**
To ensure each lot provides for appropriate water supply and wastewater disposal.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

<table>
<thead>
<tr>
<th>Consistent</th>
<th>Each lot will be provided with water and wastewater connection. The proposal is consistent with the objective.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
<th>In this instance, TasWater were referred the development application. A submission to planning authority notice (SPAN) (TWDA 2016/01285-LCC) notice was provided to the Planning Authority consenting to the proposed subdivision subject to complying with the conditions listed within the SPAN. On this basis, it is considered that each lot is capable of connecting into the reticulated water supply. It is recommended that a condition be applied to the permit requiring the proposed subdivision to be in accordance with the SPAN.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A2</td>
<td>Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistent</th>
<th>Each lot sizes and dimensions will allow for appropriate landscaping. Trees are proposed within the road reserve on both sides of the proposed road to encourage lower traffic speeds, improve walkability and provide shading to pedestrians, cars and footpaths. The proposal is consistent with the objective.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Subdivision does not create any new road, public open space or other reserves.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
<th>The proposed subdivision will create a new road. Assessment against the performance criteria is required to demonstrate compliance.</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>Subdivision must be designed to enhance the amenity of the area having regard to:</td>
</tr>
<tr>
<td></td>
<td>(a)     the topography of the site;</td>
</tr>
<tr>
<td></td>
<td>(b) any significant natural and cultural features of the site;</td>
</tr>
<tr>
<td></td>
<td>(c) access to public open spaces and roads;</td>
</tr>
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<td></td>
<td>(d) the retention of existing vegetation;</td>
</tr>
</tbody>
</table>
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

(e) linking areas of significant local habitat; and
(f) the character of the surrounding area.

Complies
The road layout of stages 1 and 2 allows for development of 21 residential lots. The lots on the southern side of the proposed road will have slopes of less than 20% (1:5) as identified on the Plan of Subdivision Sheet 1. There are also five lots on the northern side of the proposed road which are not significantly restrained by slope. The four internal lots on the northern side of the proposed road will have a slope of more than 20 percent, however, are larger in size and dimension and will allow for innovative dwelling design which responds to the topography of the land.

A footpath is proposed on the southern side of the road and will connect to the existing footpath along Punchbowl Road. This footpath will connect through to Bennett Street to provide connectivity and allow for walkability of residents in Bennett Street and Kerran Crescent to the east.

The inclusion of street trees in subdivision design is often undervalued. There are significant benefits to street trees aside from the aesthetic value which is readily apparent. Trees add value to new residential subdivisions by improving walkability, shading for pedestrians, cars and footpaths, encourage lower traffic speeds and reduce stormwater runoff. The proposal includes street trees on both sides of the proposed road.

10.4.20 Walking and cycling network

Objective:
To:
(a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists;
(b) design footpaths, shared path and cycle path networks that are safe and accessible; and
(c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Consistent
The proposed subdivision has been designed to allow for pedestrian and cycle movement from established residential areas in Bennett Street and Kerran Crescent to the west through the site and onto Punchbowl Road to access the Reserve or the Primary School. The subdivision will include a footpath on one side of the road for pedestrians, prams, wheelchairs, scooters and other footpath bound vehicles.

The proposal is consistent with the objective.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

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

Relies on Performance Criteria
The proposed subdivision will create a new road with footpaths. Assessment against the performance criteria is required to demonstrate compliance.

P1 Subdivision provides roads, footpaths or public open spaces that are designed to provide safe and convenient walking and cycling networks, having regard to:
(a) linkages to any existing pedestrian and cycling networks;
(b) connection of footpaths, shared paths, cycle paths and bicycle lanes;
(c) access for cycling and walking to activity centres, community facilities, bus stops and public transport routes and public open spaces;
(d) the road network and public open spaces; and
(e) passive surveillance.

Complies
The applicant has chosen not to enact a vehicular connection from the subject site through Bennett Street. There will, however, be a footpath connection to encourage pedestrian and cycle connectivity through the site. This will allow connectivity from Bennett Street and Kerran Crescent, through the subject site and onto Punchbowl Road. Eventually, if and when future stages of subdivision occur, there will be a pedestrian linkage from the north eastern portion of the site onto Punchbowl Road to provide access to the Punchbowl Reserve.

The site is well positioned to be close to the Kings Meadows activity centre which is less than 1km to the south and is well located on the bus route with seven bus stops between Morshead Street and Hobart Road. There are three additional bus stops within 80m of this intersection on Talbot and Hobart Roads.

The proposed road will have an 8.9m pavement width with approximately 5m road reserves on each side with street trees on both sides of the road. The width of the road, footpaths and street trees will contribute to positive passive surveillance.

10.4.21 Lot diversity

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

Consistent
The proposed lots will be in a range of sizes and shapes which will encourage a variety of dwelling and household types. The proposal is consistent with the objective.

A1 Subdivision is for 10 lots or less.

Relies on Performance Criteria
The proposed subdivision will create 21 residential lots. Assessment against the performance criteria is required to demonstrate compliance.

P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:
### 8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

<table>
<thead>
<tr>
<th><strong>Complies</strong></th>
<th></th>
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<tbody>
<tr>
<td>The proposed subdivision will create a diverse range of lots of various lot sizes and dimensions to suit different household types. The dimensions of the lots will allow for future development of single dwellings and in some cases multiple dwellings. The site as a whole is constrained by slope and future residential development will need to be designed to respond to the land.</td>
<td></td>
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<tr>
<td>The site is located within 1km of the Kings Meadows activity centre and adjacent to the Punchbowl Reserve which is a regional park. It is anticipated that in future stages of the subdivision, if and when they occur, that a good pedestrian linkage from the site to the Punchbowl Reserve will be achieved.</td>
<td></td>
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<tr>
<td>The site is located on a public transport route with a number of bus stops in Punchbowl Road and the surrounding area. The area is characterised by residential development of similar lot sizes to those proposed.</td>
<td></td>
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</tbody>
</table>

### 10.4.23 Neighbourhood road network

| **Objective:** | To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network |
| **Consistent** | The proposed subdivision has been designed to achieve appropriate traffic movement through the road network. The proposal is consistent with the objective. |
| **Relies on Performance Criteria** | The proposed subdivision will create a new road. Assessment against the performance criteria is required to demonstrate compliance. |
| **P1** | The road network provides for convenient and safe movement for motor vehicles, pedestrians, cyclists and public transport, having regard to: |
| | (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes; |
| | (b) the function of the road and its relationship to arterial and neighbourhood road types; |
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

(c) the speed limits on roads in the area;
(d) the location of activity centres;
(e) the volume of traffic in the area;
(f) access for service and emergency vehicles; and
(g) the topography of the site.

Complies
The lack of connection through Bennett Street from the subject site has been discussed at great length internally and externally with the applicant and their engineer. Generally, vehicular connectivity is encouraged from a planning perspective. However, it is noted that Bennett Street is quite a narrow street where on-street parking is common. If a connection from Bennett Street were proposed, significant upgrading to Bennett Street would likely be required. It is also noted that phone calls and conversations with residents in Bennett Street indicate that they would not be supportive of a connection.

The application was internally referred to Council's traffic engineer who does not support a motor vehicle link between Bennett Street and the new subdivision for the following reasons:

1. Bennett Street is unsuitable for an increased traffic flow due to its restricted width and on street parking.
2. On balance the disbenefits to existing residents of providing this link outweighs the benefits.
3. Residents of the new subdivision would be able to access the arterial road network more easily by turning right onto Punchbowl Road then being able to progress in all directions at 'six-ways'.

On this basis, the link through Bennett Street was dismissed as a viable option. It is not considered that the connection would significantly increase the efficiencies of emergency or service vehicles.

10.4.24 Public transport network

Objective:
To provide for access to public transport.

Consistent
The subject site is located in a convenient position within walking distance of several bus stops along Punchbowl or Talbot Roads. The proposal is consistent with the objective.

Relies on Performance Criteria
The proposed subdivision will create a new road. Assessment against the performance criteria is required to demonstrate compliance.

P1 The subdivision provides for adequate access to public transport, having regard to:
(a) the number of lots proposed;
(b) the walking distances from the lots to public transport route;
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont'd)

(c) any public transport strategy or plan for the area; and
(d) the likelihood of the provision of public transport for the area.

**Complies**
The subject site is well located on the bus route with seven bus stops between Morshead Street and Hobart Road. There are three additional bus stops within 80m of this intersection on Talbot and Hobart Roads. The road frontage of the site is less than 550m walk to the Hobart Road/Talbot Road/Punchbowl Road intersection whereby there is a short strip of local business zoned land which allows for the operation of local shops and businesses. The site is 650m walking distance from Innocent Street in Kings Meadows where there are two large supermarkets and associated businesses.

**E1.0 Bushfire-Prone Areas Code**

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

**Consistent**
A BAL Assessment was prepared by Bill Armstrong of Cohen & Associates (Accreditation No. BFP-132) dated 29 August 2016 to demonstrate compliance with the Bushfire Prone Areas Code. The proposal is consistent with the purpose statements of the code.

**E1.6.1 Development standards for subdivision**

**E1.6.1.1 Subdivision: Provision of hazard management areas**

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

**Consistent**
A BAL Assessment was prepared by Bill Armstrong of Cohen & Associates (Accreditation No. BFP-132) dated 29 August 2016 to demonstrate compliance with this standard. The proposal is consistent with the objective.

**A1**
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
(b) The proposed plan of subdivision:
   (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions;
   (ii) shows the building area for each lot;
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and

(iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and

(v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

**Complies**

A rating of BAL-19 will be achievable for all proposed lots. The BAL Assessment states that in accordance with clause E1.6.1.1 A1 (a), there will be insufficient increase in risk from bushfire to warrant specific measures being provided.

**E1.6.1.2 Subdivision: Public and fire-fighting access**

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

**Consistent**

A BAL Assessment was prepared by Bill Armstrong of Cohen & Associates (Accreditation No. BFP-132) dated 29 August 2016 to demonstrate compliance with this standard. The proposal is consistent with the objective.

**A1**

(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or

(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.

**Complies**
Access to the subdivision is from Punchbowl Road. The section of Punchbowl Road where the new access connects is not considered to be bushfire prone. The private access to building areas are not within bushfire prone vegetation. The BAL Assessment states that in accordance with clause E1.6.1.2 A1 (a), there will be insufficient increase in risk from bushfire to warrant specific measures being provided.

E1.6.1.3 Subdivision: Provision of water supply for fire-fighting purposes

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

**Consistent**
A BAL Assessment was prepared by Bill Armstrong of Cohen & Associates (Accreditation No. BFP-132) dated 29 August 2016 to demonstrate compliance with this standard. The proposal is consistent with the objective.

A1 In areas serviced with reticulated water by a Regional Corporation:
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire-fighting purposes; or
(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or
(c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.

**Complies**
The BAL Assessment states that in accordance with clause E1.6.1.3 A1 (a), there will be insufficient increase in risk from bushfire to warrant specific measures being provided.

E3.0 Landslide Code

**E3.1** The purpose of this provision is to:
(a) ensure that use and development subject to risk from landslide is appropriately located and managed; and
(b) ensure that use and development does not cause, or have potential to cause an increased risk of landslide.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

Consistent
A portion of the site to the east is mapped as class 5 landslip (see image below). Although the development application lodged is only for stages 1 and 2 of subdivision which is not covered by this overlay, in the interests of safety, a Landslide Risk Assessment prepared by GeoTon Pty Ltd dated 18 March 2011 was prepared to support the development application and demonstrate that the proposed development does not cause or have potential to cause an increased risk of landslide. The proposal is consistent with the purpose statements of the code.

E3.6 Development Standards
E3.6.1 Development on Land Subject to Risk of Landslip

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

Consistent
The proposed subdivision has been assessed by GeoTon Pty Ltd as appropriate for the site. The proposal is consistent with the objective.

Relies on Performance Criteria
In the absence of an acceptable solution, assessment against the performance criteria is required.
P1 Human life, land, property and public infrastructure is protected from landslide risk, having regard to:

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

Complies

A Landslide Risk Assessment prepared by GeoTon Pty Ltd dated 18 March 2011 provides the following 'likelihood' and 'risk' values for the different areas of the site:

**Ridge Crest**
The ridge crest and shoulder areas of the site are generally near level to gently sloping. It is considered that the likelihood of small to large scale landslides to occur within these areas is BARELY CREDIBLE and the corresponding qualitative landslide risk regardless of the consequences being VERY LOW to LOW.

**South and Northeast Facing Hill Slopes**
The likelihood of small scale landslides on the south and northeast facing hill slopes based on geology, geomorphology and observed subsurface conditions on the upper portions of these lots is considered as UNLIKELY with the potential consequences to property assessed to be MEDIUM. The likelihood for medium to large scale deep failures occurring within the upper portion of these lots is considered RARE with the potential consequences to property assessed to be MAJOR. The corresponding qualitative risks for small to large scale failures are assessed as LOW.

We consider that the remainder of the site is suitable for residential subdivision development, provided that the design and construction are undertaken on the basis of the principles of good hillside practice, and the following recommendations -
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

**Cuts and Fills**
- Cuts and fills on the sites should be minimised and battered at slope angles no steeper than 1 vertical to 3 horizontal (1V:3H) or alternatively these should be retained;
- Proposed cuts and fills greater than 1.5m in height should be reviewed by a qualified geotechnical engineer;
- Retaining walls should be designed by a suitably qualified engineer;
- Surface water cut off drains should be provided along the crest of retaining walls and/or the cut/fill batters to direct surface water runoff;
- Adequate subsurface and surface drainage should be provided behind all retaining walls.

**Drainage**
- Collected water should be piped to the street stormwater system if available or a natural drainage water course well downstream of the development;
- Runoff from paved surfaces such as roads and driveways should be collected and piped to the stormwater or street drainage system;
- All service trenches to be run up and down slope at every opportunity;
- No uncontrolled discharge of water onto the ground surface or through absorption trenches are permitted;
- Should any seepage or groundwater be encountered during site or footing excavations, it is recommended that subsoil drainage be provided to discharge to the stormwater or street drainage system if available or a natural drainage water course;

**Erosion control**
- Maintain vegetation on slope angles greater than 8° where possible and revegetate cut/fill batter slopes as soon as practical;
  (note that a permit condition in relation to erosion control has been recommended)

**Southeast Corner Landslide Feature**
It is considered that the likelihood of reactivation of the identified unmapped landslide feature within the southeast corner of the site is POSSIBLE with the potential consequences to property assessed to be MEDIUM. The corresponding qualitative risks for small to large scale failures are assessed as MODERATE.

It is considered that there is a moderate risk of the localised steeper slopes of this landslide feature to reactivate. It may be possible to develop this area however a more detailed investigation will be required to properly assess the subsurface conditions within this area and provide recommendations of suitable treatment works to be implemented.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

**East Facing Hill Slopes**

It is considered that the likelihood of small scale landslides to occur on these steep slopes is LIKELY and the consequences to property being MEDIUM with the corresponding landslide risk being HIGH. The likelihood of a large scale landslide is considered POSSIBLE with the consequences to property located close to the crest considered as MAJOR with the corresponding qualitative landslide risk assessed as HIGH.

**Risk Level Implications**

LOW risk is usually acceptable to regulators. MODERATE risk may be tolerated in certain circumstances (subject to regulator’s approval) but requires investigation, planning and implementation of treatment options to reduce the risk to LOW. HIGH risk areas are unacceptable without treatment options.

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**E4.0 Road and Railway Assets Code**

**E4.1** The purpose of this provision is to:

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

**Consistent**

The proposed subdivision has been assessed as being consistent with the purpose of the code. Refer to the assessment against the relevant provisions of the code below.

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**E4.5 Use Standards**

**E4.5.1** Existing road accesses and junctions

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

**Consistent**

The Traffic Impact Assessment was provided to support the development application and demonstrates that the existing road network will not be compromised by the proposed subdivision. The proposal is consistent with the objective.

**A3** The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20 percent or 40 vehicle movements per day, whichever is the greater.

**Relies on Performance Criteria**
The proposed subdivision is likely to increase traffic movements to and from the site by more than 40 vehicle movements per day. Assessment against the performance criteria is required.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont'd)

P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

Complies

A Traffic Impact Assessment prepared by IPD Consulting Pty Ltd was provided as part of the lodgement documentation to support the development application. The report states that "due to the small number of lots proposed through the Stage 1 and Stage 2 developments (21 off new lots), there is unlikely to be significant additional traffic generation arising from these stages. It is assumed for the 22 lots (including balance with existing dwelling) at a typical assumption of eight (8) vehicle movements per day per lot, that an additional 176 vehicle movements per day could be expected to utilize the new junction.

The report states that whilst assessment of additional road network parameters beyond access arrangements were outside the formal remit of this report, it is believed that the small traffic volumes attributable to these development stages would mean off-site impacts arising from this development are unlikely to materially affect the wider road network."

Punchbowl Road is managed by the City of Launceston as Road Authority. The application was internally referred to Council's Road Authority who consider the proposed access to meet the appropriate standards. The anticipated increase in traffic movements to the new intersection is not considered to detrimentally impact upon the road network.

E4.6 Development Standards
E4.6.2 Road accesses and junctions

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

Consistent
The proposed access off Punchbowl Road will allow for safe and efficient vehicular access to the proposed subdivision. The proposal is consistent with the objective.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

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

Complies
One access off Punchbowl Road is proposed to provide entry and exit to the subdivision.

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

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

Consistent
The proposed road will have appropriate sight distances along Punchbowl Road to enable safe movement of traffic. The proposal is consistent with the objective.

A1 Sight distances at:
(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies
A Traffic Impact Assessment prepared by IPD Consulting Pty Ltd was provided with the lodgement documentation to support the development application. The report states the following -

The proposed new area for junction/access appears to be able to accommodate the required municipal standard roadway generally (LGAT TSD-R06-v1) and appears to be able to achieve satisfactory sight distances.

Punchbowl Road in this area is currently approximately 11.2m wide, with a broken single centre line and external lane barrier lines on either side to delineate parking lanes. This typical width consists of 2 x approx. 3.0m lanes of asphalt-seal pavement and a 2.6m approx. asphalt-seal parking lane each side, with full kerb and channel provided. The underlying pavement and seal surface appears in sound condition. Footpaths are located on either side of Punchbowl road.

The horizontal and vertical alignment of the road at this location whilst having some curvature, generally presents few issues for the accesses in this stretch of road, including the new proposed development site access junction. There is a gentle vertical alignment slope in Punchbowl Road, from the West to the East, past the subject site proposed new junction access.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

Clause E4.6.4 of the Planning Scheme notes that sight distance for Acceptable Solution A1 must comply with Safe Intersection Sight Distance (SISD) from table E4.7.4. For a speed limit of 50km/hr and a vehicle speed of the noted 54km/hr provided by CoL, this SISD is interpolated to approx. 90 metres at the proposed site.

Based on the no parking length of 10m from an intersection, it is noted that SISD of minimum 90m is able to be achieved for the new junction proposed.

The application was internally referred to Council's Road Authority who considers the proposed access to meet the appropriate standards. The proposed access complies with the Safe Intersection Sight Distance requirement.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
(a) ensure that an appropriate level of parking facilities are provided to service use and development;
(b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
(c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
(d) ensure that parking does not adversely impact on the amenity of a locality;
(e) ensure that parking spaces and accesses meet appropriate standards; and
(f) provide for the implementation of parking precinct plans.

Although the code applies to all use and development, none of the standards are considered to be relevant to the proposed subdivision on the basis that no use, or development associated with a use (other than subdivision) has been proposed. It is considered that there is sufficient scope within future use and development to address the code.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:
(a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and
(b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and
(c) ensure that vegetation is managed for its contribution to the scenic landscape.

Although the code applies to the north eastern portion of the site (see image below), the development application lodged is only for stages 1 and 2 of subdivision which do not affect land covered by the Scenic Management overlay. Therefore, assessment against the code is not required and will be addressed if and when future stages of subdivision are proposed over this area of land.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

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**E8.0 Biodiversity Code**

E8.1 The purpose of this provision is to:

(a) support the conservation of biodiversity in the planning scheme area and the northern region, including the extent, condition and connectivity of important habitats and priority vegetation communities, and the number and status of threatened species; and

(b) consider and manage the impact of use or development on biodiversity through:

(i) minimisation of vegetation and habitat loss or degradation; and

(ii) appropriate location of development.

Although the code applies to the northern portion of the site (see image below), the development application lodged is only for stages 1 and 2 of subdivision which do not affect land covered by the Priority Habitat overlay which triggers the Biodiversity Code. Therefore, assessment against the code is not required and will be addressed if and when future stages of subdivision are proposed over this area of land.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

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E10.0 Open Space Code

E10.1 The purpose of this provision is to:
(a) Ensure that the location and area of land required for public open space in subdivisions meets the reasonable ongoing needs of the community.

Consistent
The proposal is consistent with the purpose of the code through compliance with the standards below.

E10.6 Development Standards

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

Consistent
Given that the site is within close proximity to a regional park, it was agreed that it would be more appropriate to take a cash in lieu contribution rather than create a small residential lot sizes public open space area. The proposal is consistent with the objective.

A1 No acceptable solution.

Relies on Performance Criteria
In the absence of an acceptable solution, assessment against the performance criteria is required for compliance.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

P1 The location, area and characteristics of public open space must meet the reasonable needs of the community, having regard to:
(a) the physical characteristics of the land;
(b) the needs of people with disabilities;
(c) the range of recreational facilities in the surrounding area;
(d) the existing public open space in the surrounding area and its relationship to any proposed public open space;
(e) connectivity for pedestrians and cyclists;
(f) the ability of the community to access the land;
(g) any limitations imposed by services and utilities;
(h) any drainage requirements, or the existence of wetlands;
(i) public health and safety;
(j) the likely cost of maintenance; and
(k) the relationship and alignment with adjoining land uses, including fencing and landscaping.

Complies
It has been agreed between the applicant and the Parks & Recreation Department that a cash contribution will be taken in lieu of public open space for the proposed subdivision given the proximity to the regional park, Punchbowl Reserve. In future stages of subdivision, it will be important to achieve a well-designed pedestrian/bicycle linkage through the north eastern area of the site onto Punchbowl Road and Punchbowl Reserve respectively. The General Manager provided written consent for the cash in lieu contribution on 4 April 2017.

4. REFERRALS

<table>
<thead>
<tr>
<th>REFERRAL</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERNAL</td>
<td></td>
</tr>
</tbody>
</table>
| Infrastructure Services   | Referred
Consent provided with recommended conditions relating to:
- Submission and approval of plans
- Sealing plans of subdivision
- As constructed plans
- Conveyance of roads
- Easements
- Construction documentation
- Works required for each lot in a stage
- Access over adjacent land |
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

| Environmental Health | Referred  
|----------------------|------------------------------------------------------  
|                      | Further information requested and satisfied  
|                      | Consent provided with recommended conditions relating to:  
|                      | - Amenity  
|                      | - Demolition  
|                      | - No burning of waste  

| Heritage/Urban Design | N/A  
|-----------------------|----------------------  
| Building and Plumbing | N/A  
| Parks and Recreation | Referred with comments received -  
|                      | Although not part of stage 1 or 2, the new indicative alignment for the pedestrian connection through to the Punchbowl Reserve along the northern boundary is not acceptable despite improved gradients due to lack of natural surveillance and will not provide an attractive or safe walking environment. The preference is not for long narrow straight paths to the rear of properties. As there is no suitable public open space proposed by this development, good pedestrian connection to the existing Punchbowl Reserve is imperative. The expectation is that a concrete path is installed in the location of the current informal path but designed to maximise accessibility, i.e. curving the path to a better grade or steps with hand rails for example. Lighting will also be required. It is agreed that removing the proposed path adjacent to stage 1 as there is no longer public open space proposed at the entrance. A potential future link through the Watchorn Street to the north was investigated. While the |
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

A link would be good to provide, only a relatively small number of people (i.e. mainly people living in Watchorn Street) will benefit from the shorter walk to Punchbowl Primary School and Punchbowl Reserve. If, however, the strip of land could be acquired at a negligible price then it is logical to acquire it, subject to the developer of the 65 Punchbowl Road subdivision agreeing to also provide a link at the north east corner of the site through to the future road.

**EXTERNAL**

<table>
<thead>
<tr>
<th>TasWater</th>
<th>Referred</th>
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<tbody>
<tr>
<td></td>
<td>Further information requested and satisfied Conditional consent provided. TasWater has issued a SPAN - TWDA 2016/01285-LCC.</td>
</tr>
<tr>
<td>State Growth</td>
<td>N/A</td>
</tr>
<tr>
<td>TasFire</td>
<td>N/A</td>
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<tr>
<td>Tas Heritage Council</td>
<td>N/A</td>
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<tr>
<td>Crown Land</td>
<td>N/A</td>
</tr>
<tr>
<td>TasRail</td>
<td>N/A</td>
</tr>
<tr>
<td>EPA</td>
<td>N/A</td>
</tr>
<tr>
<td>Aurora</td>
<td>N/A</td>
</tr>
</tbody>
</table>

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 25 March 2017 to 10 April 2017; three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

The representors were contacted by email on Tuesday 11 April 2017 to explain the process and offer the opportunity of further discussion. No responses were received at the time of writing this report.
### 8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

<table>
<thead>
<tr>
<th>No.</th>
<th>Issue</th>
<th>Comment</th>
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<tbody>
<tr>
<td>1</td>
<td>Visual impact of the neighbourhood and represents a significant loss of open spaces and the existing character of the street.</td>
<td>The site is zoned General Residential which means that it is available to be subdivided and developed. The proposed subdivision complies with the minimum lot sizes stipulated in the acceptable solution.</td>
</tr>
<tr>
<td>2</td>
<td>The addition of a new road to access the development will add to the local traffic.</td>
<td>Although the subdivision will increase local traffic to the new access onto Punchbowl Road, the Traffic Impact Assessment prepared by IPD Consulting Pty Ltd demonstrates that this increase is appropriate for the capacity of Punchbowl Road and the road network. The application was also internally referred to Council’s Road Authority.</td>
</tr>
<tr>
<td>3</td>
<td>Due to the bend in the road there will be limited visibility for entering and leaving traffic.</td>
<td>The Traffic Impact Assessment prepared by IPD Consulting Pty Ltd demonstrates that the sight distances from the new access comply with the SISD (refer to assessment against clause E4.6.4 A1.</td>
</tr>
<tr>
<td>4</td>
<td>Over intensification of the area and doesn’t fit with the existing built format.</td>
<td>The acceptable solution minimum lot size for subdivision in the General Residential Zone is 500m² and each lot must be able to contain a rectangle measuring 10m x 15m. The smallest of the 21 lots proposed will occupy an area of 593m², however many lots are larger than this. The lot sizes proposed are quite conservative and could in fact have been smaller and still meet the acceptable solution for lot size.</td>
</tr>
<tr>
<td>5</td>
<td>Loss of privacy due to elevated position of new lots above the existing properties in Punchbowl Road</td>
<td>Our city is located in a valley and therefore many residential areas are located on a hillside. As a consequence of this, there is generally a degree of passive surveillance between neighbours. The planning scheme does</td>
</tr>
</tbody>
</table>
### 8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont'd)

<p>| | |</p>
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<td></td>
<td>regulate overlooking and loss of privacy in the General Residential Zone, however this is limited to where windows of dwellings or decks have a floor level of more than 1m above natural ground level and are located within 3m of a side boundary or 4m of a rear boundary. Any distance in excess of this is considered to be a reasonable impact by the planning scheme. This is not to say that there won't be an impact, but that the state-wide development standards for the General Residential Zone deem the impacts to be reasonable in an urban area. This development application is for subdivision only, and if it were to be approved, any future development of a dwelling on a lot which required assessment against any performance criteria in the General Residential Zone would be publicly advertised and neighbours would have the opportunity to make representations.</td>
</tr>
<tr>
<td>6</td>
<td>Overshadowing impacts</td>
</tr>
<tr>
<td></td>
<td>Similarly to the above, the planning scheme does regulate overshadowing where buildings are outside of the acceptable building envelope. However, the current development application is for subdivision only.</td>
</tr>
<tr>
<td>7</td>
<td>Traffic impact study does not mention the effect of the new development on Blamey Road.</td>
</tr>
<tr>
<td></td>
<td>The Traffic Impact Assessment considers the implications of the increased traffic on Punchbowl Road directly and the surrounding road network more generally. The requirements of the Road and Rail Assets Code have been met (refer to assessment above).</td>
</tr>
</tbody>
</table>
### 8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl …(Cont’d)

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<table>
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<tbody>
<tr>
<td>8</td>
<td>Volume of traffic movements in and out of the proposed new road is of great concern, especially given the speed of most cars along Punchbowl Road.</td>
</tr>
<tr>
<td></td>
<td>The speed limit is reflective of a residential street. The anticipated increased volume of vehicles entering and exiting the new access is considered appropriate in the Traffic Impact Assessment and by Council’s Road Authority.</td>
</tr>
<tr>
<td>9</td>
<td>I have concerns about pedestrian safety if the application goes through as is.</td>
</tr>
<tr>
<td></td>
<td>Footpaths are proposed within the proposed subdivision and will connect with existing footpaths in Punchbowl Road and Bennett Street. The Traffic Impact Assessment states:</td>
</tr>
<tr>
<td></td>
<td>Currently there is dedicated pedestrian access on Punchbowl Road, past the site of the new junction, similar to many parts of the local area. New pram crossings will be required across the proposed new access road to maintain this pedestrian linkage, typical in arrangement to all other side streets abutting Punchbowl Road and to Municipal Standard details. No overall change to existing arrangements is otherwise proposed. Based on Municipal Standard requirements, new footpath access will be required internal to the subdivision, likely in accordance with the municipal standard requirements and which will be determined during the detailed design process. It is likely that based on the road designation (LGAT), that footpath will be required one side only.</td>
</tr>
<tr>
<td>10</td>
<td>I do not understand why Bennet Street is not being taken more seriously as a second road access to the new development.</td>
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<td></td>
<td>This option has been comprehensively considered. A supplementary report was prepared by IPD Consulting Pty Ltd to address this issue. Internal discussions with Council’s traffic engineer concluded that an access road</td>
</tr>
</tbody>
</table>
### 8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

| 11 | The phasing of the traffic lights trying to get out of Punchbowl Road of a morning has the traffic back past Pyennna Road already. Also, trying to turn right at those same lights from Hobart Road onto Punchbowl Road I believe needs some thought as very often only one or two cars go through per cycle. This of course would start flowing back to was Kings Meadows. I would request a traffic management study is undertaken with regards to the impact on Blamey Road, the Hobart/Talbot/Punchbowl Roads intersection, and that Bennet Street is reconsidered as an access to take the pressure off these intersections. | This is not a planning issue for the current development application. |
| 12 | There will only be one access to and from the new development which will pass right next to my property. | The sole access is assessed as appropriate. Refer to clause E4.6.2 A2. |
| 13 | The application suggests that I have already been using the existing land which has been designated as a road as vehicle access to and from my property. This is false. What I have | Noted. |

through Bennett Street would not be supported on the following basis:
1. Bennett Street is unsuitable for an increased traffic flow due to its restricted width and on street parking.
2. On balance the dis-benefits to existing residents of providing this link outweighs the benefits.
3. Residents of the new subdivision would be able to access the arterial road network more easily by turning right onto Punchbowl Road then being able to progress in all directions at 'six-ways'.
City of Launceston

COUNCIL AGENDA

Monday 24 April 2017

8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

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been doing is mowing that land and keeping it tidy for the past fourteen-odd years. My property access is on Punchbowl Road and, under the proposed application, I will be expected to create a new driveway and new access on the new road and will no longer be able to park out the front of my house. This is ridiculous.

14 The significant devaluing of my property.

15 The potential loss of future earnings from having the shop at the front of my property no longer being able to have street parking.

16 The impact of the workmen as they build this new road and the housing lots.

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6. CONCLUSION

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

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.
8.2 Residential - Sub-Division; Staged Subdivision Creating 21 New Residential Lots Including a New Road With Balance Land Comprised in Lot 200; 5 Road Lots (Lot 100, 101, 102, 103 and 104) at 65 Punchbowl Road, Punchbowl ...(Cont’d)

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

Land Use Planning and Approvals Act 1993

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

[Signature]

Leanne Hurst: Director Development Services

ATTACHMENTS:
1. Locality Map (distributed electronically)
2. Plans to be Endorsed (distributed electronically)
3. Representations (distributed electronically)
4. TasWater SPAN (distributed electronically)
5. Advertised Plans (distributed electronically)
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

FILE NO: DA0115/2017/SF6600

AUTHOR: Natalia Bliznina (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

1. To decide whether to reject or exhibit Amendment 35 - Rezoning the land from the Low Density Residential Zone to the General Residential Zone at 47 Benvenue Road, St Leonards; and Text Amendment for the standard F4.3.1 'Subdivision' under the Hillary Street Specific Area Plan.

2. To make a decision on Development Application DA0115/2017 for the residential subdivision of the subject site at 47 Benvenue Road, St Leonards into 32 lots including road network.

PLANNING APPLICATION INFORMATION:

Applicant: 6ty Degrees
Property: 47 Benvenue Road, St Leonards
Zoning: General Residential
Receipt Date: 21/03/2017
Validity Date: 23/03/2017
Further Information Request: N/A
Further Information Received: N/A
Deemed Approval: 4/05/2017

RECOMMENDATION:

That Council:

1. Pursuant to the former section 33(3) and section 34(1)(b) of the Land Use Planning and Approvals Act 1993, initiates Amendment 35 comprising:

   (i) rezoning the land from the Low Density Residential Zone to the General Residential Zone at 47 Benvenue Road, St Leonards, as shown in attachments to this report (ECM document ID 4021375 and 4025825); and

   (ii) modification of text provisions within the standard F4.3.1 'Subdivision' under Hillary Street Specific Area Plan to remove clauses A1(b) and A1(c).
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

2. Pursuant to the former section 35(1)(b) of the Land Use Planning and Approvals Act 1993, certifies the draft amendment.

3. Pursuant to section 43A of the Land Use Planning and Approvals Act 1993, approves DA0115/2017 for the residential subdivision of the subject site at 47 Benvenue Road, St Leonards into 32 lots including road network subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS
   The subdivision 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. Plan, Prepared by 6ty Pty Ltd P.M.W., Drawing No. PO1, Project No. 16.340, Project name 32 Lot Subdivision Proposal at 47 Benvenue Road, St Leonards for Growth Developments, Revision A, Issue 01, Dated 20/02/2017.

2. 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.

3. TASWATER
   The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00410-LCC).

4. BUSHFIRE SAFETY
   Prior to commencement of the use, a certificate of compliance by an accredited person, must be submitted confirming all measures required under the approved bushfire management plan prepared by Scott Livingston, AK Consultants, are completed.

5. 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 expressly authorised by the consent in writing of the Council.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

6. DAMAGE TO COUNCIL INFRASTRUCTURE
The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by law or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by laws and legislation relevant to the development activity on the site.

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE
All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of Technical Services is required prior to undertaking works where the works:
(a) require a road or lane closure;
(b) require occupation of the road reserve for more than one week at a particular location;
(c) are in nominated high traffic locations; or
(d) involve opening or breaking trafficable surfaces.

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

8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS
Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

9. SOIL AND WATER MANAGEMENT PLAN
Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

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

11. 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 percent of the public works estimate (or a minimum of $250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

12. 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 - Tenzing Drive Extension
   (i) Provision of a fully constructed road 8.9m 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 a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
   (iii) Provision of a single vehicular crossing for each lot within the subdivision;
   (iv) Provision of a kerb layback for No. 45 Benvenue Road and No. 49 Benvenue Road to align with the existing informal accesses,
   (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) Roads - Cul de sac (110m long)
   (i) Provision of a fully constructed road 6.9m 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 a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
   (iii) Provision of a sealed temporary turning head of a suitable size for incomplete roads;
   (iv) All necessary line marking, signage and other traffic control devices.

(d) Roads - Cul de sac (43m long)
   (i) Provision of a fully constructed road 6.9m 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 a 1500mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps;
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Venvenue Road, St Leonards ...(Cont’d)

(iii) Provision of a sealed temporary turning head of a suitable size for incomplete roads;
(iv) All necessary line marking, signage and other traffic control devices.

(e) Public Open
(i) All public open space lots must be landscaped, provided with works to restrict traffic;
(ii) Electricity, Communications and Other Utilities;
(iii) An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority;
(iv) A public street lighting scheme must be designed and installed to the approval of the Responsible Authority** (refer Note at end of permit);
(v) An underground telecommunications system/broadband internet must be provided to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:
(a) Construction requirements,
(b) Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
(c) Construction Audit inspections,
(d) Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

13. 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.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

14. 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.

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

16. 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.

17. 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.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

18. CONVEYANCE OF PUBLIC OPEN SPACE
All public open space lots in the Subdivision must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Subdivider.

19. AS CONSTRUCTED PLANS
An "as constructed" plan must be provided in accordance with Council’s standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Services Directorate.

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

21. PROTECTION OF PUBLIC OPEN SPACE (EXISTING & PROPOSED)
The Public Open Space is to be protected from damage during the construction works by ensuring that:
(a) Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Public Open Space and the subject site.
(b) No building material, stockpiles, skip bins or machinery are to be stored on the Public Open Space, or the land set aside for Public Open Space, except where directly relate to infrastructure works required within the Public Open Space.
(c) No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of Council to maintain, the Public Open Space.
(d) No access to the subject site is permitted via the Public Open Space without express written consent from the Director Infrastructure Services.
(e) Where permission is granted to access subject site via the Public Open Space, any and all damage caused to the Public Open Space is to be remediated within the timeframe specified in the written consent to access.

22. REVEGETATION OF DISTURBED AREAS
All disturbed surfaces on land resulting from the buildings and works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

23. STREET LANDSCAPING PLAN
Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Council. Once approved by Council, it will form part of this permit. The approved landscaping of the site must:
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(a) Be completed prior to the sealing of the Final plan of Survey.
(b) Provide shade trees on one side of the road of an approved species with a minimum planted height of 2.5m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage.
(c) 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.
(d) Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.

24. STAGED LANDSCAPING ON LARGE ESTATES PARKS
(a) Prior to the commencement of works, a Landscaping Implementation Schedule must be submitted to the satisfaction of the Council. The schedule must indicate landscaping and site restoration works to be undertaken and these must be linked to the stages of subdivision.
(b) Prior to the sealing of the Final plan of subdivision by the Council for any stage, the landscape works linked to that stage by the Landscaping Implementation Schedule must be completed or suitable alternative arrangements to the satisfaction of the Council.

Notes
A. General
This permit was issued based on the proposal documents submitted for DA0115/2017. 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 years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

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

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

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

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


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.

Note:
Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015 - Parts 2A and 3 of the former provisions remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1.1 Introduction

An application was lodged under section 43A of the Act for a combined permit and amendment.

The request has been made to:

- amend Launceston Interim Planning Scheme 2015 Zoning at 47 Benvenue Road, St Leonards from the Low Density Residential Zone to the General Residential Zone;
- amend the text of the 'F4.3.1 Subdivision' standard of the Hillary Street Specific Area Plan;
- permit subdivision at 47 Benvenue Road, St Leonards into 32 lots including road network.

1.2 Act Requirements

The legislation allows for a combined application for a development permit and a planning scheme amendment to be considered jointly in accordance with section 43A of the Land Use Planning and Approvals Act 1993.

43A. Application for a permit when amendment requested

(1) A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider, in accordance with this Division, an application for a permit which would not be allowed if the planning scheme were not amended as requested.

(2) Where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit referred to in subsection (1) concurrently with the preparation of the requested amendment to the planning scheme.

(3) An application may be made for a permit under this section even if it could not be granted under the existing planning scheme.

The amendment must be decided under section 33(3) which reads:

33. Request for amendment of planning scheme
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(3) A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.

(3AA) If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must –

(a) initiate the amendment under section 34; and
(b) certify the draft amendment under section 35 – within 42 days of receiving the request or such longer time as the Commission allows.

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in sections 32 and 43C of the Act and are set out in detail in a subsequent section of this report.

Section 38 of the Act sets out that after making a decision on an application made under section 43A it is to be publicly advertised for a period of 28 days:

38. Public exhibition of draft amendment
(1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –

(a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and

(b) advertise, as prescribed, the exhibition of the draft amendment.
(2) If the period referred to in subsection (1)(a) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the planning scheme to be amended applies, that period is to be extended by the number of those days.

2. Site Analysis

The proposed site for the subdivision is located between Hillary Street and Benvenue Road approximately 430m to the north-east from St Leonards Road. The land is currently undeveloped.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

Figure 1. State Aerial Photo (source: TheList)

The land is currently zoned as Low Density Residential (Figure 2). This land adjoins to the General Residential Zone to the south, east and west; and to the Low Density Residential Zone to the north and west.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

Figure 2. Tasmanian Interim Planning Scheme Zoning (source: TheList)

The site subject of rezoning request has a total area of 32,550m² identified within Certificate of Title Volume 126939 Folio 2. The subject property has a slope under 10% which is consistent with the requirements for general residential development of the Scheme.

3. Existing conditions on the site

3.1 Neighbourhood character

The village at St Leonards was a satellite village of Launceston (Launceston Heritage Study 2007). St Leonard's area was explored by Lieutenant Colonel William Paterson in 1804 before official settlement of Launceston (1806). First land grants by 1814 and development of farming, industries, houses and businesses followed. The residential development naturally occurred as strips along major roads (St Leonards Road and Abels Hill Road) and local streets (Benvenue Road and Hillary Street). Farming lots were internal lots, i.e. the next layer after the residential development. The subject site is an internal lot and historically it was designed for agricultural uses. The village at St Leonards contains a mixture of big lots (more than 1000m²) historically used for farming purposes but currently undeveloped and smaller lots (600-800m²) for residential use.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

The St Leonards area is the only area determined for significant greenfield development in the City of Launceston municipality by the Greater Launceston Plan.

3.2 Existing limitations

Existing limitations for the subject area are determined from the Overlay Map.

Figure 3. Launceston Interim Planning Scheme 2015. Overlay Map (source: TheList)

No heritage values, scenic values, land capable for the agriculture purposes, environmental hazards and infrastructure connection constraints were determined in the subject area.

4. Proposal

The proposal seeks to amend the Scheme for:

(i) rezoning the land from the Low Density Residential Zone to the General Residential Zone at 47 Benvenue Road, St Leonards, as shown in attachments to this report (ECM document ID 4021375 and 4025825); and
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(ii) modification of text provisions within the standard F4.3.1 'Subdivision' under Hillary Street Specific Area Plan to remove clauses A1(b) and A1(c).

The applicant '6ty Degrees' proposes to modify clauses A1(b) and A1(c) of the standard F4.3.1 'Subdivision' to bring it into consistency with the current Institute of Public Works Engineering Australasia (IPWEA) standards. However, it is considered more efficient to remove clauses A1(b) and A1(c) as the Planning Scheme does not normally deal with this. It is usually specified by the Council engineering standards.

4.1 Landowner Consent

Two consents were provided in support of the combined permit and amendment application:

- Land Owner: Jason Sherriff Director of Growth Developments Pty Ltd has provided the consent for making the request for a combined amendment and permit application to the Launceston Interim Planning Scheme 2015 pursuant to Section 33(2A)(b) of the Act on 17/03/2017; and

- Council consent: Road Owners consent for lodgement of Development Application for subdivision extending Tenzing Avenue to create a new road junction at 47 Benvenue Road was granted by the Acting Director Infrastructure Services on 28/03/2017.

5.0 Considerations for the Amendments

5.1 Consideration of Section 32

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)

... 

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

The proposed development is for rezoning from one type of residential zone to another type of residential zone at slightly higher density and road construction to facilitate the proposed subdivision. Land use conflicts are avoided under the current Scheme. The subject lot is not adjoining any other uses (commercial, industrial, utilities, etc.) which can cause land use conflicts.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(ea) must not conflict with the requirements of section 30O; and

The consideration of section 30O is provided in the section 5.2 of this report.

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

The environmental, economic and social impacts are considered in PART B. 'Development Application'. The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental, economic and social impacts have been considered. In this case the development assessment is positive which means all provisions are fully met.

(2) The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

The Development application for the subdivision of a subject site into 32 lots is assessed positively. Thus, the provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) are met.

The proposal is consistent with the section 32 of the Act.

5.2 Consideration of Section 30O

(1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.

The proposed amendment is consistent with Northern Regional Land Use Strategy 2016 (NRLUS).

(2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –

(a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions,
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards …(Cont’d)

except in accordance with section 30EA, or an overriding local provision; and

The proposal seeks to amend scheme for rezoning and text. The proposed rezoning amendment is consistent with common provisions.

(b) the amendment does not revoke or amend an overriding local provision; and

The proposal does not revoke or amend an overriding local provision.

(c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.

No conflicting local provisions will be contained in the Scheme as it is for rezoning from one residential zone to another residential zone and the Specific Area Plan text amendment (A1(b) and A1(c) provisions removal).

(3) Subject to section 30EA, an amendment may be made to a local provision if –

(a) the amendment is to the effect that a common provision is not to apply to an area of land; and

Currently, the local provision regarding road widths applies to the subject area. Common provisions under the Scheme do not set road widths.

(b) a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.

…..

Planning Directive No. 1 'The Format and Structure of Planning Schemes' does not include provisions regarding road widths. The road widths specification is proposed to be removed from the standard 'F4.3.1 Subdivision Acceptable Solutions A1'.

The proposal is consistent with the section 30O of the Act.

5.3 Consideration against Section 43C and the Objectives of the Land Use Planning and Approvals Act 1993

(1) In determining an application referred to in section 43A, a planning authority, in its opinion –

(a) must seek to further the objectives set out in Schedule 1; and
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(b) must take into consideration such of the prescribed matters as are relevant to the use or development the subject of the application.

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

5.3.1 Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

The objectives of Part 1 are as follows:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity

The proposed development does not impact on any significant vegetation or rural pasture land.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water

The change of zoning and subsequent amendment will provide sustainable development consistent with the objectives of the Greater Launceston Plan.

(c) to encourage public involvement in resource management and planning

The public will have the opportunity to comment on this proposal during the exhibition period which will run for three weeks, should the Council decide to exhibit the application. The public has the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

The proposed amendment will allow for the 32 lots subdivision and the road network construction. This will facilitate economic development of the area.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

This application was referred to TasWater. TasWater comments are attached to this application. There are no other relevant agency referrals required. If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective.

5.3.2 Schedule 1, Part 2 - Objectives of the Planning Process Established by the Act

The objectives of Part 2 must also be considered:

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule –

(a) to require sound strategic planning and co-ordinated action by State and local government; and

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

Objectives, policies and controls are set by Planning directives, the Act and the Scheme.

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

The objectives of the Resource Management Planning System are met.

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

The proposed amendment complies with the local, regional and state policies.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and
Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

Consolidation of approvals is provided via the combined permit and amendment application.

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

This objective is achievable through the provision of residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

The subject site has no recognised buildings or places or scientific, aesthetic, architectural or historical interest overlays and provisions under the current legislation.

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and

The higher residential densities will facilitate residential development close to facilities. The higher density proposed will increase efficiency of the existing service infrastructure.

(i) to provide a planning framework which fully considers land capability.

The Planning framework which fully considers land capability is provided. The residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available is proposed.

The proposal meets the objectives set out in Schedule 1 of the Act.

6. Planning Strategies

6.1 Northern Regional Land Use Strategy (NRLUS) 2016

Table 1. Assessment of relevant policies and actions under the NRLUS
### 8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>Policy/Action</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regional principle</strong>&lt;br&gt;Ensure urban development conserves land by making the most efficient use of land allocated within the Urban Growth Boundary Areas</td>
<td>Compliant. The increased density proposed by the rezoning makes more efficient use of the land which is located within the Urban Growth Boundary Area.</td>
</tr>
<tr>
<td><strong>Strategic Direction 5</strong>&lt;br&gt;Plan and encourage a diverse range of dwelling types such as small lot housing and multiple dwellings, specifically in more highly accessible locations to match changing household sizes and composition</td>
<td>Compliant. The proposed General Residential Zone provides a greater diversity of residential development than the Low Density Residential Zone in a more highly accessible location.</td>
</tr>
<tr>
<td><strong>RSN-A4</strong>&lt;br&gt;Ensure a diverse housing choice that is affordable and accessible in the right locations reflecting the changes in the population and its composition, especially ageing populations and single lone persons and to enable people to remain within their communities as their housing needs change, including ageing in home options.</td>
<td>Compliant. The current household size is 2.5 persons per the households which will decrease over the time (Australian Bureau of Statistics). Therefore, the General Residential Zone with slightly higher densities will facilitate the diverse housing choice over the time.</td>
</tr>
<tr>
<td><strong>RSN-P7</strong>&lt;br&gt;Include in new development areas a diversity of land uses, employment opportunities and housing types at densities that support walkable communities, shorter vehicle trips and efficient public transport services.</td>
<td>Compliant. St Leonards is a well-established village with schools, shops, and employment opportunities available within walking distance of the subject site.</td>
</tr>
<tr>
<td><strong>SI-A03</strong>&lt;br&gt;Allow for increased housing densities in locations that are accessible to shops, transport networks, shops and other community services and facilities.</td>
<td>Compliant. This amendment proposes the higher density form of development in the accessible location.</td>
</tr>
</tbody>
</table>

### 6.2 Greater Launceston Plan (GLP) 2014

St Leonards – Waverley Corridor was determined as a new Growth Corridor under the GLP. The proposed greenfield development is consistent with the GLP as the GLP requires consolidation in the subject area ‘with a focus on amenity, housing diversity and public access to broadly based activity centres, parks, recreation areas, schools and community facilities’. The proposal complies with the provision of the GLP.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards …(Cont’d)

Figure 4. Growth Corridors.

6.3 Launceston Residential Strategy (LRS) 2009-2029

Table 2. Assessment of relevant policies and actions under the LRS

<table>
<thead>
<tr>
<th>Policy/Action</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>The subject site is zoned as a candidate area for residential subdivision. Policy 14 'Encouraging an appropriate mix of housing densities' aims 'achieving a more sustainable development pattern in Launceston will encourage new subdivision to incorporate a mix of lot sizes so the overall densities of new residential areas increases'. This strategy suggests that Council will set</td>
<td>Compliant. The proposed subdivision is for 32 lots per 32,550m² = 3.255ha, i.e. 10 dwellings per 1ha approximately. The lot side is 0.75ha due to the road and open space infrastructure provision. Thus, it could be potential density 10-15 dwelling per hectare if multiple dwellings were proposed. The proposed</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

| targets for minimum density for new subdivision of vacant residential land. A required gross density minimum of 15 dwellings per hectare within serviced residential areas would assist, requiring an enhanced consideration of dwelling types and lot sizes. | subdivision has a probability to fall under the required density target. |

7. State policies

7.1.1. The State Coastal Policy 1996

The E14.0 Coastal Code does not apply to the subject site. Moreover, the proposed rezoning is consistent with Sustainable Development Objectives of the Resource Management and Planning System.

7.1.2 The State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The subject land is not categorised under the Land Capability system as an agricultural land. Given the site location within an urban environment, the surrounding residential uses and the proposed urban expansion, ie. location within urban growth corridor; the proposed amendment is considered unlikely to result in agricultural land use conflicts or result in the loss of land for agricultural purposes.

7.1.3 National Environmental Protection Measures (NEPMS)

NEPMs are also taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation, and given effect in Tasmania through the State Policies and Projects Act.

The Codes within the Scheme deal in detail with the relevant matters (noise and air quality) and the assessment of the submitted application can be undertaken against the appropriate Use and Development Standards. The proposed amendment is not considered affected by the other NEPMS.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

7.1.4. Gas Pipelines Act 2000

St Leonards Village does not connect to TasGas services. Gas pipelines are traced via the intersection of St Leonards Road and Hoblers Bridge Road which is in 3km distance from the subject site. The site development will not impact on a gas pipeline. The application has not been referred.

8. Community feedback

The informal non-statutory notification has been send to adjoining owners on 31/03/2017. The summary of the community feedback and the planner’s response is presented below:

Table 3. Community feedback summary

<table>
<thead>
<tr>
<th>N</th>
<th>Summary of key issues</th>
<th>Planner’s Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(a) The quieter, village atmosphere and the feeling of a countryside lifestyle must be retained; (b) Scale of the proposed 32 lots with new roads seems excessive; (c) A negative impact from the amount of infrastructure (roads and 32 lots); (d) Roads will become more congested (St Leonards Road and Benvenue Road); (f) This amount of new properties would increase the risk of potential crime.</td>
<td>(a) There are many undeveloped lots in St Leonards village which will retain the village feeling; (b)(c) The scale of the proposed subdivision is in consistency with the site location (between Hillary Street and Benvenue Road) to provide additional road connection via Tenzing Drive and a current lot size; (d) The additional traffic generated by this subdivision will not significantly impact on the efficiency of the road network; (f) There is no identified correspondence between this proposal and the crime rate increase.</td>
</tr>
<tr>
<td>2</td>
<td>(a) The subject land was zoned as a Low Density Residential at the time when the property at Ashfield Court was bought; (b) The proposal would cause the traffic congestion at St Leonards Road.</td>
<td>(a) It is not applicable. The proposal will not change the land zoning at Ashfield Court; (b) It is considered that the proposal will not make a significant change in a traffic level in the broader area due to additional road connection via Tenzing Drive.</td>
</tr>
<tr>
<td>3</td>
<td>(a) The village feel retention and the minimum size development must be provided; (b) The potential increase of traffic flow on Hillary Street; (c) The water pressure is low. How</td>
<td>(a)The village feel will be retained via surrounding big plots of land such as 72 Benvenue Road, 86A Abels Hill Road, 49A Abels Hill Road etc.; (b) The proposed subdivision will not cause significant increase in the traffic flow in the hillary street.</td>
</tr>
</tbody>
</table>
### 8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th></th>
<th>the additional residential pressure on services will be facilitated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(d) There are no objections to the Low Density residential development/subdivision. However, the General Residential rezoning cause questions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>surrounding area;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(c) TasWater had provided their consent and conditions for this proposal;</td>
</tr>
<tr>
<td></td>
<td>(d) The proposal is consistent with the current legislation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(a) The proposed subdivision is not consistent with the Long Term subdivision strategy;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) The proposed subdivision is not consistent with the Amendment 114 of the Launceston Planning scheme 1996;</td>
</tr>
<tr>
<td></td>
<td>(c) How the rural setting of St Leonards will be maintained;</td>
</tr>
<tr>
<td></td>
<td>(d) Other subdivision under the F4.0 Hillary Street Specific Area Plan did not require rezoning. Please explain the grounds why this subdivision does require proposed rezoning.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(a)(b) The amendment seeks to change the adopted Specific Area Plan under the current legislation. The subject land is not subdivided at the moment;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(c) The village feel will be retained via surrounding big plots of land such as 72 Benvenue Road, 86A Abels Hill Road, 49A Abels Hill Road etc.</td>
</tr>
<tr>
<td></td>
<td>(d) This subdivision requires rezoning because it proposes a higher density of development. The Specific Area plan does not contain provision regulating the zoning.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(a) The proposal is not in accordance with the existing residential amenity and character of the area;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) Unnecessary pressure on transport and other infrastructure will be created;</td>
</tr>
<tr>
<td></td>
<td>(c) There is no sufficient rationale for Council to initiate the amendment (Section 2.1.2 Rezoning Rationale’ of the consultancy report is not sufficient)</td>
</tr>
<tr>
<td></td>
<td>(d) Insufficient time was provided 31/03/2017-11/04/2017 to allow the adequate public involvement;</td>
</tr>
<tr>
<td></td>
<td>(e) Property purchase consideration: at the moment of purchase the land was zoned Light Residential.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(a) The proposal is consistent as the big plots of land are maintained in St Leonards area;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) The proposed subdivision will not cause significant increase in the traffic flow in the surrounding area; Additional pressure on existing infrastructure services was considered. Conditions are attached.</td>
</tr>
<tr>
<td></td>
<td>(c) The rationale regarding the zone purpose and the subject site zoning current inconsistency is sufficient to initiate the amendment;</td>
</tr>
<tr>
<td></td>
<td>(d) This community feedback opportunity is provided outside the statutory framework therefore, if the amendment is initiated will be a formal advertising period;</td>
</tr>
<tr>
<td></td>
<td>(e) The owner of the subject land has issued the consent for the proposed rezoning.</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

In summary, if the amendment is initiated key issues for the community are likely to be: additional traffic generation; village rural living character retention; pressure on the existing services and infrastructure; previous property purchase consideration; and inconsistency with the previous council considerations regarding the subject area.

9. Referral Agencies

The application was referred to TasWater under section 17 of the Land Use Planning and Approvals Regulations 2004. TasWater has issued its Submission to Planning Authority Notice (TWDA 2017/00410-LCC) dated 6 April 2017 stating that: TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

Pursuant to the Water and Sewerage Industry Act 2008 (Tas) section 56P(1) TasWater also imposes the number of conditions related to sewer and water infrastructure to be placed on a permit. These conditions are listed in attachments.

PART B. DEVELOPMENT APPLICATION

3.1 Zone Purpose

10.0 General Residential Zone

<table>
<thead>
<tr>
<th>10.1 Zone Purpose Statements</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</td>
</tr>
<tr>
<td>10.1.2 To provide for compatible non-residential uses that primarily serve the local community.</td>
</tr>
<tr>
<td>10.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</td>
</tr>
<tr>
<td>10.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</td>
</tr>
<tr>
<td>10.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

Consistent
Residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available and can be provided is proposed. Residential development that respects the existing and desired neighbourhood character is proposed. Residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks is proposed.

Local Area Objectives - There are no local area objectives.

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

10.3 Use Standards - There are no applicable use standards.

10.4 Development Standards
10.4.15 Lot size and dimensions

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

Consistent
The area and dimensions of lots are appropriate to the intended residential use of the lots.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:
(a) have a minimum area of no less than 500m$^2$; and
(b) be able to contain a rectangle measuring 10m by 15m; or
A1.2 Each lot, or a lot proposed in a plan of subdivision, must:
(a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
(b) be required for the provision of public utilities; or
(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and
A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

Complies
A1.1(a) Each lot within the proposed subdivision have a minimum area of no less than 500m$^2$.
A1.1 (b) Each lot within the proposed subdivision able to contain a rectangle measuring 10m by 15m.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

A1.3 The subject site does not contain any existing buildings. Thus, this provision is not applicable. The proposal meets Acceptable Solutions.

P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:
(a) the relevant acceptable solutions for development of buildings on the lots;
(b) the likely location of buildings on the lots;
(c) the likely provision of on-site parking and manoeuvrability for vehicles;
(d) the topography of the site;
(e) the presence of any natural hazards;
(f) adequate provision for private open space; and
(g) the existing pattern of development in the area.

Not Applicable

10.4.16 Frontage and access

Objective:
To ensure that lots provide:
(a) appropriate frontage to a road; and
(b) safe and appropriate access suitable for the intended use.

Consistent
Lots propose an appropriate frontage to a road and safe and appropriate access suitable for the intended use.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.

Complies
Each lot of the proposed subdivision have a frontage to a road maintained by a road authority of no less than 3.6m. The proposal meets Acceptable Solutions.

P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:
(a) the width of frontage proposed, if any;
(b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage;
(c) the number of immediately adjacent rights-of-carriageway;
(d) the topography of the site;
(e) the proposed use of the lot;
(f) the construction and maintenance of the road;
(g) the existing pattern of development in the surrounding area; and
(h) the advice of the road authority.

Not Applicable
A2 No acceptable solution.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is no Acceptable Solution. The assessment against Performance Criteria is required under the Scheme.</td>
</tr>
</tbody>
</table>

P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:
(a) the topography of the site;
(b) the distance between the lot or building area and the carriageway;
(c) the nature of the road and the traffic;
(d) the character of the area; and
(e) the advice of the road authority.

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
</table>
| Each lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary having regard to:
(a) the topography of the site - the site slope is less than 10%. Thus, the site slope has no effect on the provision of the reasonable vehicular access;
(b) the distance between the lot and the carriageway - the distance between the lot and the carriageway is provided in accordance with IPWEA and Council standards;
(c) the nature of the road and the traffic - proposed and existing roads are local roads under the State Road Hierarchy. Additional traffic will be generated. However, the proposed road network within subdivision will provide additional road connection (Tenzing Drive) between Hillary Street and Benvenue Road which will facilitate the proposed and existing traffic flow. It is the first connection between Hillary Street and Benvenue Road. These streets contain only cul-de-sacs.
(d) the character of the area is residential as adjoining uses to the subject area are residential. The proposal is for the residential subdivision; and
(e) the advice of the road authority is presented via the infrastructure service conditions. |

10.4.17 Discharge of stormwater

<table>
<thead>
<tr>
<th>Objective:</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The subdivision layout, including roads, proposes that stormwater is satisfactorily drained and discharged.</td>
</tr>
</tbody>
</table>

A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>Complies</th>
<th>Each lot proposed in a plan of subdivision, including roads is capable of connecting to a public stormwater system. The Hillary Street Specific Area Plan specifies the provisions regarding the connection to a public stormwater system. These connections will be made in accordance with the Specific Area Plan. The proposal meets the Acceptable Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:</td>
</tr>
<tr>
<td>(a)</td>
<td>the location of the discharge point (if any);</td>
</tr>
<tr>
<td>(b)</td>
<td>stormwater flow paths both internal and external to the site;</td>
</tr>
<tr>
<td>(c)</td>
<td>the location of building areas within the site;</td>
</tr>
<tr>
<td>(d)</td>
<td>the topography of the site;</td>
</tr>
<tr>
<td>(e)</td>
<td>the characteristics of the site, including rainfall;</td>
</tr>
<tr>
<td>(f)</td>
<td>the development on the site and adjoining land;</td>
</tr>
<tr>
<td>(g)</td>
<td>the additional runoff from the subdivision development and likely future development of the land; and</td>
</tr>
<tr>
<td>(h)</td>
<td>any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>A2 The Council’s General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</td>
</tr>
<tr>
<td>Relies on Performance Criteria</td>
<td>The Council’s General Manager has not provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision. The proposal requires the assessment against the Performance Criteria.</td>
</tr>
<tr>
<td>P2</td>
<td>Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</td>
</tr>
<tr>
<td>(a)</td>
<td>the location of the discharge point (if any);</td>
</tr>
<tr>
<td>(b)</td>
<td>stormwater flow paths both internal and external to the site;</td>
</tr>
<tr>
<td>(c)</td>
<td>the topography of the site;</td>
</tr>
<tr>
<td>(d)</td>
<td>the characteristics of the site, including rainfall;</td>
</tr>
<tr>
<td>(e)</td>
<td>the development of the site;</td>
</tr>
<tr>
<td>(f)</td>
<td>the additional runoff from the subdivision development and likely future development of the land; and</td>
</tr>
<tr>
<td>(g)</td>
<td>any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</td>
</tr>
<tr>
<td>Complies</td>
<td>It is considered that stormwater discharge flows generated by the proposed subdivision will be able to be accommodated by the public stormwater system with respect to the performance criteria on the following basis:</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(a) provision will be made for each lot within the subdivision and all road infrastructure to connect into the public stormwater system;
(b) all stormwater flow paths will be directed into the public stormwater system;
(c) the subject property is located within an elevated position and has a gradient of approximately 10 percent downhill to the west which provides sufficient fall for stormwater purposes;
(d) it is considered that the public stormwater system will be capable of accommodating site characteristics including gradient and rainfall;
(e) all future development including buildings can connect into the public stormwater system;
(f) no onsite storage devices or detention basins are required to be constructed on the basis that the subdivision will utilise the public stormwater system.

10.4.18 Water and sewerage services

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

Consistent
Each lot proposes for appropriate water supply and wastewater disposal.

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

Complies
The application was referred to the TasWater for the assessment. Each lot proposed in a plan of subdivision will be connected to a reticulated water supply (TWDA 2017/00410-LCC dated 6 April 2017). The proposal meets Acceptable Solutions.

P1 No performance criteria.

Not Applicable
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

P2 No performance criteria.

Not Applicable

10.4.19 Integrated urban landscape

Objective:
To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.

Not Applicable
The Hillary Street Specific Area Plan specifies the tracing of road and walkway connections, the stormwater system and public open space provisions. The provision of the Hillary Street Specific Area plan overrides this local provision. Therefore, this provision is not applicable.
## Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

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

**Not Applicable**

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

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

**Not Applicable**

### 10.4.20 Walking and cycling network

**Objective:**

**To:**

| a) | provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists; |
| b) | design footpaths, shared path and cycle path networks that are safe and accessible; and |
| c) | accommodate wheelchairs, prams, scooters and other footpath bound vehicles. |

**Not Applicable**

The Hillary Street Specific Area Plan specifies the tracing of road and walkway connections, the stormwater system and public open space provisions. The provision of the Hillary Street Specific Area plan overrides this local provision. Therefore, this provision is not applicable.

### A1 Subdivision does not create any new road, footpath or public open space.

**Not Applicable**

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

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

**Not Applicable**

### 10.4.21 Lot diversity

**Objective:**

**To provide a range and mix of lot sizes to suit a variety of dwelling and household types.**
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

Consistent
A range and mix of lot sizes to suit a variety of dwelling and household types is proposed.

A1 Subdivision is for 10 lots or less.

Relies on Performance Criteria
The proposed subdivision is for 32 lots which is greater than 10. Therefore, the application will be assessed against Performance Criteria.

P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:
(a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use;
(b) the topography of the site;
(c) demand for a variety of housing types;
(d) the proximity of activity centres;
(e) the proximity and access to public open space;
(f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes; and
(g) the character of the surrounding area.

Complies
Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:
(a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use - the lot size of 750m² is suitable for single dwellings, multiple dwellings and other forms of residential use;
(b) the topography of the site - the site slope is less than 10 percent. Thus, no obstacles will be made for the future development;
(c) demand for a variety of housing types - the exiting demand for the variety of housing types is specified in Northern Tasmania Housing Study for semi-detached dwellings, flats and apartments. The proposed subdivision is suitable for these types of housing;
(d) the proximity of activity centres - the proposed subdivision is within 500m walkable distance from the St Leonards Suburban Activity Centres and within 5.5km from Kings Meadows Major Activity Centre;
(e) the proximity and access to public open space - the public open space is proposed within this subdivision;
(f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes - public transport stops are within 500m and 600m walking distance;
(g) the character of the surrounding area is residential.

The proposal meets performance criteria.
### 8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

#### 10.4.22 Solar orientation of lots

<table>
<thead>
<tr>
<th>Objective:</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide for solar orientation of lots and solar access for future dwellings.</td>
</tr>
</tbody>
</table>

**Not Applicable**

Each lot within the proposed subdivision will have an area greater than 500m².

Therefore, the provision is not applicable to the assessment.

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

**Not Applicable**

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

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

#### 10.4.23 Neighbourhood road network

<table>
<thead>
<tr>
<th>Objective:</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.</td>
</tr>
</tbody>
</table>

**Not Applicable**

The Hillary Street Specific Area Plan specifies the tracing of road and walkway connections, the stormwater system and public open space provisions. The provision of the Hillary Street Specific Area plan overrides this local provision. Therefore, this provision is not applicable.

A1 Subdivision does not create any new road.

**Not Applicable**

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

- (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes;
- (b) the function of the road and its relationship to arterial and neighbourhood road types;
- (c) the speed limits on roads in the area;
- (d) the location of activity centres;
- (e) the volume of traffic in the area;
- (f) access for service and emergency vehicles; and
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(g) the topography of the site.
Not Applicable

10.4.24 Public transport network
Not Applicable
The Hillary Street Specific Area Plan specifies the tracing of road and walkway connections, the stormwater system and public open space provisions. The provision of the Hillary Street Specific Area plan overrides this local provision. Therefore, this provision is not applicable.
A1 Subdivision does not create any new road.
Not Applicable
P1 The subdivision provides for adequate access to public transport, having regard to:
(a) the number of lots proposed;
(b) the walking distances from the lots to public transport route;
(c) any public transport strategy or plan for the area; and
(d) the likelihood of the provision of public transport for the area.
Not Applicable

E1.0 Bushfire-Prone Areas Code
E1.1 The purpose of this code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.
Consistent
Use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires. The subject property is located within a bushfire prone area. Accordingly, Scott Livingston has been engaged as an accredited person to undertake an assessment against the relevant provisions of the Bushfire Prone Areas Code (E1.0). A copy of the Bushfire Hazard Management Report is provided within Appendix D.

E1.5 Use Standards
That vulnerable uses are located on land within a bushfire-prone area only in exceptional circumstances.
Not Applicable
The proposed residential subdivision does not constitute a vulnerable use. This provision is not applicable.

E1.5.1 Vulnerable Uses
A1 No Acceptable Solution.
## Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

...(Cont’d)

### Not Applicable

<table>
<thead>
<tr>
<th>P1</th>
<th>A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>the location, characteristics, nature and scale of the use;</td>
</tr>
<tr>
<td>(b)</td>
<td>whether there is an overriding benefit to the community;</td>
</tr>
<tr>
<td>(c)</td>
<td>whether there is no suitable alternative lower-risk site;</td>
</tr>
<tr>
<td>(d)</td>
<td>the ability of occupants of the vulnerable use to:</td>
</tr>
<tr>
<td></td>
<td>(i) protect themselves and defend property from bushfire attack;</td>
</tr>
<tr>
<td></td>
<td>(ii) evacuate in an emergency; and</td>
</tr>
<tr>
<td></td>
<td>(iii) understand and respond to instructions in the event of a bushfire;</td>
</tr>
<tr>
<td></td>
<td>(e) any bushfire protection measures available to reduce risk to emergency service personnel; and</td>
</tr>
<tr>
<td></td>
<td>(f) any advice from the TFS.</td>
</tr>
</tbody>
</table>

### Not Applicable

| A2 | A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person. |

### Not Applicable

| P2 | No Performance Criterion. |

### Not Applicable

| A3 | An emergency plan that is approved by the TFS. |

### Not Applicable

| P3 | No Performance Criterion. |

### Not Applicable

That hazardous uses are located on land within a bushfire-prone area only in exceptional circumstances.

### Not Applicable

The proposed residential subdivision does not constitute a hazardous use.

### E1.5.2 Hazardous Uses

| A1 | No Acceptable Solution. |

### Not Applicable

The proposed residential subdivision does not constitute a vulnerable use. This provision is not applicable.

<table>
<thead>
<tr>
<th>P1</th>
<th>A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>the location, characteristics, nature and scale of the use;</td>
</tr>
<tr>
<td>(b)</td>
<td>whether there is an overriding benefit to the community;</td>
</tr>
<tr>
<td>(c)</td>
<td>whether there is no suitable alternative lower-risk site;</td>
</tr>
<tr>
<td>(d)</td>
<td>the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</td>
</tr>
</tbody>
</table>
Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(e) available fire protection measures to:
   (i) prevent the hazardous use from contributing to the spread or intensification of bushfire;
   (ii) limit the potential for bushfire to be ignited on the site;
   (iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and
   (iv) reduce the risk to firefighters.

(f) any advice from the TFS.

Not Applicable
A2 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.

Not Applicable
P2 No Performance Criterion.

Not Applicable
A3 An emergency plan that is approved by TFS.

Not Applicable
P3 No Performance Criterion.

E1.6 Development Standards
Subdivision provides for hazard management areas that:
   (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
   (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
   (c) provide protection for lots at any stage of a staged subdivision.

Consistent
The integrated approach between subdivision and subsequent building on a lot is provided. The sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area is proposed. The protection for lots at any stage of a staged subdivision is proposed.

E1.6.1 Subdivision: Provision of hazard management areas
Objective:
Access roads to, and the layout of roads, tracks and trails, in a subdivision:
   (a) allow safe access and egress for residents, firefighters and emergency service personnel;
   (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

undertaken;
(c) are designed and constructed to allow for fire appliances to be manoeuvred;
(d) provide access to water supplies for fire appliances; and
(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

**Consistent**
Access roads to, and the layout of roads, tracks and trails, in a subdivision are designed at the appropriate standard (Council and IPWEA standards).

A1
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
(b) The proposed plan of subdivision:
   (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;
   (ii) shows the building area for each lot;
   (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
   (iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

**Complies**
A Bushfire Hazard Management Plan (Bushfire Report, Document Set ID:3491661, Version 1, Version Date:21/03/2017) has been prepared by Scott Livingston Natural Resource Management Consultant who is an Accredited Person under part 4A of the Fire Service Act 1979 (Accreditation # BFP-105). The assessment indicates:
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

A 32 lot subdivision plus Public Open Space, is proposed from the existing title at 47 Benvenue Road, St Leonards (CT 126939/2). The area is bushfire prone, being less than 100m from vegetation greater than 1ha in size. This report assumes that land within the subdivision is managed as low threat vegetation prior to habitation of any buildings within the subdivision, in line with Bushfire Prone Areas Advisory Note N0 1-2014, Tasmania Fire Service.

Lots 1,2,3,5,6 and 7 have BAL 19 building areas. This can be reduced to BAL 12.5, by reducing building envelope. Lots 12 to 20 are not bushfire prone so do not require any bushfire provisions. All other lots must construct dwelling to either BAL 12.5 or BAL Low standards.

The subdivision roads must be designed to the specification in Table E1 of the Draft Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code. Access to bushfire prone lots must comply with Element A or B of Table E2 of the Draft Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code.

The subdivision must be served by fire hydrants along roads that are compliant with all sections of Table E4 of the Draft Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code.

The proposal complies with the Acceptable Solution.

P1 A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:

(a) the dimensions of hazard management areas;
(b) a bushfire risk assessment of each lot at any stage of staged subdivision;
(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;
(d) the topography, including site slope;
(e) any other potential forms of fuel and ignition sources;
(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; and
(g) any advice from the TFS.

Not Applicable

E1.6.2 Subdivision: Public and fire-fighting access

Objective:
Adequate, accessible and reliable water supply for the purposes of fire-fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.
COUNCIL AGENDA  
Monday 24 April 2017

8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>Consistent</th>
<th>The proposed development is demonstrated adequate, accessible and reliable water supply for the purposes of fire-fighting at the subdivision stage.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or</td>
</tr>
<tr>
<td></td>
<td>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E1, E2 and E3, is included in a bushfire hazard management plan certified by the TFS or accredited person.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
<th>The accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting. Access is sufficient to mitigate risk. The proposal complies with the acceptable Solution.</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</td>
</tr>
<tr>
<td></td>
<td>(a) appropriate design measures, including:</td>
</tr>
<tr>
<td></td>
<td>(i) two way traffic;</td>
</tr>
<tr>
<td></td>
<td>(ii) all weather surfaces;</td>
</tr>
<tr>
<td></td>
<td>(iii) height and width of any vegetation clearances;</td>
</tr>
<tr>
<td></td>
<td>(iv) load capacity;</td>
</tr>
<tr>
<td></td>
<td>(v) provision of passing bays;</td>
</tr>
<tr>
<td></td>
<td>(vi) traffic control devices;</td>
</tr>
<tr>
<td></td>
<td>(vii) geometry, alignment and slope of roads, tracks and trails;</td>
</tr>
<tr>
<td></td>
<td>(viii) use of through roads to provide for connectivity;</td>
</tr>
<tr>
<td></td>
<td>(ix) limits on the length of cul-de-sacs and dead-end roads;</td>
</tr>
<tr>
<td></td>
<td>(x) provision of turning areas;</td>
</tr>
<tr>
<td></td>
<td>(xi) provision for parking areas;</td>
</tr>
<tr>
<td></td>
<td>(xii) perimeter access; and</td>
</tr>
<tr>
<td></td>
<td>(xiii) fire trails;</td>
</tr>
<tr>
<td></td>
<td>(b) the provision of access to:</td>
</tr>
<tr>
<td></td>
<td>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</td>
</tr>
<tr>
<td></td>
<td>(ii) fire-fighting water supplies; and</td>
</tr>
<tr>
<td></td>
<td>(c) any advice from the TFS.</td>
</tr>
</tbody>
</table>

Not Applicable
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

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

<table>
<thead>
<tr>
<th>A1</th>
<th>In areas serviced with reticulated water by the water corporation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire-fighting purposes;</td>
</tr>
<tr>
<td></td>
<td>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</td>
</tr>
<tr>
<td></td>
<td>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</td>
</tr>
</tbody>
</table>

**Complies**
The bushfire hazard management plan certified by the accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

**P1** No performance criteria

**Not Applicable**

<table>
<thead>
<tr>
<th>A2</th>
<th>In areas that are not serviced by reticulated water by the water corporation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire-fighting purposes;</td>
</tr>
<tr>
<td></td>
<td>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire-fighting, will be provided and located compliant with Table E5; or</td>
</tr>
<tr>
<td></td>
<td>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</td>
</tr>
</tbody>
</table>

**Not Applicable**

**P2** No performance criteria

**Not Applicable**

### E4.0 Road and Railway Assets Code

<table>
<thead>
<tr>
<th>E4.1</th>
<th>The purpose of this provision is to:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) protect the safety and efficiency of the road and railway networks; and</td>
</tr>
<tr>
<td></td>
<td>(b) reduce conflicts between sensitive uses and major roads and the rail network.</td>
</tr>
</tbody>
</table>

**Consistent**
The safety and efficiency of the road networks is protected and conflicts between sensitive uses and major roads is reduced as the proposed subdivision is for local roads.

### E4.5 Use Standards

**Objective:**
To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.
Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

**Consistent**
The safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

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

**Not Applicable**
Hillary Street, Tenzing Drive and Benvenue Road are local roads under the State Road Hierarchy. Therefore, this provision is not applicable.

**P1** Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:
- the increase in traffic caused by the use;
- the nature of the traffic generated by the use;
- the nature of the road;
- the speed limit and traffic flow of the road;
- any alternative access to a road;
- the need for the use;
- any traffic impact assessment; and
- any written advice received from the road authority.

**Not Applicable**
Hillary Street, Tenzing Drive and Benvenue Road are local roads under the State Road Hierarchy, which is a subject of a speed limit of 50km. Therefore, this provision does not apply.

**P2** Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:
- the increase in traffic caused by the use;
- the nature of the traffic generated by the use;
- the nature and efficiency of the access or the junction;
- the nature and category of the road;
- the speed limit and traffic flow of the road;
- any alternative access to a road;
- the need for the use;
- any traffic impact assessment; and
### Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

#### 8.3

- **Amendment**
  - **Rezoning:** The Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan.
  - **Development Application:** Subdivision - Residential - 47 Benvenue Road, St Leonards

---

#### (Cont’d)

<table>
<thead>
<tr>
<th>(i)</th>
<th>any written advice received from the road authority.</th>
</tr>
</thead>
</table>

### Not Applicable

- **A3** The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20 percent or 40 vehicle movements per day, whichever is the greater.

### Relies on Performance Criteria

- **The proposed subdivision is for 32 lots. It will generate additional the annual average daily traffic more 40 vehicle movements per day. Therefore, the proposal will be assessed against Performance Criteria.**

### P3

- **Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:**
  - (a) the increase in traffic caused by the use;
  - (b) the nature of the traffic generated by the use;
  - (c) the nature and efficiency of the access or the junction;
  - (d) the nature and category of the road;
  - (e) the speed limit and traffic flow of the road;
  - (f) any alternative access to a road;
  - (g) the need for the use;
  - (h) any traffic impact assessment; and
  - (i) any written advice received from the road authority.

### Complies

- **The increase in traffic is safe and not unreasonably impact on the efficiency of the road, having regard to:**
  - (a) the increase in traffic caused by the use - the increase in traffic is caused by residential use;
  - (b) the nature of the traffic generated by the use - the nature of traffic is single driver;
  - (c) the nature and efficiency of the access or the junction - the construction of the continuation of the Tenzing Drive between Hillary Street and Benvenue Road will improve the traffic flow in the area;
  - (d) the nature and category of the road - Hillary Street, Tenzing Drive and Benvenue Road are local roads under the State Road Hierarchy;
  - (e) the speed limit and traffic flow of the road - the speed limit is subject of 50km/h;
  - (f) any alternative access to a road - the proposed subdivision will create the alternative access as it will connect Hillary Street and Benvenue Road via the Tenzing Drive continuation;
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

| (g) | the need for the use - the proposed residential subdivision will generate additional traffic flow, the proposed Tenzing Drive continuation will facilitate the proposed traffic flow and existing traffic flow in the area; |
| (h) | any traffic impact assessment - no traffic impact assessment was completed. It is not considered necessary as the road network hierarchy and tracing was specified by State and local provisions at the earlier stage. |
| (i) | any written advice received from the road authority - the written advice from the infrastructure service was received as the Council is an owner of existing roads Hillary Street and Benvenue Road and proposed Tenzing Drive continuation. |

The proposal complies with Performance Criteria.

### E4.5.2 Existing level crossings

**Objective:**
To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.

**Not Applicable**
The proposed subdivision will not rely on direct access across a rail network or level crossing. Thus, the provision is not applicable.

**A1** Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10 percent or 10 vehicle movements per day, whichever is the greater.

**Not Applicable**
P1 Any increase in vehicle traffic at an existing access across part of a rail network, must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:
(a) the increase in traffic caused by the use;
(b) the nature of the traffic generated by the use;
(c) the use and frequency of the rail network;
(d) any alternative access;
(e) the need for the use;
(f) any traffic impact assessment; and
(g) any written advice received from the rail authority.

**Not Applicable**

### E4.6 Development Standards

**E4.6.1 Development adjacent to roads and railways**

**Objective:**
To ensure that development adjacent to category 1 or category 2 roads or the rail network:
(a) ensures the safe and efficient operation of roads and the rail network;
(b) allows for future road and rail widening, realignment and upgrading; and
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.

Not Applicable
The proposed subdivision is not located within 50m of an existing or future rail network, Category 1 or 2 Road. Therefore, the provisions are not applicable to the assessment.

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

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

A1.2 Buildings must be:

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

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

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

Not Applicable

E4.6.2 Road accesses and junctions

Objective:
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
### 8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

... (Cont’d)

<table>
<thead>
<tr>
<th>Consistent</th>
<th>The safety and efficiency of roads is not reduced by the creation of new accesses and junction.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>Hillary Street, Tenzing Drive and Benvenue Road are a subject to a speed limit of 50km/h. Thus, this provision is not applicable.</td>
</tr>
<tr>
<td>P1</td>
<td>For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</td>
</tr>
<tr>
<td></td>
<td>(a) the nature and frequency of the traffic generated by the use;</td>
</tr>
<tr>
<td></td>
<td>(b) the nature of the road;</td>
</tr>
<tr>
<td></td>
<td>(c) the speed limit and traffic flow of the road;</td>
</tr>
<tr>
<td></td>
<td>(d) any alternative access;</td>
</tr>
<tr>
<td></td>
<td>(e) the need for the access or junction;</td>
</tr>
<tr>
<td></td>
<td>(f) any traffic impact assessment; and</td>
</tr>
<tr>
<td></td>
<td>(g) any written advice received from the road authority.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</td>
</tr>
<tr>
<td>Complies</td>
<td>Each lot will be facilitated both entry and exit to roads in an area subject to a speed limit of 60km/h or less. The proposal complies with the Acceptable Solution.</td>
</tr>
<tr>
<td>P2</td>
<td>For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</td>
</tr>
<tr>
<td></td>
<td>(a) the nature and frequency of the traffic generated by the use;</td>
</tr>
<tr>
<td></td>
<td>(b) the nature of the road;</td>
</tr>
<tr>
<td></td>
<td>(c) the speed limit and traffic flow of the road;</td>
</tr>
<tr>
<td></td>
<td>(d) any alternative access to a road;</td>
</tr>
<tr>
<td></td>
<td>(e) the need for the access or junction;</td>
</tr>
<tr>
<td></td>
<td>(f) any traffic impact assessment; and</td>
</tr>
<tr>
<td></td>
<td>(g) any written advice received from the road authority.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td></td>
</tr>
</tbody>
</table>

### E4.6.3 New level crossings

**Objective:**

To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>No new level crossings are proposed. Therefore, this provision is not applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A1</th>
</tr>
</thead>
<tbody>
<tr>
<td>No acceptable solution.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1 Level crossings must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:</td>
</tr>
<tr>
<td>(a) the nature and frequency of the traffic generated by the use;</td>
</tr>
<tr>
<td>(b) the frequency of use of the rail network;</td>
</tr>
<tr>
<td>(c) the location of the level crossing;</td>
</tr>
<tr>
<td>(d) any alternative access;</td>
</tr>
<tr>
<td>(e) the need for the level crossing;</td>
</tr>
<tr>
<td>(f) any traffic impact assessment;</td>
</tr>
<tr>
<td>(g) any measures to prevent access to the rail network; and</td>
</tr>
<tr>
<td>(h) any written advice received from the rail authority.</td>
</tr>
</tbody>
</table>

| Not Applicable |

<table>
<thead>
<tr>
<th>E4.6.4 Sight distance at accesses, junctions and level crossings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective:</td>
</tr>
<tr>
<td>To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accesses and junctions propose sufficient sight distance between vehicles to enable safe movement of traffic.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A1 Sight distances at:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and</td>
</tr>
<tr>
<td>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>All proposed intersections and accesses have been designed to comply with the required Safe Intersection Sight Distance requirement of Table E4.6.4.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>P1</th>
</tr>
</thead>
<tbody>
<tr>
<td>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</td>
</tr>
<tr>
<td>(a) the nature and frequency of the traffic generated by the use;</td>
</tr>
<tr>
<td>(b) the frequency of use of the road or rail network;</td>
</tr>
<tr>
<td>(c) any alternative access;</td>
</tr>
<tr>
<td>(d) the need for the access, junction or level crossing;</td>
</tr>
<tr>
<td>(e) any traffic impact assessment;</td>
</tr>
<tr>
<td>(f) any measures to improve or maintain sight distance; and</td>
</tr>
<tr>
<td>(g) any measures to prevent access to the rail network; and</td>
</tr>
<tr>
<td>(h) any written advice received from the rail authority.</td>
</tr>
</tbody>
</table>
### Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards

- **E9.0 Water Quality Code**
  - **E9.1 The purpose of this provision is to:**
  - (a) manage adverse impacts on wetlands and watercourses.

- **Consistent**
  - Adverse impacts on watercourses are managed. The proposed subdivision will be located within 30m of a stormwater drainage line which is considered to meet the definition of a watercourse.

- **E9.5 Use Standards**
  - **Not Applicable**

- **E9.6 Development Standards**
  - **E9.6.1 Development in the vicinity of a watercourses and wetlands**
    - **Objective:**
      - To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.
    - **Consistent**
      - Watercourses protection from the effects of development and minimisation the potential for water quality degradation are proposed.
    - **A1 No acceptable solutions.**
    - **Relies on Performance Criteria**
      - There is not acceptable solution. Therefore, the proposal will be assessed against Performance Criteria.

- **P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:**
  - (a) the topography of the site;
  - (b) the potential for erosion;
  - (c) the potential for siltation and sedimentation;
  - (d) the risk of flood;
  - (e) the impact of the removal of vegetation on hydrology;
  - (f) the natural values of the vegetation and the land;
  - (g) the scale of the development;
  - (h) the method of works, including vegetation removal, and the machinery used;
  - (i) any measures to mitigate impacts;
  - (j) any remediation measures proposed;
  - (k) any soil and water management plan; and
  - (l) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

Complies
The watercourse is identified as a stormwater drainage line which has been modified and partially constructed in accordance with the requirements of the Hillary Street SAP as prescribed by Figure 4.2.1 of the Scheme. The stormwater line dissects the north-eastern corner of the subject property and will be contained within the public open space lot of the proposed subdivision. The stormwater line directs surface runoff from the higher elevations of Abels Hill to the east where it is largely a natural and open line into the reticulated public stormwater system via a culvert which traverses Tenzing Drive.

The proposed subdivision is not expected to impact the water quality of the watercourse given that it is a designated stormwater point. The proposed subdivision complies with the Performance Criteria.

E9.6.2 Development of watercourses and wetlands

<table>
<thead>
<tr>
<th>Objective:</th>
<th>To protect watercourses and wetlands from the effects of development and minimise water quality degradation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>Watercourses protection from the effects of development and minimisation the potential for water quality degradation are proposed.</td>
</tr>
<tr>
<td>A1 Not Applicable</td>
<td>A wetland must not be altered, modified, filled, drained, piped or channelled.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>The proposed subdivision is not located within the proximity to a wetland. Therefore, this provision is not applicable.</td>
</tr>
<tr>
<td>P1 Not Applicable</td>
<td>No performance criteria.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>A pipe or culvert crossing of a watercourse for access purposes.</td>
</tr>
<tr>
<td>Not Applicable</td>
<td>The proposed subdivision will not require additional piping or construction of a culvert through the existing watercourse. Therefore, this provision is not applicable.</td>
</tr>
<tr>
<td>P2 Not Applicable</td>
<td>Development within a watercourse must not unreasonably impact the water quality or ecological values of the watercourse, having regard to: (a) the topography of the site; (b) the potential for erosion; (c) the potential for siltation and sedimentation; (d) the potential for dust generation; (e) the impact on hydrology; (f) the risk of flood; (g) the natural values of the watercourse; (h) the scale of the development; (i) the method of development, including any vegetation removal, and the</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

| machinery used;  |
| (j) the need for the development;  |
| (k) any measures to mitigate impacts;  |
| (l) any remediation measures proposed;  |
| (m) any soil and water management plan; and  |
| (n) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual. |

**Not Applicable**

E9.6.3 Discharges to watercourses and wetlands

**Objective:**
To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.

**Consistent**
Discharges to watercourses are managed so as not unreasonably impact the water quality.

**A1** All stormwater discharge must be:
(a) connected to the public stormwater system; or
(b) diverted to an on-site system that contains stormwater within the site.

**Complies**
Each lot and all roads within the proposed subdivision will be connected to the public stormwater system in accordance with the Hillary Street Specific Area Plan provisions.

**P1** Stormwater discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:
(a) the characteristics, volume and flow rates of the discharge;
(b) the characteristics of the receiving waters;
(c) the potential for erosion;
(d) the potential for siltation and sedimentation;
(e) the impact on hydrology;
(f) any measures to mitigate impacts; and
(g) any soil and water management plan.

**Not Applicable**

**A2.1** No new point source pollution discharging directly into a watercourse or wetland.

**A2.2** For existing point source pollution discharges into a watercourse or wetland, there is no more than a 10 percent increase in the volume or characteristics of the discharge that existed at the effective date.

**Not Applicable**

**P2** New and existing point source pollution discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(a) the characteristics, volume and flow rates of the discharge;
(b) the characteristics of the receiving waters;
(c) the impact on hydrology;
(d) the opportunities to recycle or reuse the discharge;
(e) any measures to mitigate impacts;
(f) best practice environmental management; and
(g) any emission limit guidelines or protected environmental values or water quality objectives issued by the Board of Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.

Not Applicable

E10.0 Open Space Code

Not Applicable
The Hillary Street Specific Area Plan specifies the tracing of road and walkway connections, the stormwater system and public open space provisions. The provision of the Hillary Street Specific Area plan overrides this local provision. Therefore, this provision is not applicable.

E10.5 Use Standards
Not Applicable

E10.6 Development Standards

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

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 The location, area and characteristics of public open space must meet the reasonable needs of the community, having regard to:
(a) the physical characteristics of the land;
(b) the needs of people with disabilities;
(c) the range of recreational facilities in the surrounding area;
(d) the existing public open space in the surrounding area and its relationship to any proposed public open space;
(e) connectivity for pedestrians and cyclists;
(f) the ability of the community to access the land;
(g) any limitations imposed by services and utilities;
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

(h) any drainage requirements, or the existence of wetlands;
(i) public health and safety;
(j) the likely cost of maintenance; and
(k) the relationship and alignment with adjoining land uses, including fencing and landscaping.

Not Applicable

F4.0 Hillary Street Specific Area Plan

F4.1.1 The purpose of this specific area plan is to:
(a) provide for orderly development within the Hillary Street Special Area Plan and to coordinate the provision of infrastructure across land with multiple ownership;
(b) ensure that road and pedestrian network connectivity is provided in a coordinated and predetermined way; and
(c) identify the preferred layout of public open space.

Complies
Orderly development within the Hillary Street Special Area Plan is proposed. The provision of infrastructure across land with multiple ownership is coordinated. Road and pedestrian network connectivity is provided in a coordinated and predetermined way. The preferred layout of public open space is identified.

F4.3 Development Standards
F4.3.1 Subdivision

Objective:
To ensure development for subdivision is in accordance with the Hillary Street Specific Area Plan.

Consistent
Development for subdivision is in accordance with the Hillary Street Specific Area Plan.

A1
(a) Road and walkway connections must be provided as shown on Figure F4.2.1;
(b) Road pavement widths (measured invert to invert of concrete kerb and channel) must be 8m; and
(c) Road reservation widths for all new roads (measured property boundary to property boundary) must be:
   (i) 18m; or
   (ii) where the existing frontage to the road network is unable to achieve the 18m width, the road reservation must be the maximum achievable width for the portion of land constrained and then revert to 18m beyond the constraint.
**8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)**

<table>
<thead>
<tr>
<th>Complies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A1 (a) Road and walkway connections are being proposed as shown on Figure F4.2.1.</td>
<td></td>
</tr>
<tr>
<td>A1 (b) This is the text amendment under the Amendment 35. This provision does not apply.</td>
<td></td>
</tr>
<tr>
<td>A1 (c) This is the text amendment under the Amendment 35. This provision does not apply.</td>
<td></td>
</tr>
<tr>
<td>P1 No performance criteria.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A2.1 The stormwater system must be provided as shown on the Figure F4.2.1.</td>
<td></td>
</tr>
<tr>
<td>A2.2 All stormwater drainage shown on Figure F4.2.1 for a site must be constructed during the first stage of any subdivision of a site, regardless of the number of stages proposed for the subdivision.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A2.1 The stormwater system is proposed to be provided in accordance with Figure F4.2.1.</td>
<td></td>
</tr>
<tr>
<td>A2.2 All stormwater drainage shown on Figure F4.2.1 for a subject site will be constructed during the first stage of any subdivision of a site as the subdivision will be held in one stage. The proposal complies with Acceptable Solutions.</td>
<td></td>
</tr>
<tr>
<td>P2 No performance criteria.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A3 The provision of public open space:</td>
<td></td>
</tr>
<tr>
<td>(a) must be in accordance with Figure F4.2.1; or</td>
<td></td>
</tr>
<tr>
<td>(b) where no public open space provision is shown for a site, a cash contribution of 5% of the unimproved value of the site must be paid to the Council.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Public open space has been provided in accordance with Figure F4.2.1 for the subject site. The cash contribution of 5% is not applicable in this case. The proposal complies with Acceptable Solutions.</td>
<td></td>
</tr>
<tr>
<td>P3 No performance criteria.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
<th></th>
</tr>
</thead>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

4. REFERRALS

<table>
<thead>
<tr>
<th>REFERRAL</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure Assets</td>
<td>Conditional consent provided. Conditions recommended in relation to:</td>
</tr>
<tr>
<td></td>
<td>- As constructed plans</td>
</tr>
<tr>
<td></td>
<td>- Conveyance of public open space</td>
</tr>
<tr>
<td></td>
<td>- Conveyance of roads</td>
</tr>
<tr>
<td></td>
<td>- Sealing plans of subdivision</td>
</tr>
<tr>
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<td>- Easements</td>
</tr>
<tr>
<td></td>
<td>- Construction documentation</td>
</tr>
<tr>
<td></td>
<td>- Access over adjacent land</td>
</tr>
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<td>- Submission and approval of plans</td>
</tr>
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<td>- Reticulated services</td>
</tr>
<tr>
<td></td>
<td>- Basic - soil and water management plan</td>
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<td></td>
<td>- Trench reinstalment for new/ altered connections</td>
</tr>
<tr>
<td></td>
<td>- Works within/occupation of the road reserve</td>
</tr>
<tr>
<td></td>
<td>- Damage to the council infrastructure</td>
</tr>
<tr>
<td></td>
<td>- Construction of works</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Conditional consent provided. Conditions recommended relating to:</td>
</tr>
<tr>
<td></td>
<td>- No burning of waste</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>Conditional consent provided. Conditions recommended relating to:</td>
</tr>
<tr>
<td></td>
<td>- Street landscaping plan</td>
</tr>
<tr>
<td></td>
<td>- Revegetation of disturbed areas</td>
</tr>
<tr>
<td></td>
<td>- Protection of public open space</td>
</tr>
<tr>
<td></td>
<td>- Staged landscaping on large estates parks</td>
</tr>
<tr>
<td>Heritage/Urban Design</td>
<td>N/A</td>
</tr>
<tr>
<td>Building and Plumbing</td>
<td>N/A</td>
</tr>
</tbody>
</table>
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

<table>
<thead>
<tr>
<th>EXTERNAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>TasWater</td>
</tr>
<tr>
<td>DIER</td>
</tr>
<tr>
<td>TasFire</td>
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<tr>
<td>Tas Heritage Council</td>
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<tr>
<td>Crown Land</td>
</tr>
<tr>
<td>TasRail</td>
</tr>
<tr>
<td>EPA</td>
</tr>
<tr>
<td>Aurora</td>
</tr>
</tbody>
</table>

5. CONCLUSION

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

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.
8.3 Amendment 35 - Rezoning the Land From Low Density Residential Zone to General Residential Zone; and Text Amendment for the Standard F4.3.1 Subdivision Under Hillary Street Specific Area Plan. Development Application: Subdivision - Residential - 47 Benvenue Road, St Leonards ...(Cont’d)

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Leanne Hurst: Director Development Services

ATTACHMENTS:

1. The Locality Plan (distributed electronically)
2. Subdivision Plan and the applicant Report (distributed electronically)
3. Rezoning amendment (distributed electronically)
8.4 Amendment 31 - Partial Change in Zoning from Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4)

FILE NO: DA0441/2016/SF6525

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

1. To decide whether to reject or exhibit Amendment 31 for a partial change in zoning from Rural Resource to Rural Living at 135 Rostella Road, Dilston; and
2. To make a decision on Development Application DA0441/2016 for Subdivision to create 4 lots.

PLANNING APPLICATION INFORMATION:
Applicant: Colin Smith - Woolcott Surveys
Address: 135 Rostella Road, Dilston
Area of the Site: 115.63 hectares
Existing Zone: Rural Resource
Existing Use: Rural Resource, Residential
Receipt Date: 21 September 2016

PREVIOUS COUNCIL CONSIDERATION:

1. DA0270/2010 - Subdivision - Subdivide land into 2 lots plus road (vary minimum low size, Heritage listed building; Area of Regional Significance) - Approved 24/08/2010;
2. DA0599/2010 - Demolition of two existing sheds - Alterations and additions to dwelling (Heritage listed, Area of Regional Significance) - Approved 11/01/2011;
3. DA0180/2007 - Subdivision - subdivide land into 2 lots (vary minimum lot size for lot 1) (park Area of Regional Significance Heritage Listed Place) - Approved 18/05/2007;
4. DA0427/2005 - Extend Dwelling (Heritage Listed Place) - Approved 23/09/2005; and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

RECOMMENDATION:

That Council:

1. Pursuant to the former section 33(3) and section 34 of the Land Use Planning and Approvals Act 1993, initiates Amendment 31 for a change in zoning from Rural Resource to Rural Living at 135 Rostella Road, Dilston (CT38796/1) as show as Attachment 1 to this report (Doc. No.2016-17_Prop_Plan_90916);

2. Pursuant to the former section 35(1)(b) of the Land Use Planning and Approvals Act 1993, certify the draft amendment.

3. Pursuant to section 43A of the Land Use Planning and Approvals Act 1993, approves DA0441/2016 for Subdivision to create 4 lots at 135 Rostella Road, Dilston (CT38796/1) subject to the following conditions;

1. ENDORSED PLANS & DOCUMENTS
The development must be carried out in accordance with the following endorsed plans and documents to the satisfaction of the Planning Authority except where modified by the Permit conditions below:

(a) Application for a Combined Planning Scheme Amendment and Development Application under Section 43A of the Land Use Planning and Approvals Act 1993, prepared by Woolcott Surveys and dated February 2017;

(b) Bushfire Assessment, prepared and signed by Accredited Practitioner Ian Abernethy (BFP 124) on 11/09/2016 was lodged as part of the application;

(c) Job No. 2016-17 - File Name 2016-17_PROP_PLAN_90916, Sheet 1 of 2, dated 09/09/2016 and prepared by Woolcott Surveys; and

(d) Job No. 2016-17 - File Name 2016-17_PROP_PLAN_90916, dated 09/09/2016 and prepared by Woolcott Surveys; and

2. 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.

3. TASWATER
The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00260-LCC) (attached).
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

4. 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.

5. WORKS WITHIN/OCCLUSION 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.

6. 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.
(d) Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

7. 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. 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 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. 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.

9. SECTION 71 AGREEMENT
Prior to the sealing of the final plan, the owner of the land must enter into a Part 5 agreement with Council, to the extent of limiting the use of the three existing dwellings on Lot 1 to a single dwelling and prohibiting the use of the site for multiple dwellings or other uses approved by Council.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Notes

A. General
This permit was issued based on the proposal documents submitted for DA0441/2016.

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 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. Other Approvals
This permit does not imply that any other approval required under any other by-law or legislation has been granted.

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.


Note:
Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015 - Parts 2A and 3 of the former provisions remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1.1 Introduction
An application was lodged under section 43A of the Land Use Planning and Approvals Act 1993 (the Act) for a combined rezoning amendment and development application for a subdivision.

The application proposes to rezone an area of 4.838 hectares from Rural Resource to Rural Living as well as a 4 lot subdivision (Lot 1 - Rostella House, Lot 2 - Farm cottages and outbuilding, Lot 3 Rostella farm and Lot 4 road works).

1.2 Act Requirements

The legislation allows for a combined application for a development permit and a planning scheme amendment to be considered jointly in accordance with section 43A of the Land Use Planning and Approvals Act 1993.

43A. Application for a permit when amendment requested

(1) A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider, in accordance with this Division, an application for a permit which would not be allowed if the planning scheme were not amended as requested.

(2) Where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit referred to in subsection (1) concurrently with the preparation of the requested amendment to the planning scheme.

(3) An application may be made for a permit under this section even if it could not be granted under the existing planning scheme.

The amendment must be decided under Section 33(3) which reads:

33. Request for amendment of planning scheme

(3) A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

...initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.

(3AA) If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must –

(a) initiate the amendment under section 34; and
(b) certify the draft amendment under section 35 – within 42 days of receiving the request or such longer time as the Commission allows.

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in section 32 and 43C of the Act and are set out in detail in a subsequent section of this report.

Section 38 of the Act sets out that after making a decision on an application made under section 43A it is to be publicly advertised for a period of 28 days:

38. Public exhibition of draft amendment

(1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –

(a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and

(b) advertise, as prescribed, the exhibition of the draft amendment.

(2) If the period referred to in subsection (1)(a) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the planning scheme to be amended applies, that period is to be extended by the number of those days.

2. Site Analysis

The site is located at 135 Rostella Road, Dilston. The site contains several buildings including 'Rostella House', a state heritage listed building. There are also several outbuildings and three cottages. The remainder of the site is vacant and utilised for limited grazing purposes.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

The western and southern boundaries of the site follow the Tamar Estuary. Beyond the river to the west is a mixture of rural, rural living and low density residential land. To the south is a mixture of low density residential and general residential land. Further, the site is located within the Dilston Wetland Precinct and is partially subject to flooding. To the east of the site is Rural Living residential lots, with the majority of these lots utilised for residential uses.

3. Existing conditions on the site

3.1 Heritage Values
The subject site is listed as a local heritage place and subject to E13 Local Heritage Cultural Heritage Code. An assessment of the application has been undertaken by the Council's Heritage Planner and is discussed in the development application section of this report. It is also listed on the Tasmanian Heritage Register and comment was sourced from Heritage Tasmania.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

3.2 Scenic Values
The subject site is located within the Dilston Wetlands Precinct 10. Consideration of this is contained in the development application section of the report.

3.3 Land Capability
The subject land is located within Class 4 Land Capability meaning the land is well suited to grazing but which is limited to occasional cropping or a very restricted range of crops. The land proposed to be included in the Rural Living Zone is surrounding the existing houses on the property. The vast majority of the land with rural potential will remain the Rural Resource Zone.

3.4 Environmental Hazards
Part of the subject site is located within the Dilston Wetlands Precinct 10 and Flood Risk Area. Importantly, the areas proposed for residential use are not subject to flood risk which is generally along the water’s edge.

The subject land is not mapped or otherwise known to be subject to other environmental hazards such as landslip or bushfire.

3.5 Infrastructure
The site is connected to reticulated, water and telecommunications services. Stormwater and wastewater is contained on site.

4. Proposal
The draft amendment proposes to rezone an area of 4.838ha from Rural Resource to Rural Living zoned land. This rezoning will allow for the section 43(a) development application to subdivide the land into 4 lots. The following table indicates the proposed lot sizes.

<table>
<thead>
<tr>
<th>Proposed Lot</th>
<th>Size</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3.408 ha</td>
<td>Contains Rostella Homestead and three outbuildings as well as a dam. The site is generally flat with some vegetation closer to the water’s edge.</td>
</tr>
<tr>
<td>2</td>
<td>1.43 ha</td>
<td>Contains three cottages and two outbuildings. The site is generally flat with minor vegetation.</td>
</tr>
<tr>
<td>3</td>
<td>112.6ha</td>
<td>The balance lot contains an active farm with several outbuildings utilised in conjunction with the resource development use.</td>
</tr>
<tr>
<td>4</td>
<td>108m²</td>
<td>A small parcel to help formalise the road.</td>
</tr>
</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

4.1 Landowner Consent
General Manager consent has been granted for the lodgement of the application, as it comprises Council land (the road reserve).

5.0 CONSIDERATIONS FOR THE AMENDMENT

5.1 Consideration of Section 32

32. Requirements for preparation of amendments
(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–
(a) . . . . . . . .
(b) . . . . . . . .
(c) . . . . . . . .
(d) . . . . . . . .
(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and
(ea) must not conflict with the requirements of section 30O; and
(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

Response:
The proposed amendment will allow for the concurrent subdivision of the land to allow the existing buildings to be located on separate titles whilst maintaining the balance land for the continuation of primary industry uses.

The change of zoning is relatively minor relative to the entirety of the site. The proposed Rural Living Zone is continuous with the existing Rural Living zoned land to the north of the site. The change will allow the subdivision to place the existing buildings on site into separate titles, being more consistent within the Rural Living zone rather than the Rural Resource Zone. The residential use is existing on the site and as such, it is considered that the change of use will not conflict with the surrounding land and adjacent area.

5.2 Consideration of Section 30O

In regard to (ea), Section 30O is considered in detail below.

30O. Amendments under Divisions 2 and 2A of interim planning schemes
(1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.

Comment:
Refer to section 6.1 of this report for an assessment of the Northern Regional Land Use Strategy.

(2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if –

(a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and

Comment:
The application is not proposing to amend a local provision or insert a new provision.

(b) the amendment does not revoke or amend an overriding local provision; and

Comment:
The application is not proposing to revoke or amend an overriding local provision.

(c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.

Comment:
The proposal will not affect a local provision.

(3) Subject to section 30EA, an amendment may be made to a local provision if –

(a) the amendment is to the effect that a common provision is not to apply to an area of land; and

Comment:
No part of the proposal is removing any common provisions associated with the land.
The application proposes to amend a portion of land on a large title and is not proposing to insert, remove or alter a local provision, complying with 30O, 2A. The draft amendment is consistent with Northern Regional Land Use Strategy (NRLUS).

5.3 Consideration against Section 43C and the Objectives of the *Land Use Planning and Approvals Act 1993*

43C. Applications referred to in section 43A

(1) In determining an application referred to in section 43A, a planning authority, in its opinion –

(a) must seek to further the objectives set out in Schedule 1; and

(b) must take into consideration such of the prescribed matters as are relevant to the use or development subject of the application.

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

5.3.1 Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity

The amendment will allow for a subdivision to formalise an existing situation. The proposed development does not impact on any significant vegetation or rural pasture land.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water

The change of zoning and subsequent amendment will provide for formalised titles that will result in sustainable development to an existing use.

(c) to encourage public involvement in resource management and planning

The public will have the opportunity to comment on this proposal during the exhibition period which will run for three weeks, should the Council decide to initiate the amendment. The public has the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)

The proposed amendment will allow for four new titles to be formalised without resulting in a significant loss of primary industry land. This will potentially allow future development on the Rural living zoned land for economic development. Further, the formalisation of the lots will help protect the existing heritage significance of the site.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

This application was referred to TasWater and Heritage Tasmania who both provided comments. There are no other relevant agency referrals required. If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective.

5.3.2 Schedule 1, Part 2 - Objectives of the planning process established by the Act

The objectives of Part 2 must also be considered -

(a) to require sound strategic planning and co-ordinated action by State and local government

The amendment is consistent with the objectives of the Launceston Interim Planning Scheme and the Northern Regional Land Use Strategy.

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land

An application made pursuant to Section 43A of the Act must be considered against the objectives of the Act and the planning system of Tasmania more broadly for compliance. The Council must then decide to initiate or reject the amendment on the basis of these considerations.

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

The proposed amendment will not alter the existing situation over the site, but allow for the formalisation of the site. There will be no change to the site however will allow for potential development in the future over the Rural Living land, allowing for future economic growth.

(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels

The proposed amendment complies with the local, regional and state policies.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals

The application is made under former section 43A of the Act and includes a change of zoning to the planning scheme and associated change of use application. This process allows for the concurrent assessment of an application which would otherwise require two separate processes.

(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation

The proposal will allow for potential future development over Rural Living land and not compromise the existing rural resource land.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value

The application was referred to Heritage Tasmania as well as internally referred to Council’s Heritage Planner. Both parties have stated that amendment and subdivision will have no adverse effects on the existing heritage value of the site.

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community

No public infrastructure is being proposed.

(i) to provide a planning framework which fully considers land capability.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Response:
Whilst some rural resource land will be removed and placed into rural living, the site as a whole has looked at the limited opportunity for resource uses based on land capability.

6. Planning Strategies

6.1 Northern Regional Land Use Strategy

The relevant sections of the NRLUS are as follows:

_The Regional Land Use Strategy for Northern Tasmania is a strategic plan for the region’s future development and planning to 2032. It has a 20 year planning time horizon for integrated infrastructure, land use development and transport planning, underpinned by economic development, social and environmental strategies. The strategy will be revised regularly as new evidence based strategic planning investigations and information is made available to provide greater certainty to the strategic planning and development of the region._

_The RLUS seeks to reduce the barriers to investment in ways that are consistent with the vision for the region and other relevant social and environmental strategies. It can do this in a number of ways, including coordinating services to ensure that land for appropriate development is available in the best locations, and ensuring that priority is given to investment that improves the necessary transport, energy and communications infrastructure._

_Within this (rural) land use area there are non-agricultural activities and land uses suitable to be developed on land that is non-productive viable prime rural lands._

The applicant provided the following response:

_The RLUS is a comprehensive, high level land use strategy which has been through a process of public scrutiny and sets a strategic picture for development in the region. The RLUS assists in reducing barriers to investment and creating certainty in the market place. The Strategy recognizes that on rural lands there can be non-agricultural uses where productivity is not compromised. The proposed planning scheme amendment and subdivision will allow an area which currently has a very limited agricultural use to be included with adjacent Rural Living zoned land. The subsequent subdivision will allow existing buildings and use on the site to be located on their own titles._
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Further, the RLUS outlines regional planning policies that relate to rural living development. The following lists the relevant policies and actions, the applicant’s comment and an assessment response.

Table 2 - Assessment of relevant policies and actions under the RLUS

<table>
<thead>
<tr>
<th>Policy/Action</th>
<th>Applicant Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSN-P21 Rural and environmental lifestyle opportunities will be provided outside urban areas.</td>
<td>Comment: The proposed Rural Living Area is outside of an Urban Area.</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-P22 Rural and environmental lifestyle opportunities will reflect established rural residential areas.</td>
<td>Comment: This rezone site is a proposed extension of an existing Rural Living</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-P23 Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.</td>
<td>Comment: This minor extension to an existing Rural Living area will provide a strategic and systematic extension of the rural living zone and will not cause any fragmentation.</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-P24 Growth opportunities for Rural Living and Environmental Living will maximise the efficiency of existing services and infrastructure.</td>
<td>Comment: This proposed rezone and subsequent subdivision will allow the extension of the Rural Living Zone over existing use which mirrors the adjacent land use in the existing Rural Living zone. Only two new water meters will be required and this will maximise the efficiency of the existing services and infrastructure.</td>
<td>Compliant.</td>
</tr>
</tbody>
</table>
Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...

<table>
<thead>
<tr>
<th>RSN-A19 Rural living land use patterns will be identified based on a predominance of residential use on large lots in rural settings with limited service capacity that are outside urban areas.</th>
<th>Comment: The proposed rezone and subsequent subdivision will be a very minor extension to the existing Rural Living Zone and the proposed subdivision Lot sizes will mirror the existing Rural Living Lot sizes adopting this existing pattern of development.</th>
<th>Compliant.</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSN-A20 Planning schemes should prioritise the consolidation of established rural residential areas over the creation of new rural residential areas.</td>
<td>Comment: This proposal proposes as extension to an established Rural Living Zone.</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-A21 Target growth to preferred areas based on local strategy and consolidation of existing land</td>
<td>Comment: The proposed rezone and subdivision aims to create two Rural Living lots around existing uses which conform to the Rural Living zone use table. This consolidates this existing use with the surrounding Rural Living land.</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-A22 Planning scheme provisions must specifically enable subdivision opportunity to preferred areas by setting minimum lots sizes based on locality.</td>
<td>Comment: The proposed Lot sizes in the subdivision met the minimum Lot Size requirements of the Rural Living zone of the Launceston Interim planning scheme 2015.</td>
<td>Compliant.</td>
</tr>
<tr>
<td>RSN-A23 Ensure future locations of the Rural Living zone will not require extension of the Urban Growth Boundary Areas, compromise productivity of agricultural lands and</td>
<td>Comment: As mentioned, the proposed rezone and subsequent subdivision aim to Rezone land which is not suitable for an Agricultural use due to numerous factors. This rezone would</td>
<td>Compliant.</td>
</tr>
</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>natural productive resources.</th>
<th>be from Rural Resource to Rural Living. The proposed rezoning and subdivision will better reflect the existing land use and development pattern of the land whilst protecting the Heritage Values of proposed Lot 1.</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSN-A25 Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):</td>
<td>Comment: As mentioned in detail on page 34 of this report, the proposed rezone aims to extend the existing Rural Living Zone by rezoning approximately 4.838 hectares of land from Rural Resource to Rural Living. This area is then proposed to be subdivided into two Lots. These two Lots are currently separated by natural and topographic features and the subdivision looks to formalise this separation. The proposed Lots have existing onsite wastewater systems and have access to Rostella Road. The lots are developed and the subdivision will only require that two new water connections and associated water meters are constructed. The sites have limited agricultural potential due to their size, separation from the main farm, existing building and topography.</td>
</tr>
<tr>
<td>Compliant.</td>
<td></td>
</tr>
</tbody>
</table>

| Consideration of the impact on natural values or the potential land use limitations as a result of natural values; | |
| • Proximity to existing settlements containing social services; | |
| • Access to road infrastructure with capacity; | |
| • Onsite waste water system suitability; | |
| Compliant. | Compliant. |

| Consideration of natural hazard management; | |
| • Existing supply within the region; | |
| Compliant. | Compliant. |
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

- Potential for future requirement for the land for urban purposes; and
- The ability to achieve positive environmental outcomes through the rezoning.

6.2 Parking and Sustainable Transport Strategy
Not Applicable

6.3 Launceston Open Space Strategy 2007
Not Applicable

6.4 Launceston Residential Strategy 2009 - 2029
The strategy aims to comply with state legislation, achieve strategic goals for the city, maintain a viable housing development industry and achieve community benefits.

Policy 13 under the strategy looks at the allocation of vacant residential land. As a planning response to this policy, Council is to use objective, repeatable assessment against sound planning criteria to identify land suitable for residential zoning and restrict the amount of land allocated, and retain the flexibility to be able to respond to the windfall sites or to consider sites not previously considered in the planning scheme.

Under the policy the site is classified as a priority 1 area. Further discussion of the site concludes that given the lack of land for expansion and the problems experienced by the existing development, expansion is not desirable.

However, it is also noted that there are no significant options for further expansion. As previously discussed in this report, the expansion is to formalise existing development, and not provide for new vacant lots for new development. Therefore it can be considered that the expansion is not significant and is formalising an existing residential use, responding to situation which has not previously been considered, and complying with the aims of the strategy.

7.0 State Policies

State policy on the Protection of Agricultural Land 2009
The purpose of this Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular
importance of prime agricultural land. The policy has been addressed by parts of the interim scheme which are assessed to be met.

**State Coastal Policy 1996**
The purpose of the policy is to protect the natural and cultural values of the coast, provide for sustainable use and development of the coast, and promote shared responsibility for its integrated management and protection.

The urban and residential development sustainable development section within the policy states that care will be taken to minimise, or where possibly totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas.

The policy has been addressed by parts of the interim scheme which are assessed to be met. Whilst the proposal will result in residential expansion, it is considered the expansion will not negatively impact on the natural and cultural values of the coast, as the rezoning and subsequent subdivision will help formalise an existing situation.

**State Policy on Water Quality Management 1997**
Addressed by parts of the interim scheme which are assessed to be met.

**National Environment Protection Measures**

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPM) is taken to be a State Policy. The following, therefore, require consideration:

- Ambient air quality 2002
- Diesel vehicle emissions 2001
- Assessment of site contamination 1999
- Used packaging materials 1999
- Movement of controlled waste between States and Territories 1998
- National pollutant inventory 2000

**Gas Pipelines Act 2000**
Not applicable.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

8. Community Feedback

Non-statutory notification letters were sent with no feedback received at the time of writing the report.

9. Referral Agencies

The application was referred to TasWater under section 17 of the Land Use Planning and Approvals Regulations 2004. TasWater has issued its Submission to Planning Authority Notice TWDA No. 2017/00260-LCC) stating that it does not object to the application for amendment and development application and conditions are imposed.

PART B. DEVELOPMENT APPLICATION

9. Planning Scheme Requirements

3.1 Zone Purpose

13.0 Rural Living Zone

13.1.1 Zone Purpose Statements
13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.
13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.
13.1.1.3 To provide for use and development that is compatible with local natural values.

Consistent
Consistency with the Zone Purpose has been achieved as the proposal is for large lots in a rural setting, maintaining the existing residential amenity and doesn't impact on the local values.

Local Area Objectives - There are no local area objectives

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

13.3 Use Standards
There are no applicable use standards.

13.4 Development Standards
13.4.1 Site coverage

Objective:
To ensure that site coverage:
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

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

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

A1 Site coverage must be no greater than 5%.

Complies

Proposed Lot 1
Existing: Contains Rostella Homestead and two outbuildings.
Size: 3.408ha
Site Coverage: 1,182m² (3.4%)

Proposed Lot 2
Existing: Contains three cottages and one outbuilding.
Size: 1.43ha
Site Coverage: 556m² (3.88%)

Proposed Lot 3
Existing: The balance lot containing two rural buildings.
Size: 112.6ha
Site Coverage: 789m² (<1%)

Proposed Lot 4
Existing: Road lot containing no buildings.
Size: 108m²
Site Coverage: N/A

P1 Site coverage must have regard to:
(a) the topography of the site;
(b) the capacity of the site to absorb runoff;
(c) the size and shape of the site;
(d) the existing buildings and any constraints imposed by existing development;
(e) the provision for landscaping and private open space;
(f) the need to remove vegetation;
(g) the site coverage of adjacent lots; and
(h) the character of the surrounding area.

Not Applicable

13.4.4 Lot size and dimensions

Objective:
To ensure:
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(a) the area and dimensions of lots are appropriate for the zone;
(b) rural uses on adjoining land are protected from adverse impacts; and
(c) the protection of a place of Aboriginal, natural or cultural heritage.

Consistent
Consistency with the Objective has been achieved as the proposal is assessed as being consistent with the relevant provisions within the clause.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must have an area of no less than 4ha; or
A1.2 Each lot, or a lot proposed in a plan of subdivision, must:
(a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
(b) be required for the provision of public utilities; or
(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and
A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

Relies on Performance Criteria
Lots 1, 2 and 4 are all below the required 4ha and as such are unable to comply with the Acceptable Solutions and are reliant on the Performance Criteria.

P1.1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:
(a) the relevant acceptable solutions for development of buildings on the lots;
(b) the likely location of buildings on the lots;
(c) the likely provision of on-site parking and manoeuvrability for vehicles;
(d) the topography of the site;
(e) the presence of any natural hazards;
(f) adequate provision of private open space;
(g) fire hazard management;
(h) separation from Rural resource zoned land;
(i) the ability of vegetation to provide buffering;
(j) the existing pattern of development in the area; and be not less than 1ha; or

P1.2 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Complies
The applicant provided the following response:

The proposed area and dimensions of the Lots to be subdivided in this proposal are in line with the other adjacent Rural Living Titles. Lot 1 contains an existing Heritage Listed dwelling and the subdivision aims to consolidate the Heritage Place onto its own title to help protect the Heritage qualities of the site. Lot 2 also contains existing cottages. The adjoining Rural Land is only used for limited grazing and sufficient buffers exist from existing Building to this Use. The owner has planted trees along the access way for proposed Lot 1 and in years to come as these grow they will provide additional natural vegetation buffers between Lot 2 and the grazing use. The proposal meets the objectives of the zone for Lot Size and dimensions.

The applicant's justification is accepted. The buildings on each lot are existing and the proposed subdivision has been undertaken to formalise each of these uses. Whilst below the desired size, each lot has provided lots of a useable dimension and sufficient separation from rural resource land. The subdivision is following the existing arrangements on site.

The proposal complies with the Performance Criteria.

13.4.5 Frontage and access

Objective:
To ensure that lots:
(a) provide appropriate frontage to a road;
(b) provide safe and appropriate access suitable for the intended use.

Consistent
Consistency with the Objective has been achieved as the proposal is assessed as being consistent with the relevant provisions within the clause.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 4m.

Complies
Each lot has a 4m frontage to a road.

P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:
(a) the width of frontage proposed, if any;
(b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage;
(c) the number of immediately adjacent rights-of-carriageway;
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(d) the topography of the site;
(e) the proposed use of the lot;
(f) the construction and maintenance of the road;
(g) the existing pattern of development in the surrounding area; and
(h) the advice of the road authority.

Not Applicable

A2 No acceptable solution.

Relies on Performance Criteria

P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:
(a) the topography of the site;
(b) the length of the access;
(c) the distance between the lot or building area and the carriageway;
(d) the nature of the road and the traffic;
(e) the character of the area; and
(f) the advice of the road authority.

Complies

Each lot has a 4m frontage to a road with sufficient access to allow vehicles to enter the site directly from the road. The topography is largely flat. There are no further safety issues for vehicles accessing the site.

13.4.6 Discharge of stormwater

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

Consistent

Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause. Specifically, due to being relatively large lots and close to the river, there is sufficient area for onsite stormwater retention as well as natural drainage lines to the river.

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

Relies on Performance Criteria

P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to
(a) the location of the discharge point (if any);
(b) the stormwater flow paths both internal and external to the site;
(c) the location of building areas within the site;
(d) the topography of the site;
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(e) the characteristics of the site, including rainfall;
(f) the development of the site and adjoining land;
(g) the additional runoff from the subdivision development and likely future development of the land; and
(h) any onsite storage devices, detention basins or other design techniques within the subdivision.

Complies
All lots have existing buildings and stormwater is disposed of onsite and by natural overland paths to the river. It is noted that each lot has sufficient room for onsite retention for future development.

A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

Not Applicable
P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:
(a) the location of the discharge point (if any);
(b) the stormwater flow paths both internal and external to the site;
(c) the topography of the site;
(d) the characteristics of the site, including rainfall;
(e) the development of the site;
(f) the additional runoff from the subdivision development and likely future development of the land; and
(g) any onsite storage devices, detention basins or other design techniques within the subdivision.

Not Applicable

13.4.7 Water and sewerage services

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

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

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

Complies
Each lot is capable of being services by reticulated water.

P1 Where reticulated water services are not proposed to be connected, it must be demonstrated that the lots are in a locality where reticulated services are not available or capable of being connected.
### 8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A2</td>
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<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
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<tbody>
<tr>
<td>P2</td>
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<table>
<thead>
<tr>
<th>Complies</th>
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<tbody>
<tr>
<td>All lots have existing buildings and wastewater is disposed of onsite through existing systems. It is noted that each lot has sufficient room for onsite retention for future development.</td>
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</table>

#### 13.4.8 Local natural values

**Objective:**
To ensure that subdivision works minimise the impact on local natural values.

<table>
<thead>
<tr>
<th>Consistent</th>
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</thead>
<tbody>
<tr>
<td>Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause. Minimal work is being proposed and this does not impact on the natural values of the site.</td>
</tr>
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</table>

| A1 | The subdivision does not include any road or other works. |

<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
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<tr>
<td>P1</td>
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<td>(a)</td>
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<td>(b)</td>
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<td>(c)</td>
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<td>(e)</td>
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<td>(f)</td>
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<table>
<thead>
<tr>
<th>Complies</th>
</tr>
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<tbody>
<tr>
<td>The applicant provided the following justification:</td>
</tr>
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</table>

*Minimal works will be required as a result of this subdivision. It is proposed that new water meters will be required for Lot 2 and the balance farm Lot. All other services and driveways are in place. The works will require minimal trenching within the roadway. These works will be completed by TAS Water and any disturbance in the roadway will be reinstated by TAS Water.*
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ... (Cont’d)

The works will be undertaken as not to affect any flora or fauna within the area. The proposal complies with the Performance Criteria.

26.0 Rural Resource Zone

26.1.1 Zone Purpose Statements
26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
26.1.1.3 To provide for uses that add value to primary industries.
26.1.1.4 To provide for uses that support or service rural communities.

Consistent
The proposed subdivision will maintain the majority use of the land for agricultural grazing purposes.

Local Area Objectives - There are no local area objectives

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

26.3 Use Standards
26.3.1 Location and intensity

Objective:
To:
(a) protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated;
(b) minimise the conversion of non-prime agricultural land to non-primary industry uses;
(c) ensure that non-primary industry uses are located appropriate to the zone;
(d) discourage non-primary industry uses that can be reasonably located on land zoned for that purpose;
(e) provide for uses that are co-located with a dwelling and are of similar intensity to a home-based business;
(f) provide for tourism uses to enhance the experience and promotion of touring routes and natural and cultural features;
(g) locate uses so that they do not unreasonably confine or restrain the operation of primary industry uses; and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(h) provide for uses that are suitable in the locality and do not create an unreasonable adverse impact on existing uses or local infrastructure.

Consistent
The subdivision will maintain that the majority of the suite is utilised for resource development uses.

A1 If for permitted or no permit required uses.

Complies
The balance is to be retained in the Rural Resource Zone and will be maintained for resource development which is a No Permit Requires use in the zone.

P1 Uses (except for a single dwelling) are established at a location and at an intensity that is appropriate in the zone, having regard to:

<table>
<thead>
<tr>
<th>(a)</th>
<th>the nature of the use, including:</th>
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<tbody>
<tr>
<td>(i)</td>
<td>the scale and extent of the use;</td>
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<tr>
<td>(ii)</td>
<td>the utilisation of existing buildings and infrastructure;</td>
</tr>
<tr>
<td>(iii)</td>
<td>the number of employees;</td>
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<tr>
<td>(iv)</td>
<td>the customer visitation and deliveries;</td>
</tr>
<tr>
<td>(v)</td>
<td>the hours of operation;</td>
</tr>
<tr>
<td>(vi)</td>
<td>the nature of any emissions;</td>
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<tr>
<td>(vii)</td>
<td>external storage of goods, materials or waste; and</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>(b)</th>
<th>the area of the site proposed to be used, including:</th>
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<tbody>
<tr>
<td>(i)</td>
<td>the existing use and development;</td>
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<tr>
<td>(ii)</td>
<td>the surrounding use and development;</td>
</tr>
<tr>
<td>(iii)</td>
<td>its capacity for productive agricultural use;</td>
</tr>
<tr>
<td>(iv)</td>
<td>the topography of the site;</td>
</tr>
<tr>
<td>(v)</td>
<td>current irrigation practices and the potential for irrigation;</td>
</tr>
<tr>
<td>(vi)</td>
<td>the effect, if any, of the loss of the site on the continuing or potential agricultural use of the site and the surrounding area; and</td>
</tr>
</tbody>
</table>

| (c) | the potential to confine or constrain adjoining primary industry uses; |
| (d) | the location being reasonably required for operational efficiency; |
| (e) | the need to locate on the site; |
| (f) | the capacity of the local road network to accommodate the traffic generated by the use; and |
| (g) | the capability of the site to accommodate all aspects of the use. |

Not Applicable

A2 If for permitted or no permit required uses.

Complies
The balance area will be maintained for Resource Development use which is a No Permit Required use in the zone.

P2.1 Use of prime agricultural land for Utilities, Extractive industry and controlled environment agriculture not dependent on the soil as a growth medium must be minimised, having regard to:
8.4  Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(a) the area of land converted;
(b) impacts on surrounding agricultural use; and
(c) the location being reasonably required for operational efficiency; or

P2.2 Use of prime agricultural land for uses other than Utilities, Extractive industry or controlled environment agriculture not dependent on the soil as a growth medium uses, must demonstrate a significant benefit to the northern region having regard to the economic, social and environmental costs and benefits of the proposed use.

Not Applicable

26.4 Development Standards
26.4.2 Lot size and dimensions

Objective:
To ensure that subdivision is only to:
(a) improve the productive capacity of land for primary industry uses; or
(b) enable Resource processing use where compatible with the zone; or
(c) facilitate use and development for allowable uses in the zone; and
(d) enable natural and cultural heritage protection.

Consistent
The subdivision will maintain the balance area for Resource Development use whilst excising off existing development to establish new lots in the proposed Rural Living area.

A1.1 Each lot, or a lot on a plan of subdivision, must:
(a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
(b) be required for the provision of public utilities; or
(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and

A1.2 Lots must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

Complies
The Rural Resource zoned balance lot contains outbuildings associated with the existing resource use.

P1.1 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions suitable for Resource development use, having regard to:
(a) not materially diminishing the productivity of the land;
(b) the capacity of the new lots and the balance lot for productive agricultural use;
(c) any topographical constraints to agricultural use;
(d) current irrigation practices and the potential for irrigation; and
(e) have an area of no less than 35ha and be able to contain a minimum inscribed circle of no less than 100m in diameter; or
P1.2 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions that comply with a non-Resource development use other than Residential uses, approved under this scheme, having regard to:
(a) the development area of the approved use; and
(b) any conditions of approval; or

P1.3 Each lot, or a lot on a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage; or

P1.4 A dwelling existing at the effective date, may be excised, where:
(a) the balance land is no less than 35ha, or through consolidation with adjoining land is no less than 35ha;
(b) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use where there is no dwelling on the balance lot;
(c) any existing dwellings must meet the performance criteria for setback standards to new boundaries of clause 26.4.1; and
(d) excised lots are no greater than 12.5ha; or

P1.5 Subdivision not creating additional lots and not meeting the requirements of clause 9.3 may be approved, having regard to:
(a) the size, shape and orientation of the lots;
(b) the setback to any existing buildings;
(c) the capacity of the lots for productive agricultural use;
(d) any topographical constraints to agricultural use; and
(e) Current irrigation practices and the potential for irrigation.

Not Applicable

26.4.3 Frontage and access

Objective:
To ensure that lots provide:
(a) appropriate frontage to a road; and
(b) safe and appropriate access suitable for the intended use.

Consistent
The lot has access to Rostella Road.

A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.

Not Applicable
P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage,
or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:
(a) the width of frontage proposed, if any;
(b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage;
(c) the number of immediately adjacent rights-of-carriageway;
(d) the topography of the site;
(e) the proposed use of the lot;
(f) the construction and maintenance of the road;
(g) the existing pattern of development in the surrounding area; and
(h) The advice of the road authority.

Not Applicable
A2 No acceptable solution.

Not Applicable
P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:
(a) the topography of the site;
(b) the distance between the lot or building area and the carriageway;
(c) the nature of the road and the traffic;
(d) the character of the area; and
(e) the advice of the road authority.

Not Applicable

26.4.4 Wastewater management

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

Consistent
The Rural Resource lot has sufficient area for onsite wastewater.

A1 No acceptable solution.

Relies on Performance Criteria

P1 It must be demonstrated that each lot, or a lot proposed in a plan of subdivision, is capable of accommodating an on-site wastewater management system for the intended use, which does not have adverse environmental impacts.

Not Applicable
The Rural Resource lot has sufficient area for onsite wastewater.

E1.0 Bushfire-Prone Areas Code

E1.1 The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

property, and the cost to the community, caused by bushfires.

**Consistent**
Consistency with the Code Purpose has been achieved as the proposal assessed as being consistent with the relevant provisions within the code.

**E1.5 Use Standards**

**E1.5.1 Vulnerable Uses**

**E1.5.1.1 Standards for vulnerable uses**

<table>
<thead>
<tr>
<th>Objective:</th>
<th>Only in exceptional circumstances should vulnerable uses be located on land which is within a bushfire-prone area. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reduce the risk to firefighters, and must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:</th>
</tr>
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<tbody>
<tr>
<td>(a)</td>
<td>protect themselves and defend property from bushfire attack;</td>
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<tr>
<td>(b)</td>
<td>evacuate in an emergency; and</td>
</tr>
<tr>
<td>(c)</td>
<td>understand and respond to instructions in the event of a bushfire.</td>
</tr>
</tbody>
</table>

**Not Applicable**

**A1 No acceptable solution**

**Not Applicable**

**P1 Where a vulnerable use is proposed to be located in a bushfire-prone area it must be demonstrated that:**

| (a) | there is an overriding benefit to the community; |
| (b) | there is no suitable alternative lower-risk site; and |
| (c) | the bushfire risk can be managed to an acceptable level having regard to any advice from the TFS. |

**Not Applicable**

**A2.1 A bushfire hazard management plan that contains appropriate bushfire protection measures that:**

| (a) | addresses the characteristics, nature and scale of the vulnerable use; |
| (b) | addresses the characteristics of its occupants of the vulnerable use; |
| (c) | addresses the nature and extent of the surrounding bushfire-prone vegetation; and |
| (d) | is certified by the TFS or an accredited person. |

**A2.2 An emergency plan which:**

| (a) | is consistent with TFS Bushfire Emergency Planning Guidelines; |
| (b) | complies with AS 3745-2010 Planning for emergencies in facilities; |
| (c) | if applicable, complies with AS 4083-2010 Planning for emergencies - Health care facilities; and |
| (d) | is approved by the TFS. |
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Not Applicable
P2 No performance criteria
Not Applicable

E1.5.2 Hazardous Uses
E1.5.2.1 Standards for hazardous uses

Objective:
Only in exceptional circumstances should hazardous uses be located on land which is within a bushfire-prone area. If a hazardous use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and take into consideration the characteristics, nature and scale of the use to:
(a) prevent the hazardous use from contributing to the spread or intensification of bushfire;
(b) limit the potential for bushfire to be ignited on the site;
(c) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and
(d) reduce the risk to firefighters.
Not Applicable
A1 No acceptable solution
Not Applicable
P1 Where a hazardous use is proposed to be located in a bushfire-prone area it must be demonstrated that:
(a) there is an overriding benefit to the community;
(b) there is no suitable alternative lower-risk site; and
(c) the bushfire risk can be managed to an acceptable level having regard to any advice from the TFS.
Not Applicable
A2.1 A bushfire hazard management plan that contains appropriate bushfire protection measures that:
(a) addresses the characteristic, nature and scale of the hazardous use;
(b) addresses the nature and extent of the surrounding bushfire-prone vegetation;
(c) that takes into consideration;
   (i) exposure to hazardous chemicals;
   (ii) ignition potential from the site; and
   (iii) flammable material contributing to the intensification of a fire; and
(d) is certified by the TFS or an accredited person.

A2.2 An emergency plan which:
(a) is consistent with TFS Bushfire Emergency Planning Guidelines; and
(b) complies with AS 3745-2010 Planning for emergencies in facilities; and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(c) if applicable, complies with AS 4083-2010 Planning for emergencies - Health care facilities; and
(d) is approved by TFS.

Not Applicable
P2 No performance criteria
Not Applicable

E1.6 Development Standards

E1.6.1 Development standards for subdivision
E1.6.1.1 Subdivision: Provision of hazard management areas

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

Consistent
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause by providing a bushfire assessment through an accredited practitioner that has looked at a facilitated approach between the subdivision and existing buildings on site.

A1
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
(b) The proposed plan of subdivision:
   (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions;
   (ii) shows the building area for each lot;
   (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
   (iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) …(Cont’d)

(v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Complies
A Bushfire Assessment, prepared and signed by Accredited Practitioner Ian Abernethy (BFP 124) on 11/09/2016 was lodged as part of the application. This report has stated there is insufficient increase in risk from bushfire, complying with A1(a).

P1 A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area taking into consideration:
(a) the dimensions of hazard management areas;
(b) a bushfire risk assessment of each lot at any stage of staged subdivision;
(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;
(d) the topography, including site slope;
(e) any other potential forms of fuel and ignition sources;
(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; and
(g) any advice from the TFS.

Not Applicable

E1.6.1.2 Subdivision: Public and fire-fighting access

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

Consistent
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause as a bushfire assessment through an accredited practitioner that has been submitted stating there is sufficient access into the site.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

A1
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or
(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.

Complies
A Bushfire Assessment, prepared and signed by Accredited Practitioner Ian Abernethy (BFP 124) on 11/09/2016 was lodged as part of the application. This report has stated there is insufficient increase in risk from bushfire, complying with A1(a).

P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires having regard to:
(a) appropriate design measures, including:
   (i) two way traffic;
   (ii) all weather surfaces;
   (iii) height and width of any vegetation clearances;
   (iv) load capacity;
   (v) provision of passing bays;
   (vi) traffic control devices;
   (vii) geometry, alignment and slope of roads, tracks and trails;
   (viii) use of through roads to provide for connectivity;
   (ix) limits on the length of cul-de-sacs and dead-end roads;
   (x) provision of turning areas;
   (xi) provision for parking areas;
   (xii) perimeter access; and
   (xiii) fire trails; and
(b) the provision of access to
   (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and
   (ii) fire-fighting water supplies; and
(c) any advice from the TFS.

Not Applicable

E1.6.1.3 Subdivision: Provision of water supply for fire-fighting purposes

Objective:
Adequate, accessible and reliable water supply for the purposes of fire-fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Consistent
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause as the bushfire assessment provided with the proposal has demonstrated there is no increase in risk and as such allowing for the protection of life and property.

A1 In areas serviced with reticulated water by a Regional Corporation:
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire-fighting purposes; or
(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or
(c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.

Complies
A Bushfire Assessment, prepared and signed by Accredited Practitioner Ian Abernethy (BFP 124) on 11/09/2016 was lodged as part of the application. This report has stated there is insufficient increase in risk from bushfire, complying with A1(a).

P1 No performance criteria

Not Applicable

A2 In areas that are not serviced by reticulated water by the water corporation:
(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire-fighting purposes; or
(b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or the TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire-fighting, will be provided and located compliant with Table E7.

Complies
A Bushfire Assessment, prepared and signed by Accredited Practitioner Ian Abernethy (BFP 124) on 11/09/2016 was lodged as part of the application. This report has stated there is insufficient increase in risk from bushfire, complying with A2(a).

P2 No performance criteria

Not Applicable

E4.0 Road and Railway Assets Code
E4.1 The purpose of this provision is to:
(a) protect the safety and efficiency of the road and railway networks; and
(b) reduce conflicts between sensitive uses and major roads and the rail network.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Consistent
Consistency with the Code Purpose has been achieved as the proposal is consistent with the relevant provisions within the clause as there is no increase to the existing use.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

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

Consistent
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause as there is no increase to the existing use.

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

Complies
The applicant provided the following justification:
"The access points for the proposed Rural Living Lots are existing and already contain buildings. There is no proposed increased use of these access points. The balance Rural Resource Lot will continue to have access points at Rostella Road, Neilly Crescent and Nelson Drive."

The applicant's justification is accepted.

P1 Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:
(a) the increase in traffic caused by the use;
(b) the nature of the traffic generated by the use;
(c) the nature of the road;
(d) the speed limit and traffic flow of the road;
(e) any alternative access to a road;
(f) the need for the use;
(g) any traffic impact assessment; and
(h) any written advice received from the road authority.

Not Applicable
A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10 percent or 10 vehicle movements per day, whichever is the greater.
8.4  Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P2 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:</td>
</tr>
<tr>
<td>(a) the increase in traffic caused by the use;</td>
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<tr>
<td>(b) the nature of the traffic generated by the use;</td>
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<tr>
<td>(c) the nature and efficiency of the access or the junction;</td>
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<tr>
<td>(d) the nature and category of the road;</td>
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<tr>
<td>(e) the speed limit and traffic flow of the road;</td>
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<tr>
<td>(f) any alternative access to a road;</td>
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<tr>
<td>(g) the need for the use;</td>
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<tr>
<td>(h) any traffic impact assessment; and</td>
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<tr>
<td>(i) any written advice received from the road authority.</td>
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<tbody>
<tr>
<td>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20 percent or 40 vehicle movements per day, whichever is the greater.</td>
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<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</td>
</tr>
<tr>
<td>(a) the increase in traffic caused by the use;</td>
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<tr>
<td>(b) the nature of the traffic generated by the use;</td>
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<tr>
<td>(c) the nature and efficiency of the access or the junction;</td>
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<tr>
<td>(d) the nature and category of the road;</td>
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<tr>
<td>(e) the speed limit and traffic flow of the road;</td>
</tr>
<tr>
<td>(f) any alternative access to a road;</td>
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<tr>
<td>(g) the need for the use;</td>
</tr>
<tr>
<td>(h) any traffic impact assessment; and</td>
</tr>
<tr>
<td>(i) any written advice received from the road authority.</td>
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<tr>
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<tbody>
<tr>
<td>E4.5.2 Existing level crossings</td>
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<tr>
<td>Objective:</td>
</tr>
<tr>
<td>To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.</td>
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</table>

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<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10 percent or 10 vehicle movements per day, whichever is the greater.</td>
</tr>
</tbody>
</table>
8.4  Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 Any increase in vehicle traffic at an existing access across part of a rail network, must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:</td>
</tr>
<tr>
<td>(a) the increase in traffic caused by the use;</td>
</tr>
<tr>
<td>(b) the nature of the traffic generated by the use;</td>
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<tr>
<td>(c) the use and frequency of the rail network;</td>
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<tr>
<td>(d) any alternative access;</td>
</tr>
<tr>
<td>(e) the need for the use;</td>
</tr>
<tr>
<td>(f) any traffic impact assessment; and</td>
</tr>
<tr>
<td>(g) any written advice received from the rail authority.</td>
</tr>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>E4.6 Development Standards</td>
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<table>
<thead>
<tr>
<th>E4.6.1 Development adjacent to roads and railways</th>
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<tbody>
<tr>
<td>Objective:</td>
</tr>
<tr>
<td>To ensure that development adjacent to category 1 or category 2 roads or the rail network:</td>
</tr>
<tr>
<td>(a) ensures the safe and efficient operation of roads and the rail network;</td>
</tr>
<tr>
<td>(b) allows for future road and rail widening, realignment and upgrading; and</td>
</tr>
<tr>
<td>(c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.</td>
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<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:</td>
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<tr>
<td>(a) new buildings;</td>
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<td>(b) the road or earth works; and</td>
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<tr>
<td>(c) building envelopes on new lots.</td>
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</tbody>
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<tr>
<th>A1.2 Buildings must be:</th>
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<tbody>
<tr>
<td>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or</td>
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<tr>
<td>(b) an extension which extends no closer than:</td>
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<tr>
<td>(i) the existing building; or</td>
</tr>
<tr>
<td>(ii) an immediately adjacent building.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:</td>
</tr>
</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

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

Not Applicable

E4.6.2 Road accesses and junctions

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

Not Applicable

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

Not Applicable

P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:
(a) the nature and frequency of the traffic generated by the use;
(b) the nature of the road;
(c) the speed limit and traffic flow of the road;
(d) any alternative access;
(e) the need for the access or junction;
(f) any traffic impact assessment; and
(g) any written advice received from the road authority.

Not Applicable

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

Not Applicable

P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:
(a) the nature and frequency of the traffic generated by the use;
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

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

Not Applicable

E4.6.3 New level crossings

Objective:
To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 Level crossings must be safe and not unreasonably impact on the efficiency of the rail network, having regard to:
(a) the nature and frequency of the traffic generated by the use;
(b) the frequency of use of the rail network;
(c) the location of the level crossing;
(d) any alternative access;
(e) the need for the level crossing;
(f) any traffic impact assessment;
(g) any measures to prevent access to the rail network; and
(h) any written advice received from the rail authority.

Not Applicable

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

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

Consistent

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

A1 Sight distances at:
(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
8.4  Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Complies

The existing access points comply with safe intersection sight distances.

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

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

Not Applicable

E5.0 Flood Prone Areas Code

E5.1 The purpose of this provision is to:

(a) ensure that use or development subject to risk from flooding is appropriately located and managed; and
(b) to minimise the risk of damage or pollution in the event of a flood.

Consistent

Consistency with the Code Purpose has been achieved as the proposal is assessed as being consistent with the relevant provisions within the code.

E5.5 Use Standards

E5.5.1 Risk to sensitive use

Objective:
To minimise the risk of injury to, or loss of human life or damage to property, in relation to sensitive uses in the event of a flood.

Consistent

The existing residential uses are not located in the flood zone, compliant with the objective of the clause.

A1 No acceptable solution.

Not Applicable

P1 Sensitive use must be located to minimise the risk of injury to or loss of human life or damage to property, having regard to:

(a) the need for the location;
(b) the characteristics and scale of the use;
(c) the characteristics of the inundation of the land that is subject to the risk;
(d) the nature and frequency of the inundation;
(e) any measures proposed to mitigate the risk;
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(f) the nature, degree, practicality and obligation for any management activities to mitigate the risk; and
(g) the level of risk identified in any report prepared by a suitably qualified person.

Not Applicable

E5.6 Development Standards

E5.6.1 Development subject to flooding

Objective:
To minimise the risk of injury to, or loss of human life, or damage to property or the environment, by avoiding areas subject to flooding where practicable, or mitigating the adverse impacts of inundation to an acceptable level.

Consistent
Consistency with the Objective has been achieved as the proposal is assessed as being consistent with the relevant provisions within the clause.

A1 No acceptable solution.

Relies on Performance Criteria

P1 It must be demonstrated that the risk of injury to or loss of human life or damage to property or the environment is minimised, having regard to:
(a) the need for the location;
(b) the nature and characteristics of the development;
(c) the scale and intensity of the development;
(d) the characteristics of the inundation of the land that is subject to the risk;
(e) the nature and frequency of the inundation;
(f) the need for and the availability of infrastructure, including access and reticulated services;
(g) accessibility to the development during flooding;
(h) the capacity of the development to withstand flooding;
(i) the capacity of the owner or occupants to respond to or manage the flood risk;
(j) the location of effluent disposal or sewerage reticulation or storage of materials;
(k) the nature of any works required to mitigate the risk;
(l) any mitigation works proposed to be carried out outside the boundaries of the site;
(m) any works interfering with natural watercourse processes or restrictions or changes to flow;
(n) any works resulting in an increase in risk to other buildings, including buildings outside the boundaries of the land; and
(o) any recommendations or advice contained in a report by a suitably qualified person.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Complies
The applicant has provided the following justification:

The proposed subdivision does include land which contains coast line which has areas which are located in areas mapped as Flood Prone. Proposed Lots 1 and 2 have existing buildings all of which are above 5.0M AHD83 elevation. These areas of existing development are not located in a Flood Risk Area. The proposal is for a subdivision only and there will be no increased Flood Risk as a result of this subdivision. The area contained in the Flood Prone Risk overlay is adjacent to the Tamar River and this area is not developed or proposed to be developed.

The applicant’s justification is accepted. Whilst subdivision is considered development under the scheme, no new buildings are being proposed. The situation is existing and there will be no worsening of the situation. Each lot has a significant area free from flooding to allow use to occur within the limits of the zone controls, including location of effluent disposal.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
(a) ensure that an appropriate level of parking facilities are provided to service use and development;
(b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
(c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
(d) ensure that parking does not adversely impact on the amenity of a locality;
(e) ensure that parking spaces and accesses meet appropriate standards; and
(f) provide for the implementation of parking precinct plans.

Not Applicable

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:
(a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and
(b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and
(c) ensure that vegetation is managed for its contribution to the scenic landscape.

Consistent
Consistency with the Code Purpose has been achieved as the proposal is consistent with the relevant provisions within the clause.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ... (Cont’d)

E7.5 Use Standards
Not used in this Code.

E7.6 Development Standards
E7.6.1 Scenic road corridor

<table>
<thead>
<tr>
<th>Objective:</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure the visual amenity of the scenic road corridors is managed through appropriate siting and design of development, including subdivision, to provide for views that are significant to the traveller experience and avoid obtrusive visual impacts on skylines, ridge lines and prominent locations.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 Development (not including subdivision), must not be visible when viewed from the scenic road.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
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</thead>
<tbody>
<tr>
<td>P1 The visual impact of development (not including subdivision) should be minimised when viewed from the scenic road, having regard to:</td>
</tr>
<tr>
<td>(a) the impact on skylines, ridge lines and prominent locations;</td>
</tr>
<tr>
<td>(b) the proximity to the scenic road and the impact on views from the road;</td>
</tr>
<tr>
<td>(c) the need for the development to be prominent to the scenic road;</td>
</tr>
<tr>
<td>(d) the specific requirements of the development;</td>
</tr>
<tr>
<td>(e) the retention or establishment of vegetation to provide screening;</td>
</tr>
<tr>
<td>(f) the need to clear existing vegetation;</td>
</tr>
<tr>
<td>(g) the requirements for any hazard management;</td>
</tr>
<tr>
<td>(h) the need for infrastructure services;</td>
</tr>
<tr>
<td>(i) the existing landscape character and the scenic qualities of the site; and</td>
</tr>
<tr>
<td>(j) the design treatment of development including:</td>
</tr>
<tr>
<td>(i) the bulk and form of buildings, including materials and finishes;</td>
</tr>
<tr>
<td>(ii) earthworks for cut or fill; and</td>
</tr>
<tr>
<td>(iii) complementing the physical (built or natural) characteristics of the site.</td>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A2 Subdivision must not alter any boundaries within the scenic road corridor.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>No boundaries are being altered within the scenic road corridor.</td>
</tr>
</tbody>
</table>

| P2 Subdivision that alters any boundaries within the scenic road corridor must have regard to: |
| (a) the size, shape and orientation of the lot; |
| (b) the density of potential development on lots created; |
| (c) the need for the clearance or retention of vegetation; |
| (d) the requirements for any hazard management; |
| (e) the need for infrastructure services; |
| (f) the extent of works required for roads or to gain access to sites, including cut and
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

fill;
(g) the specific requirements of the subdivision;
(h) the physical characteristics of the site and locality;
(i) the pattern of development in the surrounding area; and
(j) the scenic qualities of the site.

Not Applicable

E7.6.2 Scenic management areas

Objective:
The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.

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

A1 No acceptable solution.

Relies on Performance Criteria

P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:
(a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
(b) the impact on skylines, ridgelines and prominent locations;
(c) the nature and extent of existing development on the site;
(d) the retention or establishment of vegetation to provide screening;
(e) the need to clear existing vegetation;
(f) the requirements for any hazard management;
(g) the need for infrastructure services;
(h) the specific requirements of the development;
(i) the location of development to facilitate the retention of trees; and
(j) design treatment of development, including:
   (i) the bulk and form of buildings including materials and finishes;
   (ii) any earthworks for cut or fill;
   (iii) the physical (built or natural) characteristics of the site or area;
   (iv) the nature and character of the existing development; and
   (v) the retention of trees.

Complies
The subdivision is not proposing any alteration to the existing nature of the site as no construction will occur. Therefore, the proposal complies with the Performance Criteria.
Any future development will be assessed on its own merits at the time.

A2 No vegetation is to be removed.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

Complies

No vegetation will be removed.

P2 Development that involves only the clearance or removal of vegetation must have regard to:
(a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
(b) the physical characteristics of the site;
(c) the location of existing buildings;
(d) the type and condition of the existing vegetation;
(e) any proposed revegetation; and
(f) the options for management of the vegetation.

Not Applicable

A3 Subdivision is in accordance with a specific area plan.

Relies on Performance Criteria

P3 Subdivision must have regard to:
(a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
(b) the size, shape and orientation of the lot;
(c) the density of potential development on lots created;
(d) the need for the clearance or retention of vegetation;
(e) the need to retain existing vegetation;
(f) the requirements for any hazard management;
(g) the need for infrastructure services;
(h) the specific requirements of the subdivision;
(i) the extent of works required for roads or to gain access to sites, including any cut and fill;
(j) the physical characteristics of the site and locality;
(k) the existing landscape character;
(l) the scenic qualities of the site; and
(m) any agreement under section 71 of the Act affecting the land.

Complies

The applicant provided the following justification:

The proposed 4 Lot Subdivision proposes to create two new Lots in the Rural Living zone and one Road Lot. Proposed Lot 1 and Lot 2 have existing buildings on the lots and the Lots have been created to ensure that all the Heritage Items and values of significance remain with Lot 1. Lot 2 will contain the balance of area of the Rural Living land within the title. The Lot sizes are in keeping with the development pattern of the adjacent Rural Living lots. No change to the site is proposed and existing vegetation will be retained. The site has existing access points and driveways. New water connections will be required but this is the extent of the required infrastructure.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

The applicant’s justification is accepted. No vegetation is proposed to be removed, the size and orientation of the lots are consistent with other rural living lots within the area and the subdivision will not alter any physical characteristics of the site or the area. The proposal complies with the Performance Criteria.

E9.0 Water Quality Code

E9.1 Purpose of the water quality code

E9.1.1 The purpose of this provision is to:
(a) manage adverse impacts on wetlands and watercourses.

E9.6.1 Development in the vicinity of a watercourses and wetlands

Objective:
To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.

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

A1
No acceptable solutions.

Relies on Performance Criteria

P1
Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:
(a) the topography of the site;
(b) the potential for erosion;
(c) the potential for siltation and sedimentation;
(d) the risk of flood;
(e) the impact of the removal of vegetation on hydrology;
(f) the natural values of the vegetation and the land;
(g) the scale of the development;
(h) the method of works, including vegetation removal and the machinery used;
(i) any measures to mitigate impacts;
(j) any remediation measures proposed;
(k) any soil and water management plan; and
(l) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.

Complies

The applicant provided the following justification:

The proposed 4 Lot Subdivision proposes to create 2 new Rural Living Lots around
existing buildings and use. Proposed Lot 1 contains a Heritage Listed Place and proposed

Lot 2 contains three existing cottages. The areas on these two lots containing the existing dwellings are well above elevations that would be considered at risk from flood. No vegetation is proposed to be removed as part of this subdivision. No change to the site is proposed apart from installing new water meter and water connections. No change to the existing on-site stormwater disposal is proposed and the existing systems are working well in this regard.

The applicant's justification is accepted. The proposal is for a subdivision to formalise titles that contain existing buildings. As such there will be no further impact on the waterways.

The proposal complies with the Performance Criteria.

**E9.6.2 Development of watercourses and wetlands**

Objective:
To protect watercourses and wetlands from the effects of development and minimise water quality degradation.

Consistent
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause as no new construction is being proposed that will affect the watercourse.

**A1**
A wetland must not be altered, modified, filled, drained, piped or channelled.

Not Applicable

**P1**
No performance criteria.

Not Applicable

**A2**
A pipe or culvert crossing of a watercourse for access purposes.

Not Applicable

**P2**
Development within a watercourse must not unreasonably impact the water quality or ecological values of the watercourse, having regard to
(a) the topography of the site;
(b) the potential for erosion;
(c) the potential for siltation and sedimentation;
(d) the potential for dust generation;
(e) the impact on hydrology;
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

| (f) | the risk of flood; |
| (g) | the natural values of the watercourse; |
| (h) | the scale of the development; |
| (i) | the method of development, including any vegetation removal and the machinery use; |
| (j) | the need for development; |
| (k) | any measures to mitigate impacts; |
| (l) | any remediation measures proposed; and |
| (m) | any soil and water management plan; and |
| (n) | the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual. |

**Not Applicable**

**E9.6.3 Discharges to watercourses and wetlands**

**Objective:**
To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.

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

**A1**
All stormwater discharge must be:
(a) connected to the public stormwater system; or
(b) diverted to an on-site system that contains stormwater within the site.

**Complies**
No construction is proposed and stormwater will utilise the existing on-site retention system currently in place.

**P1**
Stormwater discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:
(a) the characteristics, volume and flow rates of the discharge; 
(b) the characteristics of the receiving waters; 
(c) the potential for erosion; 
(d) the potential for siltation and sedimentation; 
(e) the impact on hydrology; 
(f) any measures to mitigate impacts; and 
(g) any soil and water management plan.

**Not Applicable**

**A2.1**
No new point source pollution discharging directly into a watercourse or wetland.

**A2.2**
For existing point source pollution discharges into a watercourse or wetland, there is no
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

more than a 10 percent increase in the volume or characteristics of the discharge that existed at the effective date.

Not Applicable

P2
New and existing point source pollution discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:

(a) the characteristics, volume and flow rates of the discharge;
(b) the characteristics of the receiving waters;
(c) the impact on hydrology;
(d) the opportunities to recycle or reuse the discharge;
(e) any measures to mitigate impacts;
(f) best practice environmental management; and
(g) any emission limit guidelines or protected environmental values or water quality objectives issued by the Board of Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.

Not Applicable

E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

(a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
(b) encourage and facilitate the continued use of these places;
(c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and
(d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

Consistent

Consistency with the Code Purpose has been achieved as the proposal is consistent with the relevant provisions within the code as no new buildings or alterations to existing buildings is being proposed and the subdivision will better facilitate the existing and continued use of the site.

E13.5 Use Standards
There are no use standards in this Code.

E13.6 Development Standards
E13.6.1 Demolition

Objective:
To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 No acceptable solution.</td>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</td>
</tr>
<tr>
<td>(a) the physical condition of the local heritage place;</td>
</tr>
<tr>
<td>(b) the extent and rate of deterioration of the building or structure;</td>
</tr>
<tr>
<td>(c) the safety of the building or structure;</td>
</tr>
<tr>
<td>(d) the streetscape or setting in which the building or structure is located;</td>
</tr>
<tr>
<td>(e) the cultural heritage values of the local heritage place;</td>
</tr>
<tr>
<td>(f) the need for the development;</td>
</tr>
<tr>
<td>(g) any options to reduce or mitigate deterioration;</td>
</tr>
<tr>
<td>(h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and</td>
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<tr>
<td>(i) any overriding economic considerations.</td>
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<tr>
<th>Not Applicable</th>
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E13.6.2 Maintenance and repair

Objective:
To ensure that maintenance and repair of heritage buildings are constructed and undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places.

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 New materials and finishes match or are similar to the materials and finishes that are being replaced.</td>
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<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 No performance criteria.</td>
</tr>
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| Not Applicable     |

E13.6.3 Lot size and dimensions and frontage

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

<table>
<thead>
<tr>
<th>Consistent</th>
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</thead>
<tbody>
<tr>
<td>Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause.</td>
</tr>
</tbody>
</table>

| A1 No acceptable solution. |

| Relies on Performance Criteria |
| P1 Subdivision must not unreasonably impact on the historic cultural heritage |
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

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

Complies
The applicant provided the following justification:

Chris Bonner at Heritage Tasmania has been contacted in regard to the Subdivision proposal and his recommendations have been taken into account when constructing the Lot layout for this proposed subdivision (See Annexure 2). “Rostella House’ is an isolated local Heritage Place and all items with historic context to the ‘Place’ have been included within Lot 1. Sufficient buffers around the existing buildings are in place to protect the amenity of the Historic Place. No removal of vegetation is proposed. The two lots to be created in the Rural Living zone have existing buildings and the proposed subdivision lot sizes will provide sufficient area for these uses. The uses on the site are currently separated by a Historic Hawthorn Hedge and the new boundary between Lot 1 and Lot 2 will be 3m to the east of this hedge as requested by Heritage Tasmania.

The Tasmanian Heritage Council offered no objection stating:

We understand this application has been made under section 43A of LUPAA, as a combined scheme amendment (re zoning) and permit. The application is not as a discretionary permit application under section 57 of LUPAA. The usual provisions in Part 6 of the Historic Cultural Heritage Act 1995 (section 36), relating to the Heritage Council’s interest and consideration of the discretionary permit application (under section 57 of LUPAA) cannot apply. I can advise that we have no objection to the proposed subdivision, as the subdivision boundary appears to be consistent with the subdivision previously approved by the Heritage Council in WA3626 (DA0270/2010, 14/07/2010).
We encourage the applicant to consult Heritage Tasmania for a review of the Registered title boundary once (and if) the new titles are sealed. Future work to any of the subdivided lots will remain subject to heritage approval until the Registration is reviewed.

Further, Council's Heritage Planner provided the following assessment:

The rezoning and subdivision proposed is not considered to be detrimental to the heritage values of the ‘Rostella’ property or to have any other negative consequence in regard to heritage or urban design for this area. Please note that all the resultant lots will remain listed on the Tasmanian Heritage Register at the state level, and at the local level, within the planning scheme. This would only be altered if applied for, and if at such a time it may be assessed as being appropriate to do so. The new title boundaries appear to be consistent with the existing fence lines, which have served as boundaries for some time, and these boundaries also appear to be consistent with the subdivision previously approved for the property. The change of zoning proposed for the smaller lots appears to suit the current and past residential uses of this land, and as the whole property is heritage listed, this change to Rural Residential is not considered to pose any direct threat to the heritage values or character of the existing buildings or the subject land. The retention of the Rural Resource zoning on the larger lot, with the heritage listing maintained, is also considered not to be detrimental to the heritage values of the site.

Accordingly, through reliance on the advice of qualified heritage planners, it is considered that the proposal complies with the Performance Criteria.

E13.6.4 Site coverage

<table>
<thead>
<tr>
<th>Objective:</th>
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<tbody>
<tr>
<td>To ensure that site coverage is compatible with the historic cultural heritage significance of local heritage places.</td>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 No acceptable solution.</td>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to:</td>
</tr>
<tr>
<td>(a) the topography of the site;</td>
</tr>
<tr>
<td>(b) the cultural heritage values of the local heritage place and setting;</td>
</tr>
<tr>
<td>(c) the site coverage of buildings on sites in the surrounding area; and</td>
</tr>
</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(d) the pattern of development in the surrounding area.

Not Applicable

E13.6.5 Height and bulk of buildings

Objective:
To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:
(a) the cultural heritage values of the local heritage place and setting;
(b) the character and appearance of the existing building or place;
(c) the height and bulk of other buildings in the surrounding area;
(d) the historic cultural heritage significance of adjacent places; and
(e) the streetscape.

Not Applicable

E13.6.6 Site of buildings and structure

Objective:
To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to:
(a) the cultural heritage values of the local heritage place and setting;
(b) the topography of the site;
(c) the size, shape, and orientation of the lot;
(d) the setbacks of other buildings in the surrounding area;
(e) the historic cultural heritage significance of adjacent places; and
(f) the streetscape.

Not Applicable

E13.6.7 Fences

Objective:
To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their setting.
8.4  Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A1 New fences must be designed and constructed to match existing original fences on the site.</td>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P1 New fences must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:</td>
</tr>
<tr>
<td>(a) the cultural heritage values of the local heritage place and setting;</td>
</tr>
<tr>
<td>(b) the architectural style of the dominant building on the site;</td>
</tr>
<tr>
<td>(c) the dominant fencing style in the setting; and</td>
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<tr>
<td>(d) the original or previous fences on the site.</td>
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<tr>
<td>E13.6.8 Roof form and materials</td>
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<tr>
<td>Objective:</td>
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<tr>
<td>To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</td>
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<td>A1 No acceptable solution.</td>
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<th>Not Applicable</th>
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<tr>
<td>P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to:</td>
</tr>
<tr>
<td>(a) the cultural heritage values of the local heritage place and setting;</td>
</tr>
<tr>
<td>(b) the design, period of construction and materials of the dominant building on the site;</td>
</tr>
<tr>
<td>(c) the dominant roofing style and materials in the setting; and</td>
</tr>
<tr>
<td>(d) the streetscape.</td>
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<tr>
<td>E13.6.9 Wall materials</td>
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<tr>
<td>Objective:</td>
</tr>
<tr>
<td>To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</td>
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<tbody>
<tr>
<td>A1 No acceptable solution.</td>
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<tbody>
<tr>
<td>P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:</td>
</tr>
<tr>
<td>(a) the cultural heritage values of the local heritage place and setting;</td>
</tr>
<tr>
<td>(b) the design, period of construction and materials of the dominant building on the site;</td>
</tr>
</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(c) the dominant wall materials in the setting; and
(d) the streetscape.

Not Applicable

E13.6.10 Outbuildings and structures

Objective:
To ensure that the siting of outbuildings and structures are compatible with the historic heritage significance of local heritage places and their settings.

Not Applicable

A1 Outbuildings and structures must:
(a) not be located in the front setback;
(b) not visible from any road, or public park or reserve;
(c) have no side longer than 3m;
(d) have a gross floor area less than 9m² and a combined total area not exceeding 20m²;
(e) have a maximum height less than 2.4m above natural ground level;
(f) not have a maximum change of level as a result of cut or fill of greater than 1m; and
(g) not encroach on any service easement or be located within 1m of any underground service.

Not Applicable

P1 Outbuildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:
(a) the cultural heritage values of the local heritage place and setting;
(b) the location of existing infrastructure services;
(c) the bulk, form and size of buildings on the site;
(d) the bulk, form and size of the outbuilding or structure;
(e) the external materials, finishes and decoration of the outbuilding or structure; and
(f) the visibility of the outbuilding or structure from any road, public park or reserve.

Not Applicable

E13.6.11 Driveways and parking

Objective:
To ensure that driveways and parking are compatible with the historic heritage significance of local heritage places and their settings.

Not Applicable

A1 Car parking areas for non-residential purposes must be located behind the primary buildings on the site.

Not Applicable

P1 Driveways and car parking areas for non-residential purposes must be compatible
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

with the historic cultural heritage significance of a local heritage place and its setting, having regard to:
(a) the cultural heritage values of the local heritage place and setting;
(b) the loss of any building fabric;
(c) the removal of gardens or vegetated areas;
(d) parking availability in the surrounding area;
(e) vehicle and pedestrian traffic safety; and
(f) the streetscape.

Not Applicable

E13.6.12 Tree and vegetation removal
Objective:
To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings.

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 The removal, destruction or lopping of trees or the removal of vegetation must not unreasonably impact on the historic cultural heritage significance of a local heritage place and its setting, having regard to:
(a) the cultural heritage values of the local heritage place and setting;
(b) the age and condition of the tree or vegetation;
(c) the size and form of the tree or vegetation;
(d) the importance of the tree or vegetation to the historic cultural heritage significance of a local heritage place or its setting; and
(e) whether the tree or vegetation is located within a garden that is a listed as a local heritage place.

Not Applicable

E13.6.13 Signage
Objective:
To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.

Not Applicable

A1 No more than one sign, not greater than 0.2m², identifying the use, heritage significance, and the name and occupation of the owners of the property.

Not Applicable

P1 New signs must be compatible with the historic cultural heritage of the local heritage place and its setting, having regard to:
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(a) the cultural heritage values of the local heritage place and setting;
(b) the size and location of the proposed sign;
(c) the area and location of existing signage on the site;
(d) the period details, windows, doors and other architectural details of the building;
(e) any destruction, removal or concealment of heritage fabric through attaching signage; and
(f) the streetscape.

Not Applicable

E14.0 Coastal Code
E14.1 The purpose of this provision is to:
(a) minimise the impact of use and development on the coastal environment; and
(b) ensure that use or development subject to risk from sea level rise, storm surge, and coastal inundation is appropriately located and managed.

Consistent
Consistency with the Code Purpose has been achieved as the proposal is consistent with the relevant provisions within the code.

E14.5 Use Standards
E14.5.1 Risk to sensitive use

Objective:
To minimise the risk of injury to, or loss of human life, or damage to property in relation to sensitive uses, as a result of coastal inundation or sea-level rise.

Not Applicable

A1 No acceptable solution.

Not Applicable

P1 Sensitive use must be located to minimise the risk of injury to, or loss of human life, or damage to property, having regard to:
(a) the need for the location;
(b) the characteristics and scale of the use;
(c) the characteristics of the inundation of the land that is subject to the risk;
(d) any measures proposed to mitigate the risk;
(e) the nature, degree, practicality and responsibility for any management activities to mitigate the risk; and
(f) the level of risk identified in any report prepared by a suitably qualified person.

Not Applicable
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

E14.6 Development Standards
E14.6.1 Coastal reserved land

Objective:
To maintain the integrity of reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation and ensure that development does not dominate the natural and visual values of reserved land.

Not Applicable
A1 Development within reserved land, or land dedicated for any public recreation purpose or the purposes of nature conservation must be for public infrastructure or public facilities.

Not Applicable
P1 Development on reserved land must not dominate the natural and visual values of reserved land, having regard to:
(a) the need for the location;
(b) the proximity of existing infrastructure on the adjoining land;
(c) any restriction of access to or across reserved land;
(d) the impact on the natural values of reserved land;
(e) the impact on views from adjoining public land or public facilities, to reserved land;
(f) building design, its location, form, materials and other design mechanisms;
(g) any proposed vegetation screening; and
(h) the natural landscape of the area.

Not Applicable

E14.6.2 Public access

Objective:
To maintain public access to reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation.

Not Applicable
A1 All development, except for boat sheds and infrastructure, must not remove existing public access points or impede access to or along reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation.

Not Applicable
P1 Any restriction of public access to reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation must be minimised, having regard to:
(a) existing or alternative access available;
(b) the need for rehabilitation;
(c) the maintenance of any public infrastructure;
(d) the convenience or safety of access; and
(e) the protection or maintenance of natural values or the amenity, of reserved land.
### 8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Not Applicable</th>
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</thead>
<tbody>
<tr>
<td>A2 Boat sheds must not remove existing public access points or impede access to or along reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P2 No performance criteria.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
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</thead>
<tbody>
<tr>
<td>A3 Infrastructure must not impede public access to or along reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation.</td>
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</table>

<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P3 Any restriction of public access to reserved land or land dedicated for any public recreation purpose or the purposes of nature conservation must be minimised, having regard to:</td>
</tr>
<tr>
<td>(a) existing or alternative access available;</td>
</tr>
<tr>
<td>(b) the need for the location;</td>
</tr>
<tr>
<td>(c) no reasonable alternative being available for the location of the infrastructure;</td>
</tr>
<tr>
<td>(d) the convenience or safety of access; and</td>
</tr>
<tr>
<td>(e) the purpose and nature of the proposed infrastructure.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Not Applicable</th>
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</thead>
<tbody>
<tr>
<td>E14.6.3 Development of land subject to inundation</td>
</tr>
</tbody>
</table>

**Objective:**
To minimise the impact of development on land subject to inundation.

**Consistent**
Consistency with the Objective has been achieved as the proposal is consistent with the relevant provisions within the clause.

| A1 Development is for Natural and cultural values management or Passive recreation uses. |

**Relies on Performance Criteria**
P1 Development on land subject to inundation must minimise the impact on the coastal environment or coastal process, having regard to:
| (a) the extent, depth and frequency of the inundation; |
| (b) wave action and storm surge; |
| (c) long term sea level rise predictions; |
| (d) the need for the location; |
| (e) erosion, siltation or tidal flushing affecting the site; |
| (f) the impact on the normal flows of currents or tides and the movement of sediment; |
| (g) the need to remove vegetation; |
| (h) the extent and character of any earthworks or protective structures; and |
| (i) the need for dredging or channelling. |
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

<table>
<thead>
<tr>
<th>Complies</th>
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<tbody>
<tr>
<td>The applicant provided the following justification:</td>
</tr>
</tbody>
</table>

The proposed subdivision does include land which contains coast line which has areas subject to inundation. Proposed Lots 1 and 2 have existing buildings all of which are above 5.0m AHD83 elevation in areas of the title which are not located in a Flood Risk Area. The proposal is for a subdivision only and there will be no impact of this subdivision on the coastal environment.

The applicant's justification is accepted. Whilst noted that the proposed lots 1 and 2 are subject to inundation on the lower positions close to the river, all buildings are existing with no new construction proposed.

The development complies with the Performance Criteria.

<table>
<thead>
<tr>
<th>A2</th>
<th>Boat sheds must have a maximum:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>building height of 3m for a skillion roof or 3.5m for a gabled or hip roofs; and</td>
</tr>
<tr>
<td>(b)</td>
<td>a gross floor area of less than 30m².</td>
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<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P2</td>
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<td>(a)</td>
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<td>(g)</td>
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<tr>
<td>(h)</td>
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<td>(i)</td>
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<table>
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<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>A3</td>
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<table>
<thead>
<tr>
<th>Not Applicable</th>
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<tbody>
<tr>
<td>P3</td>
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<tr>
<td>(a)</td>
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<tr>
<td>(b)</td>
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<td>(c)</td>
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<td>(d)</td>
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<td>(e)</td>
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<tr>
<td>(f)</td>
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<td>(g)</td>
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</tbody>
</table>
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

(h) visual landscape values; and
(i) any navigational hazards.
Not Applicable

4. REFERRALS

<table>
<thead>
<tr>
<th>REFERRAL</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERNAL</td>
<td></td>
</tr>
<tr>
<td>Roads and Hydraulics</td>
<td>All recommended conditions have been included in this report.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>The recommended conditions have been included in this report.</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>N/A</td>
</tr>
<tr>
<td>Heritage/Urban Design</td>
<td>Yes - No objection.</td>
</tr>
<tr>
<td>Building and Plumbing</td>
<td>N/A</td>
</tr>
<tr>
<td>EXTERNAL</td>
<td></td>
</tr>
<tr>
<td>TasWater</td>
<td>Yes - Conditions recommended under TasWater (TWDA No. 2017/00260-LCC)</td>
</tr>
<tr>
<td>State Growth</td>
<td>N/A</td>
</tr>
<tr>
<td>TasFire</td>
<td>N/A</td>
</tr>
<tr>
<td>Tas Heritage Council</td>
<td>Yes - No Objection.</td>
</tr>
<tr>
<td>Crown Land</td>
<td>N/A</td>
</tr>
<tr>
<td>TasRail</td>
<td>N/A</td>
</tr>
<tr>
<td>EPA</td>
<td>N/A</td>
</tr>
<tr>
<td>Aurora</td>
<td>N/A</td>
</tr>
</tbody>
</table>

5. CONCLUSION

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

ECONOMIC IMPACT:
The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Leanne Hurst: Director Development Services
8.4 Amendment 31 - Partial Change in Zoning From Rural Resource to Rural Living and Development Application: Residential - Subdivision to Create 4 Lots (Lot 1 - Rostella House, Lot 2 - Farm Cottages and Outbuilding, Lot 3 - Rostella Farm and Lot 4) ...(Cont’d)

ATTACHMENTS

1. Locality Plan (distributed electronically)
2. Zoning Plan (distributed electronically)
3. Subdivision Plan (distributed electronically)
4. Bushfire Assessment (distributed electronically)
5. Bushfire Certificate (distributed electronically)
6. TasWater Span (distributed electronically)
7. Change of Zoning Map (distributed electronically)
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of one Existing Cross-over, Construction of Two Cross-overs (Amended Proposal)

FILE NO: DA0096/2017

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant: Honed Architecture & Design
Property: 217 St John Street, Launceston
Zoning: Inner Residential
Receipt Date: 10/03/2017
Validity Date: 10/03/2017
Further Information Request: N/A
Further Information Received: N/A
Deemed Approval: 24/04/2017
Representations: Eight

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, DA0096/2017 Residential - single dwelling; demolition of existing dwelling, construction of a dwelling, removal of one existing cross-over, construction of two cross-overs (amended proposal) at 217 St John Street, Launceston be refused on the following ground:

1. The proposal is assessed as not meeting the performance criteria for the following standards:

   D 11.4.3 Building envelope for single dwellings part (i), (ii) and (iii)
   
The dwelling is considered to be too high and too close to the adjoining property to the south resulting in impacts of overlooking, overshadowing and visual amenity that are not acceptable and are contrary to standards D11.4.3 (i), (ii) and (iii) and P1 (a).
D 11.4.5 Privacy for single dwellings

The privacy of adjoining properties is compromised to unacceptable levels where windows and the courtyard of the proposed dwelling are closer than 3m to the boundaries and have floor levels that are greater than 1m above natural ground, contrary to standard D11.4.5 P1.

REPORT:

1. THE PROPOSAL

A 1920's brick veneer dwelling is proposed to be demolished to allow for the construction of a contemporary, partially double storey dwelling. The site has frontage to both St John Street and Thomas Street with demolition including fences to both frontages and the existing vehicular access off Thomas Street.

For the proposed new dwelling, at lower ground floor, and fronting St John Street, is a 6m x 5.8m garage that is setback 6m from the front boundary. Along the south side of the dwelling is a 1.5m x 1.5m setdown for a future lift well. The large area at lower floor level is to be used for residential storage including recreation items of golf equipment and push bikes. The lower ground floor commences at a setback of 5.5m to nominally half the depth of the site.

The main level is cantilevered over the lower floor garage and has a 2m setback off St John Street. Fronting the street, and on the southern side of the dwelling, is a 4.8m wide x 1.5m deep balcony which opens off a family room. On the north side of the frontage is the main bedroom suite. The front half of the dwelling includes three double sized bedrooms, each with walk in robe, a bathroom and a powder room. To the rear is a north facing courtyard, a north facing lounge room as part of an open plan kitchen dining and lounge area and a laundry and upper level store. Parking for two vehicles is also proposed at this level directly off Thomas Street.

Each floor has a minimum ceiling height of 3m, the living area at the rear having a floor to ceiling height of 3.6m. The roof form varies in accordance with the ceiling heights, the lower portion having a flatter roof that is shielded by the external walls. The roof over the living area has a skillion form that forms a support for 20 solar panels.

Construction methods and materials vary throughout the dwelling. The lower level is proposed to be clad in stacked brickwork. The upper level will be clad with a mix of zinc sheeting, 'easylap', aluminium composite cladding and stacked brickwork.
217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

This application replaces DA0039/2017. Following the number of representations received the application was withdrawn. The current application is similar but includes some changes that the applicant considered were required to address neighbour concerns.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located six street blocks south of the central city mall, between Balfour and Frankland Streets and on the eastern and higher side of the street. The immediately surrounding area primarily contains single dwellings constructed in the late 1800s and early 1900s, of a variety of styles, sizes and materials, with a number having heritage significance. Other uses in the general area include food premises along Charles Street to the west, a church at the southern end of the street block in St John Street.

The site is rectangular in shape with an area of 455m². It falls to the west from the Thomas Street to the St John Street frontage by approximately 3m and is able to be fully connected to reticulated services. Both frontages will provide vehicular access to the site.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1 Zone Purpose Statements
11.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.
11.1.2 To provide for compatible non-residential uses that primarily serve the local community.
11.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.
11.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.
11.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.

Not Consistent

The applicant seeks approval to replace a modest 1920s single dwelling with a larger contemporary dwelling. The proposed size increases the site density and provides on-site parking. While the streetscape will be altered it will not be out of character. Residential amenity for the site will be increased but the amenity of adjoining properties will be severely impacted particularly the neighbouring dwelling to the south contrary to purpose statement 11.1.5.
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) …(Cont’d)

11.4 Development Standards
11.4.1 Setback from a frontage for single dwellings

Objective:
To ensure that the setback from frontages:
(a) assist in the establishment of the streetscape character;
(b) enhance residential amenity;
(c) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and
(d) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise.

Consistent
The frontage setbacks of the proposed dwelling to both St John and Thomas Streets are consistent with the setbacks on adjoining properties. The setbacks are appropriate within the streetscape, provide a high level of amenity for the dwelling due to the solution for the slope over the site where the family room is at the second level to provide passive surveillance to the streetscape.

A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions) must have a setback from a frontage that is:
(a) no less than 4.5m from a primary frontage; and
(b) no less than 3m to a frontage other than a primary frontage; or
(c) a distance which is no more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or
(d) no less than the existing dwelling setback if less than 4.5m.

Relies on Performance Criteria
Where properties have more than one frontage, to an authority's maintained road, the shortest frontage is nominated as the primary frontage with the other frontages termed 'other than a primary frontage'. As the frontage to St John Street is the shortest, with a length of 10.6m, the Thomas Street frontage 11.6m, it is classed as the primary frontage.

The setback requirement to St John Street is therefore 4.5m. As the dwellings to either side have a lesser setback, the northern neighbour's setback 1.2m and to the south 4m, the proposed setback of 2m complies with (c).

The rear setback of the dwelling is 1.5m which is the same as the garage of the adjoining property but the garage is not the dwelling and is not considered to comply with (c).

P1 The setback from frontage must:
(a) provide transitional space between the road and private dwelling allowing mutual passive surveillance;
(b) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site;
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

<table>
<thead>
<tr>
<th>(c)</th>
<th>provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity and vehicular egress provides for the safe use of the road; and</th>
</tr>
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<tbody>
<tr>
<td>(d)</td>
<td>have regard to streetscape qualities or assist the integration of new development into the streetscape.</td>
</tr>
</tbody>
</table>

**Complies**

The rear of the site to Thomas Street is also the rear of the other properties in St John Street. Both adjoining properties have two car garages within the 3m setback. The proposal is therefore consistent with the scale of development on the other lots although the function varies. Uncovered parking for two cars is proposed off Thomas Street.

There are no significant concerns with the arrangement of cars and parking to either street.

<table>
<thead>
<tr>
<th>11.4.2 Site coverage and rear setback for single dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective:</strong></td>
</tr>
<tr>
<td>To ensure that the location and extent of building site coverage:</td>
</tr>
<tr>
<td>(a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity;</td>
</tr>
<tr>
<td>(b) assists with the management of stormwater;</td>
</tr>
<tr>
<td>(c) provides for setback from the rear boundary; and</td>
</tr>
<tr>
<td>(d) has regard to streetscape qualities.</td>
</tr>
</tbody>
</table>

**Not Consistent**

The proposed site cover is considered too great for the site and in relation to the adjoining dwellings. Therefore, the amount of space for recreation, outdoor living and garden is not sufficient. The quantity of impervious space is too great restricting opportunities for landscaping of open space.

A1 A site coverage of no more than 50 percent excluding building eaves and access strips where less than 7.5m wide.

**Relies on Performance Criteria**

- The site area is 455m². Given the proposed roof cover of 283.5m² the site cover is 62.1 percent.
- Site coverage must:
  - (a) provide for useful areas of open space for gardens and outdoor recreation purposes;
  - (b) allow areas to be retained for the absorption of rainwater into the ground; and
  - (c) have regard to streetscape qualities.
Does Not Comply

The building occupies a high percentage of the site and does not provide any area of open space other than a paved courtyard along the northern side elevation. The 5.5m wide x 3.7m deep area is similar to the area that would be provided for a multiple dwelling not a four bedroom single dwelling.

The applicant maintains that other dwellings in the street have a higher site cover but a review of an aerial photo illustrates the proposal will occupy a much greater portion of its site than comparable neighbours in the area.

Documentation shows garden areas along most of the southern boundary and for the section along the northern boundary adjoining the living areas but this area is not considered sufficient to provide for absorption of rainwater. In addition, there is an inconsistency between the landscaping plan and site plan, the latter showing a pathway. If this application was approved the site plan would have to be altered to designate the area as landscaping. It is doubtful whether the areas shown would be viable for establishment of significant vegetation.

The landscaping along the frontage assists the dwelling to be more consistent with characteristics of other properties in the street but is minimal when compared to the majority of homes that have a larger garden and at most, a single width crossover.

11.4.3 Building envelope for single dwellings

Objective:
To ensure that the siting and scale of single dwellings:
(a) allows for flexibility in design to meet contemporary dwelling requirements;
(b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and
(c) has regard to streetscape qualities.

Not Consistent

The proposed building is designed to meet the contemporary needs of its owners and future residents but is considered to be out of scale given the extensive proposed encroachments to the building envelope. It is not considered to meet (b) as the amenity of neighbouring dwellings will be significantly compromised.

While the dwelling is a modern design surrounded by older and historic buildings its facade is not considered to be out of context in the streetscape.

A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:
(a) determined by a setback of no less than 3m from side boundaries and no less than 4m from the rear boundary and a building height of no more than 5.5m; or
(b) determined by projecting at an angle of 45 degrees from the horizontal at a height of
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to a building height of no more than 8.5m above natural ground level (see Figures 11.4.3 A and 11.4.3 B); and walls are setback:
(i) no less than 1.5m from a side boundary; or
(ii) less than 1.5m, provided the wall is built against an existing boundary wall or the wall or walls have a total length of no greater than 9m or one third of the boundary with the adjacent property, whichever is the lesser.

Relies on Performance Criteria
The proposed dwelling has been designed to maximise the site and therefore encroaches upon the following setbacks and heights:

Northern side elevation
The portion of the wall within 1.5m of the boundary is 32.5m. As the maximum length of a wall within 1.5m of a side boundary is 9m a 23.5m variation is sought which is considered excessive.

The height of the northern wall varies from 7.53m at the front of the dwelling to 4.5m at the rear. The acceptable solution allows a 3.5m maximum wall height with a 1.5m setback. A variation is sought.

Southern side elevation
The portion of the wall within 1.5m of the boundary is 36m. This is 27m longer than the acceptable solution.

The height of the southern wall varies from 7.49m at the front of the dwelling to 4.67m at the rear but with a section of wall towards the rear having a height ranging from 6.77m to 5.98m to facilitate a sloping section of roof to allow the installation of solar panels. More than half the length of the wall is double the height considered appropriate under the acceptable solutions, at that distance from the boundary.

Eastern rear elevation/secondary frontage
The section of building within the 3m setback to Thomas Street is 4.5m wide with a depth of 1.5m. The height of 4.67m is below 8.5m

A large proportion of the proposed dwelling is therefore outside of the acceptable building envelope. This must be considered against the performance criteria.

P1 The siting and scale of single dwellings must be designed to:
(a) ensure there is no unreasonable loss of amenity on adjoining lots by:
   (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above;
   (ii) overlooking and loss of privacy; and
### 8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-overs (Amended Proposal) ...(Cont’d)

| (iii) visual impacts when viewed from adjoining lots: and |
| (b) take into account steep slopes and other topographical constraints; and |
| (c) have regard to streetscape qualities. |

#### Does Not Comply

The proposal will have severe impacts on adjoining properties at 215 and 219 St John Street. Assessment is presented as follows:

**(a)** ensure there is no unreasonable loss of amenity on adjoining lots by:

**(i)** overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above;

The proposal will impact on the level of sunlight received by 219 St John Street for most of the day. 219 St John Street has its living areas, a courtyard (within the length of the northern elevation, similar to that of the proposal) and their open space, in the rear half of their site. As the proposed southern wall substantial exceeds the acceptable solutions in height, length and setback it will be significantly detrimental to the neighbour's level of sunlight at and around the winter solstice.

The living area of 219 St John Street has a north and western facing window so the proposal will reduce the amount of sunlight received by the living area and courtyard from around 12pm to the middle of the afternoon, the times when this portion of the dwelling normally receives its solar access. This impact is considered unacceptable and is assessed as not complying with the performance criteria.

The proposal is not considered to impact on the level of sunlight received by 215 St John Street.

**(ii)** overlooking and loss of privacy; and

The extent and combined effect of the encroachments proposed upon the building envelope have unacceptable effects upon the neighbouring dwellings. The encroachments proposed include at least doubling in height allowed under the acceptable solutions for the side walls for at least half the length of the walls, and a tripling of the length of the side walls allowable within the setback of 1.5m of the boundary under the acceptable solutions.
The southern elevation contains windows of two bedrooms, two windows of an ensuite and the dining room where the proposed floor level is over 1m above the ground and only setback 1m off the boundary. These windows do not meet the acceptable solutions and because they will cause unacceptable levels of overlooking are assessed as not meeting the performance requirements.

The courtyard and glazed front door and entry of the proposal are adjacent to the family room of 215 St John Street. The raised ground level proposed alongside the dwelling and the stair access along the northern boundary to the front door will overlook the rear yard and is not considered acceptable.

Privacy matters will be further addressed under clause 11.4.5 below.

(iii) visual impacts when viewed from adjoining lots:

The design choices made to provide for the needs of the owner result in the dwelling being significantly outside of the building envelope which causes the visual impact on both neighbours to be significant.

The excessive proposed wall height and wall length within the discretionary setback of 1m gives little visual relief from the properties to both the north and the south. Although the dwelling is only single storey in the rear portion the floor level is above natural ground level for most part and has ceiling heights of 3m. This combines with a 1m high parapet above to result in wall heights of at least 5m at those minimal setbacks for the majority of the length of the side walls. The visual impact is not considered appropriate and the performance requirement is not met.

(b) take into account steep slopes and other topographical constraints; and

The site rises to the east and rear of the site which facilitates the front being two storey and the rear a single level. The dwelling is therefore appropriately designed to accord to the terrain but it is still considered to be excessive when the number of variations to the enveloped are applied particularly the reductions in the side setbacks and increased wall heights.

(c) have regard to streetscape qualities.

The proposal is contemporary in respect of the surrounding dwellings but it is not considered inappropriate. The existing streetscape incorporates a number of architectural styles. While the adjoining dwelling at 219 St John Street is single storey it is raised above the street via the front stairs. 215 St John Street is part of a two storey set of terraces. As both 215 and 219 have a verandah, the proposed dwelling, with insets for the verandah off the family room and facade treatment forward of the main bedroom is considered to be in keeping with the context of these buildings.
City of Launceston

COUNCIL AGENDA Monday 24 April 2017

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11.4.4 Frontage setback and width of garages and carports for single dwellings

| Objective: |
| To ensure that the location and size of garages or carports: |
| (a) do not dominate the facade of the dwelling or dominate the streetscape; |
| (b) do not restrict mutual passive surveillance of the road and dwelling; and |
| (c) provides for safe vehicular access to and egress from the site. |

| Consistent |
| The proposed garage is not considered to dominate the streetscape of the primary frontage or the streetscape and does not prevent passive surveillance of the street particularly as there are a number of windows and balcony facing the street. |

| A1 Garages or carports within 12m of the frontage whether free-standing or part of the dwelling: |
| (a) must have a total width of openings facing the primary frontage of no greater than 6m or half the width of the frontage, whichever is the lesser; and |
| (b) must have: |
| (i) a setback from frontage measured to the door, post or supporting column no less than required for a single dwelling in 11.4.1 A1; or |
| (ii) a setback from the primary frontage no less than 0.5m if the ground slopes up or down for 10m from the frontage at more than 1:5. |

| Relies on Performance Criteria |
| The garage fronting the primary frontage of St John Street has an opening width of 5.2m but this is greater than half the width of the 8.5m wide frontage at that point of the building. |

| The garage is similar to an undercroft of the building and has a setback a minimum of 5.6m from the street and 4m further than the setback of the storey above. |

| P1 The siting and design of garages and carports must: |
| (a) complement the character of the dwelling; |
| (b) not dominate the frontage of the lot through location and visual bulk; |
| (c) retain mutual passive surveillance between dwelling and road; |
| (d) provide for safe vehicular movements between road and site; and |
| (e) have regard to streetscape qualities. |
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>As the garage has a greater setback than that of the main section of the dwelling above it is not considered to dominate the streetscape. The setback allows adequate distance for vehicles to be visible entering and exiting the site.</td>
</tr>
</tbody>
</table>

| Passive surveillance between the street and dining is provided by the family room and its associated verandah. |

| The main impact of the garage is the necessary double crossover to access it. While this has been endorsed through our Infrastructure Directorate and may reduce on street the main issue is considered to be the visual impact on the streetscape. A single crossover to access the proposed garage would be preferable as it would have a lesser impact in respect of the streetscape qualities. |

<table>
<thead>
<tr>
<th>11.4.5 Privacy for single dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective:</strong> To ensure that the location and design of windows of habitable rooms, balconies, decks, roof gardens, parking spaces and carports maintain residential amenity by minimising the potential for overlooking between neighbours.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Not Consistent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposal is not considered to satisfactorily deal with all the necessary considerations to ensure that this objective can be met.</td>
</tr>
</tbody>
</table>

| A1  Balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) that have a finished surface or floor level greater than 1m above natural ground level must have a side setback of no less than 3m and a rear setback of no less than 4m. |

<table>
<thead>
<tr>
<th>Relies on Performance Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elements of the proposal that do not comply are the front balcony on its southern side and, along the northern side of the dwelling, the front entry door and courtyard.</td>
</tr>
</tbody>
</table>

| The front balcony is positioned only 1m off the southern side boundary with a height of 2.6m off natural ground. The front entry and courtyard are elevated over 1m above ground. |

| P1  The potential for direct overlooking from balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) with a finished surface or floor level more than 1m above natural ground level on one lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or offset or by use of solid or translucent screening. |
Does Not Comply
The front balcony is not considered to impact on the amenity of 219 St John Street as it is forward of the neighbouring dwelling and primarily overlooks the street. In addition, the front of both properties have public frontage to St John Street itself so the level of amenity is limited in this area.

The front entry and courtyard along the northern elevation will be above the floor level of the family room and rear yard of the adjoining site. While views into the family room would not be likely given the difference in floor levels and possible view lines, there would be some degree of overlooking into the rear yard and upper level windows facing south wall of 215 St John Street where overlooking will occur. This impacts on the neighbours privacy and amenity and is not acceptable.

A2 Windows of habitable rooms which have a floor level greater than 1m above natural ground level must:
(a) have a side setback of no less than 3m; or
(b) be offset no less than 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or
(c) have a window sill height of no less than 1.7m.

Relies on Performance Criteria
Windows in both the southern and northern elevations have floor levels above 1m and sill heights less than 1.7m within 3m of the side boundaries.

Along the northern side are windows of a walk in robe, bedroom entry door. To the south, windows of two bedrooms, an ensuite and the dining room do not comply.

P2 The potential for direct overlooking from windows of habitable rooms with a finished surface or floor level more than 1m above natural ground level on one lot to the windows of habitable rooms, balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation and offset or by use of solid or translucent screening.

Does Not Comply
The walk in robe is just off set from the upper level window in dwelling at 219 St John St, with the bedroom in a similar line to the middle upper level window. As the windows would be separated by under 4m the variation is not considered to be acceptable.

Along the southern elevation, the ensuite windows would most likely be opaque for privacy and the bedroom midway through the building depth is primarily opposite a blank section of wall of the southern neighbours. The bedroom closest to the front of the dwelling is opposite a bedroom of the neighbouring property and the dining room aligns with the neighbours rear yard. Both of these situations compromise the privacy and amenity of the neighbouring dwelling and are not acceptable.

Again, the impacts result from the relative height and length of the side walls within the varied setback proposed of only 1m.
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

11.4.22 Earthworks and retaining walls

Objective:
To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.

Consistent
Earthworks are required for the development of the lower floor where the garage and storage areas will be underground. This respects neighbours amenity to a degree by reducing the 'out of ground' development but does impact on the neighbouring dwelling to the north.

A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:
(a) be located no less than 900mm from each lot boundary;
(b) be no higher than 1m (including the height of any batters) above existing ground level;
(c) not require cut or fill more than 1m below or above existing ground level;
(d) not concentrate the flow of surface water onto an adjoining lot; and
(e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.

Relies on Performance Criteria
The dwelling is setback 1m from the boundaries to comply with (a) but the excavation works are greater than 1m in depth. In addition, the site has minimal pervious surfaces.

P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:
(a) the topography of the site;
(b) the appearance, scale and extent of the works;
(c) overlooking and overshadowing of adjoining lots;
(d) the type of construction of the works;
(e) the need for the works;
(f) any impact on adjoining structures;
(g) the management of groundwater and stormwater; and
(h) the potential for loss of topsoil or soil erosion.

Complies
The proposed dwelling seeks to maximise the storage areas at lower ground floor level. This requires the floor level of the dwelling to be higher and the walls to be closer to the boundaries of adjoining sites. This will impact on the privacy and overshadowing of neighbouring properties, over and above the impacts of the existing dwelling or a compliant dwelling on the site.
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Primarily a concern at building stage, the construction and drainage of the development will impact on the bluestone wall on the common boundary of adjoining dwelling at 215 St John Street. The setback for the understorey increases to the east of the site but the extent potential risk is unknown.

If the development was to be considered for approval this would be addressed through conditions.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:
(a) protect the safety and efficiency of the road and railway networks; and
(b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent
The proposed revised access points for the dwelling are considered appropriate.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

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

Consistent
The proposed changes to the accesses to the site are not considered to impact on the safety and efficiency of the surrounding streets.

A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20 percent or 40 vehicle movements per day, whichever is the greater.

Complies
The site retains, although in a slightly altered location, the rear access to the site. This will be a second access and not subject to additional traffic movements.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

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

Consistent
The proposed additional access off St John Street is not considered to compromise safety or efficiency of roads.

A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Relies on Performance Criteria
The subject site proposes relocation of the rear double crossover and a new crossover off St John Street, a street where the speed limit is less than 60km/h.

P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

Complies
The proposed access has been approved by Council's Infrastructure Directorate and should therefore be considered satisfactory from an engineering safety and efficiency point of view.

St John Street rises up from Balfour St in a southern direction to Frankland Street. It is a wide street, although narrowed on either side by well-established plantings towards the Frankland St end. Vehicle movements to and from the site should be clearly visible. Although a residential area, St John Street is subject to traffic from the nearby hospital and development in the old hospital of The Charles therefore, there is an extra load on traffic and non-resident parking to the street. Given the age of the dwellings a number have limited parking so resident parking is also valued. It is considered that a single crossover, if any, is more acceptable from a functional and streetscape point of view.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:
(a) ensure that an appropriate level of parking facilities are provided to service use and development;
(b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
(c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;
(d) ensure that parking does not adversely impact on the amenity of a locality;
(e) ensure that parking spaces and accesses meet appropriate standards; and
(f) provide for the implementation of parking precinct plans.
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

Consistent
Ample parking is proposed for the site that is also within 10 minute walk of the central city, less than 5 minutes from the hospital and eating and commercial options in Charles Street and easy access of public transport and cycling links around the City.

E6.5 Use Standards
E6.5.1 Car parking numbers

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

Consistent
An ample number of parking spaces are proposed for the use.

A1 The number of car parking spaces must:
(a) not be less than 90 percent of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
(b) not be less than 100 percent of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
(c) not exceed the requirements of Table E6.1 by more than two spaces or 5 percent whichever is the greater, except for dwellings in the General Residential Zone; or
(d) be in accordance with an acceptable solution contained within a parking precinct plan.

Complies
Table E6.1 requires:
1 space per bedroom or 2 spaces per 3 bedrooms.

The dwelling has four bedrooms and so requires three car spaces. The garage off St John Street has two car garage and two open spaces are proposed off the rear, Thomas Street frontage.

E6.6 Development Standards
E6.6.1 Construction of parking areas

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

Consistent
Parking would be constructed to an appropriate standard.

A1 All parking, access ways, manoeuvring and circulation spaces must:
(a) have a gradient of 10 percent or less;
(b) be formed and paved;
(c) be drained to the public stormwater system, or contain stormwater on the site;
(d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

(e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

**Complies**
The parking areas will be level, being perpendicular the steeper adjoining streets.

E6.6.2 Design and layout of parking areas

**Objective:**
To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

**Consistent**
The parking spaces would be constructed in association with the dwelling construction and would be convenient, safe and efficient.

A1.1 Car parking, access ways, manoeuvring and circulation spaces must:
(a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;
(b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10 percent greater than the requirements in Table E6.2;
(c) have parking space dimensions in accordance with the requirements in Table E6.3;
(d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
(e) have a vertical clearance of not less than 2.1m above the parking surface level.

A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.
A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.
A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

**Complies**
Four spaces are proposed, two of each frontage. There is no requirement for vehicles to have to turn on site in this case. Each crossover is two vehicular widths wide. The depth of the garage and open spaces is at least 5.5m deep and the clearance in the garage is 3m.
4. **REFERRALS**

<table>
<thead>
<tr>
<th>REFERRAL</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INTERNAL</strong></td>
<td></td>
</tr>
</tbody>
</table>
| Infrastructure Services     | Conditional consent has been provided for the proposal with additional conditions recommended given the following considerations:  
  
  *The application proposes a double crossover on St John Street which subject to parking restrictions and does not currently provide any vehicular access to the site. This new double crossing will necessitate the alteration of the existing on street parking bays. A specific condition has been included in relation to this.*  
  
  *The secondary frontage is to the narrow Thomas Street where it is proposed to remove the existing crossover and replace it with a new access on the northern end of the frontage. There is no footpath along Thomas Street.*  
  
  *The driveway required in Thomas Street will not look like a standard driveway given that there is no road verge with the road seal coming right to the property boundary. It will be necessary to liaise directly with the Investigations Team when the driveway crossing application is made to understand the site specific constraints.*  
  
  *The proposal represents a significant development of the site and it will be necessary to manage the works in a way that minimises the impact on the neighbours and the users of the road (pedestrians and vehicles).* |
| Environmental Health        | An environmental matter is currently being addressed in respect of this property. An existing oil heater has been recently sold with the new owners dumping the old oil on the site. A requirement for the site to be clear of |
### 8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal)

... (Cont’d)

<table>
<thead>
<tr>
<th>Heritage/Urban Design</th>
<th>contamination is necessary prior to any works. Conditional consent provided.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Comments from Council’s Heritage/Urban Design planner include:</td>
</tr>
<tr>
<td></td>
<td>While the subject property at 2017 St John Street is not heritage listed, a large number of the surrounding properties are and the importance of this area was recognised as part of the Launceston Heritage Study 2007 (the Study) prepared by Paul Davies Heritage Architects, and developed further by the CoL in partnership with Heritage Tasmania.</td>
</tr>
<tr>
<td></td>
<td>The site is included within the South Central Precinct of defined heritage character identified in the Study. The following text includes the description, statement of significance for the precinct and the relevant policy recommendations ‘proposed to conserve the significance and heritage values of the precinct, to provide for new development that is commensurate with that significance and to encourage the recovery of significance, particularly in streetscape elements and presentation of the whole area’.</td>
</tr>
<tr>
<td></td>
<td>The proposed building occupies almost the entire site, which is not common in the area. While the inner residential areas of the city are of a relatively high density for Launceston and this is considered to be positive for many social and practical reasons, the pattern of development proposed is not common or desirable for purpose built residential buildings in residential zones. It is also not supported by the provisions of the current planning scheme.</td>
</tr>
<tr>
<td></td>
<td>The development on neighbouring properties is predominantly of a finely detailed and ornate character and the box like forms proposed so close to the street frontage on the subject site compete visually with the more complex forms which are considered to be typical of this area of...</td>
</tr>
</tbody>
</table>
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont'd)

<table>
<thead>
<tr>
<th>Building and Plumbing</th>
<th>Standard notes apply.</th>
</tr>
</thead>
</table>

**EXTERNAL**

<table>
<thead>
<tr>
<th>TasWater</th>
<th>Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00450-LCC.</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Growth</td>
<td>N/A</td>
</tr>
<tr>
<td>TasFire</td>
<td>N/A</td>
</tr>
<tr>
<td>Tas Heritage Council</td>
<td>N/A</td>
</tr>
<tr>
<td>Crown Land</td>
<td>N/A</td>
</tr>
<tr>
<td>TasRail</td>
<td>N/A</td>
</tr>
<tr>
<td>EPA</td>
<td>N/A</td>
</tr>
<tr>
<td>Aurora</td>
<td>N/A</td>
</tr>
</tbody>
</table>

the City. It is possible to create structures which are clearly contemporary, but which are articulated in a manner that is not in such great conflict with surrounding Victorian and Edwardian building stock. The use of quality materials with refined detailing, and a scale and proportions which align with that of adjoining development, will usually result in a visually harmonious result.

The proposed dwelling does not meet all the 'acceptable solutions' for single dwellings in regard to site coverage (including provision of private open space) or building envelope, and is not considered to be justified, or to meet the 'performance criteria', 'objectives' or broader 'purpose' of the zone, specifically those listed below.

It is considered that the development proposed as part of DA0096/2017 does not meet all the requirements of the Inner Residential zone in regard to streetscape impacts and impacts on the residential amenity of the occupants of adjoining properties. Therefore it is recommended that the proposal either be amended by condition to address these impacts, or otherwise, be refused.
City of Launceston

COUNCIL AGENDA

Monday 24 April 2017

8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) …(Cont’d)

5. REPRESENTATIONS

Pursuant to section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 15 March 2017 to 29 March 2017. Eight representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerned that the documents in the revised application to not adequately address the issues raised following the initial plans.</td>
<td>Changes were made to the proposal including altering the arrangement of rooms at the front of the dwelling and the front facade, slightly increasing the size of the courtyard along the northern side of the dwelling, indication of landscaping, altering the car parking area at the rear. A number of development requirements still seek to vary the acceptable solutions.</td>
</tr>
<tr>
<td>The documents do not properly represent the situation on the adjoining properties and provide conflicting information, in particular, the landscaping plan and the site plan.</td>
<td>It is acknowledged that some of the window openings of the adjoining properties are not shown on the drawings and could be misleading. Windows of the adjoining buildings have been noted and are addressed in the assessment against the zone provisions. The landscaping plan has been overlain over the site plan and the extent of landscaping provided would be difficult to achieve. If the application is approved a revised landscaping plan would be provided.</td>
</tr>
<tr>
<td>The western facing window and French doors to the balcony in the upper floor of the 219 St John Street will lose its views and be overshadowed.</td>
<td>The upper level window is not considered to be significantly impacted by the proposal. While northern views might be lost, the western views, and the level of sunlight to the existing openings are consider to be aligned too far to the west to be significantly impacted.</td>
</tr>
<tr>
<td>There are no shadow diagrams provided for the summer.</td>
<td>Shadow diagrams have only been provided to demonstrate impacts on 219 St John Street on the 21 June.</td>
</tr>
</tbody>
</table>
### 8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) …(Cont’d)

| The proposal will impact on the bluestone wall on the common boundary with 215 St John Street. This is particularly a concern given the extent of hard surface proposed and the extent of earthworks is not considered to comply with the acceptable solutions. | The ground level of the neighbouring property appears to be around 1.8m below the existing ground level on the adjoining property, the bluestone wall retaining land of 217 St John Street. The proposed dwelling requires the site to be excavated at the front portion of the dwelling and filled toward the rear. This will impact upon the structural integrity of the site but engineering and plumbing/drainage detail, along with the addressing of any damage of building works is subject to matters addressed within the building approval and construction process. The earthworks would, to some degree, reduce impacts of the proposal and it reduces the height of the building in comparison to it being a two storey dwelling on a flat site. This also reduces overlooking and overshadowing effects. |
| Privacy concerns of rooms and the rear courtyard at 215 St John Street. | This has been considered in the assessment of the development requirements. Impacts to the lower floor rooms within the dwelling should be minimal as the floor level is approximately 1.8m below the existing ground level of 217 St John Street and the roof of that area visible from the subject site. Windows in the eastern facing wall of 215 will not be overshadowed given the proposal is to the south and sun does not come over the hill face, particularly in winter until well after the sun is directly east of the properties. The eastern facing windows are not expected to be overlooked by the proposed lounge windows as the floor level of the dwelling is under 1m above natural ground level. The upper level windows should not be significantly impacted by overshadowing. The proposal is to their south and the path of the early morning sun is limited by the |
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>adjoinihg hillside. Privacy of the upper level windows may although be compromised, this is discussed in the assessment. As the proposed courtyard aligns with the rear section of wall it should not overlook the next door courtyard but an upper level window is in a similar alignment.</td>
<td></td>
</tr>
<tr>
<td>The dwelling is considered to be too tall in comparison to number 219 and will out of character with that and other dwellings in the street. The height of the dwelling in itself is just below the terraces and is not significantly different to 219. This is especially as the floor level of southern neighbour is well above street level and does contain a two storey portion. The overall height is below the maximum height of 8.5m. Although the facade would be a modern inclusion in the streetscape it has inset features, created by the balcony and undercroft type style garage. There is a significant concern however with the height encroachments into the setbacks as this creates overshadowing to neighbours as acceptable levels.</td>
<td></td>
</tr>
<tr>
<td>Why does the dwelling need so much parking and double crossovers to. St John and Thomas Streets especially as two sites will most likely be lost from St John Street. The applicant has stated that the number of spaces are required due to the number of visitors they have so it best to provide for these on site versus in the street.</td>
<td></td>
</tr>
<tr>
<td>There are parking difficulties in the street and residents will lose 1 or 2 spaces in St John St making it difficult for visiting friends. The area is utilised by visitors to residences, the LGH and customers of nearby restaurants. The property already has a crossover in Thomas Street. The street parking does not belong to any one person although some residents are entitled to parking passes. The application has been considered against the planning scheme with approval granted from Council's Infrastructure Directorate.</td>
<td></td>
</tr>
<tr>
<td>There will be excess noise and dust during construction disturbing neighbouring residents, a number of whom are elderly. Where will vehicles park and is there asbestos in the building? If approved there would be some disruption to the area during the works. This is controlled through the building process.</td>
<td></td>
</tr>
<tr>
<td>Who is going to live in the dwelling? This is not a planning consideration.</td>
<td></td>
</tr>
</tbody>
</table>

...
6. CONCLUSION

The application proposes a substantial contemporary dwelling on the inner city property. While the proposal is surrounded by older established buildings the extent of discretions required, particularly for the built site cover and the ratio of the building height to the site boundary setbacks, are considered to be have a too greater impact on the amenity of adjoining properties. To provide a more appropriate solution via conditions is not considered possible as too many changes would be required to maintain amenity of both the proposal and adjoining properties. Refusal is therefore recommended.

ECONOMIC IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such economic impacts have been considered.

ENVIRONMENTAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such environmental impacts have been considered.

SOCIAL IMPACT:

The Launceston Interim Planning Scheme 2015 contains provisions intended to implement the objectives of the Resource Management Planning System. The application has been assessed using these provisions and as such social impacts have been considered.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.
8.5 217 St John Street, Launceston: Residential - Single Dwelling; Demolition of Existing Dwelling, Construction of a Dwelling, Removal of One Existing Cross-Over, Construction of Two Cross-Overs (Amended Proposal) ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Leanne Hurst: Director Development Services

ATTACHMENTS:
1. Locality Map (distributed electronically)
2. Plans of Proposal (distributed electronically)
3. Representations (distributed electronically)
4. TasWater Span (distributed electronically)
9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor’s Announcements

FILE NO: SF2375

Monday 3 April 2017

- Officiated at the opening of pop up shop YELL in Brisbane Street as part of National Youth Week

Tuesday 4 April 2017

- Officiated at the Science and Engineering Challenge at UTAS Newnham

Friday 7 April 2017

- Attended the LGAT General Meeting at the Grand Chancellor
- Attended the "Soft" launch at Design Tasmania
- Attended the Northern Tasmanian Junior Soccer Associations 2017 Season launch Dinner at Churchill Park

Saturday 8 April 2017

- Attended the ANZAC Tree launch at QVMAG Inveresk
- Attended the Mowbray Cricket Club Annual Dinner and Trophy evening at UTAS Stadium

Monday 10 April 2017

- Officiated at the Opening of Vinnie’s new premises at Mowbray

Tuesday 11 April 2017

- Officiated at the Welcome function for the Local Government Women’s Association at the Town Hall

Friday 14 April 2017

- Officiated at the Official Welcome for the Easter Community Festival at the Door of Hope

Saturday 15 April 2017

- Participated in the National Bands Parade of Bands Salute in the City
9.1 Mayor's Announcements ...(Cont’d)

Wednesday 19 April 2017

- Attended the launch of Blooming Tasmania 2017 at Bridstowe Estate

Friday 21 April 2017

- Officiated at the Street Requiem Civic Welcome at the Town Hall

Saturday 22 April 2017

- Officiated at the ANZAC Concert at the Salvation Army Auditorium

Sunday 23 April 2017

- Officiated at the Tasmanian Brick Enthusiasts Brixhibition at the Grand Chancellor
10 ALDERMEN’S REPORTS

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

11 QUESTIONS BY ALDERMEN

11.1 Questions on Notice
Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)
11.1.1 Aldermen’s Questions on Notice - Alderman R J Sands - Council Meeting - 3 April 2017

FILE NO: SF6381

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Rod Sweetnam (Director Facilities Management)

QUESTIONS and RESPONSES

The following questions were asked by Alderman R J Sands at the Council Meeting of 3 April 2017 and have been answered by Mr Rod Sweetnam (Director Facilities Management).

1. **Can Aldermen be provided with a timeframe for completion of construction work and has the contractor been able to secure appropriate fencing to allow the expansion to occur?**

   **Response:**

   Powder coating of components has commenced (completed by supplier at point of manufacture). The contractor expects to take delivery of all components week ending 21 April 2017. Set out and construction to commence on site the following week (24 April 2017). The construction is estimated to be three weeks to five weeks depending on weather and site conditions. A detection wire to the top line of the fence will be installed after the fence is completed for integration into existing security system - this work to be completed by separate subcontractor.

2. **Would Council consider the purchase of a nine or 12-bag sand-filling machine?**

   **Response:**

   In line with the response provided at the Council Meeting of 3 April 2017, regarding State Emergency Service protocols already in place, a report on current arrangements and a response to the issue will be provided in the Aldermen’s Bulletin.
11.1.2 Aldermen’s Questions on Notice - Alderman J Finlay - Council Meeting - 3 April 2017

FILE NO: SF2375

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

QUESTION and RESPONSE:
The following question was asked by Alderman J Finlay at the Council Meeting of 3 April 2017 and has been answered Mr Shane Eberhardt (Director Infrastructure Services).

1. **Will the graffiti logs, recently removed from the entrance to the Skate Park in Royal Park, be replaced in due course?**

   **Response:**
   The graffiti log installation was a Streets Alive initiative back in 1999. The logs were donated by Gunns Pty Ltd and the artwork was undertaken by the Ravenswood Heights High School students as a final signature from the students as the high school was closing down. The log sculpture was a semi-permanent fixture as its life was expected to be five years. The sculpture has managed to exceed all expectations lasting some 16 years. It is not planned to be replaced.
11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12.1 Pedestrian and Bike Committee Meeting - 21 March 2017

FILE NO: SF0618

AUTHOR: Nigel Coates (Engineering Officer Traffic)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To receive and consider a report from the meeting of the Pedestrian and Bike Committee Meeting held on 21 March 2017.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 21 March 2017.

REPORT:

The following matters were discussed at the Pedestrian and Bike Committee Meeting held on 21 March 2017:

- Notes the record number of pedestrians counted on 7 March.
- Is seeking an interim, on road route to provide continuity in the Inveresk - Rocherlea Trail.
- Is very disappointed at the decision to remove the bike lanes on Hobart Road at Opossum Road and Blaydon Street.
- Proposes a Workshop for the Alderman and officers to mainly refresh the Alderman on the adopted Bike Strategy and on Council's commitment and to allay the angst on the public's perception/opinions on bikes on roads.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.
12.1 Pedestrian and Bike Committee Meeting - 21 March 2017 ...(Cont’d)

SOCIAL IMPACT:
Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Direction -
6. To promote active and healthy lifestyles

Priority Area 3 - A city in touch with its region
Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks
Key Direction -
2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

Priority Area 4 - A diverse and welcoming City of Launceston
Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities
Key Direction -
5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities

BUDGET & FINANCIAL ASPECTS:
Not considered relevant to this report.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

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

Shane Eberhardt: Director Infrastructure Services
12.2 Municipal Emergency Management Committee Meeting - 23 March 2017

FILE NO: SF3177

DIRECTOR: Rod Sweetnam (Director Facilities Management)

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

RECOMMENDATION:
That Council receives the report from the Municipal Emergency Management Committee Meeting held on Thursday 23 March 2017.

REPORT:
The Meeting of the Municipal Emergency Management Committee held on 23 March 2017 discussed:

1. Members reports.
   Members provided an update on their current activities.
2. Natural Disaster Resilience Grant Program.
   Members were advised City of Launceston were successful with two applications under the Natural Disaster Resilience Grant Program.
3. Education Plan.
   Members present unanimously agreed the Education Plan as presented to the Committee.

ECONOMIC IMPACT:
Not considered relevant to this report.

ENVIRONMENTAL IMPACT:
Not considered relevant to this report.

SOCIAL IMPACT:
Not considered relevant to this report.
12.2 Municipal Emergency Management Committee Meeting - 23 March 2017 ...(Cont’d)

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

BUDGET & FINANCIAL ASPECTS:
Not considered relevant to this report.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

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

Rod Sweetnam: Director Facilities Management
Council Workshops conducted on 10 and 24 April 2017 were:

- St John Street Bus Stop Locations and Redevelopment
- 243rd US Marine Corps Anniversary Celebrations
- CDG Funding Agreement - Gate 1 - University of Tasmania Stadium Plans
- UTAS Inner City Campus Master Plan for Inveresk
- Background on Proposal to Purchase Land
- UTAS - Master Plan Inveresk
NOTICES OF MOTION

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

14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Australian Maritime College

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider a Notice of Motion submitted by Deputy Mayor Alderman R I Soward regarding the Australian Maritime College (AMC).

RECOMMENDATION:

(a) The Launceston City Council write to Tasmania’s Liberal Senators expressing our dismay at reports that highlight a new $25 million dollar college in South Australia will duplicate many of the outstanding services offered by the Australian Maritime College at this new facility in South Australia. Such a facility has the potential to negatively impact on enrolments at the AMC and create an impression that the AMC is an inferior facility.

(b) That the Launceston City Council in that letter request a firm commitment from the Liberal senators that they will secure a strong, written commitment from the Federal government and the relevant Minister, that the actions taken by the establishment of the new facility in South Australia will in no way negatively impact on funding, staffing or professional status of the AMC.

REPORT:

Alderman Soward will provide some background to this.

As we know the AMC is an internationally renowned facility- an examination of its enrolments will see enrolled students here from over 50 countries. It is a high quality, international leader in a variety of courses and projects. The new facility spruiked by the Federal government in South Australia has direct capacity to duplicate many of the programs and opportunities here meaning that there is significant risk of a decrease in both the perceived status of the AMC as well as enrolments.
14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Australian Maritime College ...(Cont’d)

In the world of academia and maritime study even a PERCEIVED diminishment of status can be catastrophic as potential students flock to a shiny, brand new well funded institution right on the doorstep of the newly awarded defence force ship building program based in South Australia.

As the Chamber of Commerce note, in their media release on the matter duplicated in our papers there is “no justification for the federal government to duplicate this outstanding national resource simply to address short-term political concerns in South Australia.”

OFFICER COMMENT:

This Notice of Motion is self-explanatory.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To seek and champion collaboration to address major issues for Northern Tasmania
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.
14.1 Notice of Motion - Deputy Mayor Alderman R I Soward - Australian Maritime College ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Robert Dobrzynski: General Manager

ATTACHMENTS:
1. Notice of Motion - Deputy Mayor Alderman R I Soward - Australian Maritime College
CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 : SF2524
DATE: 20 March 2017

TO: Robert Dobrzynski General Manager

C.C.: Committee Clerks

FROM: Alderman Rob Soward Deputy Mayor

SUBJECT: Notice of Motion - Australian Maritime College

In accordance with Clause 16 (5) of the Local Government (Meeting Procedures) Regulations 2015 please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 24 April 2017.

Motion

a) The City of Launceston write to Tasmania’s Liberal Senators expressing our dismay at reports that highlight a new $25 million dollar college in South Australia will duplicate many of the outstanding services offered by the Australian Maritime College at this new facility in South Australia. Such a facility has the potential to negatively impact on enrolments at the AMC and create an impression that the AMC is an inferior facility.

b) That the City of Launceston in that letter request a firm commitment from the Liberal senators that they will secure a strong, written commitment from the Federal government and the relevant Minister, that the actions taken by the establishment of the new facility in South Australia will in no way negatively impact on funding, staffing or professional status of the AMC.

Background

Alderman Soward will provide some background to this.

As we know the AMC is an internationally renowned facility- an examination of its enrolments will see enrolled students here from over 50 countries. It is a high quality, international leader in a variety of courses and projects. The new facility spruiked by the Federal government in South Australia has direct capacity to duplicate many of the programs and opportunities here meaning that there is significant risk of a decrease in both the perceived status of the AMC as well as enrolments.

In the world of academia and maritime study even a PERCEIVED diminishment of status can be catastrophic as potential students flock to a shiny, brand new well-funded institution right on the doorstep of the newly awarded defence force ship building program based in South Australia.

As the Chamber of Commerce note, in their media release on the matter duplicated in our papers there is “no justification for the federal government to duplicate this
CITY OF LAUNCESTON

MEMORANDUM

outstanding national resource simply to address short-term political concerns in South Australia."


Attachments
Nil

Alderman Rob Soward
14.2 Notice of Motion - Alderman S R F Wood - Franklin House

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:
To consider a funding allocation for Franklin House restoration works.

RECOMMENDATION:
That the Council commit to provide joint funding with the State Government for the remediation of the convict built southern boundary brick wall at Franklin House.

REPORT:
With general admissions for 2016 totalling 9,450 and a further 880 local school children visiting the site, Franklin House is a significant cultural and historical asset for Launceston and broader region.

Franklin House was built in 1838 for former convict Britton Jones (a Launceston brewer and innkeeper); it was later used as a school for boys between 1842-1866.

In 1960 Franklin House was the first heritage property taken over by the National Trust in Tasmania.

Late last year a portion of the convict built southern boundary wall was deemed completely unsafe, and that the temporary supporting measures in place were simply not sufficient to alleviate the dangerous situation. There was at the time, a very real threat of severe injury or worse, in the event that the wall fell down. Indeed the young family next door lived in daily fear of such an occurrence.

The wall is now down and without significant support from the CoL and the State Government it is feared that it may never be reinstated and a simple palling fence will be built in its place thus diminishing the overall feel and significance of the visitor experience and furthermore, the risk that the convict bricks may be lost or stolen.

Through lobbying from myself, Alderman McKendrick and the General Manager, the Treasurer has in principal committed to fund half the amount required, provided the CoL commit to funding the other half.
14.2 Notice of Motion - Alderman S R F Wood - Franklin House ...(Cont’d)

The reconstruction of the wall is unfortunately beyond the financial capabilities of the volunteers. The volunteers struggle to maintain basic work on house and gardens as is. Astonishingly to note some 12,449 volunteer hours go into the house and gardens every year.

I understand Franklin House is not a council owned property, but we all have a role to play in preserving our heritage buildings adding to our art and cultural fabric of Launceston. It is vital to maintain the credibility and integrity of the house.

Therefore, it is hoped that the CoL identifies $40k from the budget and contributes the funds in conjunction with the State Government’s ($40k) to the rebuilding of the Franklin House boundary wall. The integrity of this significant cultural and heritage tourism icon and precinct for our City and the broader region is of the upmost importance.

ECONOMIC IMPACT:
Not considered relevant to this report.

ENVIRONMENTAL IMPACT:
Not considered relevant to this report.

SOCIAL IMPACT:
Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:
Michael Tidey (Director Corporate Services)

A contribution to an external organisation needs to be funded from the Council’s operating budget. The budget has been discussed with Aldermen in a recent Workshop and is expected to be released as a proposed budget for a period of community comment. A further commitment against the operating budget will need to be discussed with Aldermen prior to the finalisation of the budget.
COUNCIL AGENDA

Monday 24 April 2017

14.2 Notice of Motion - Alderman S R F Wood - Franklin House ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

[Signature]

Robert Dobrzynski: General Manager

ATTACHMENTS:

1. Notice of Motion - Alderman S R F Wood - Franklin House
CITY OF LAUNCESTON

MEMORANDUM

FILE NO.: SF5547 : SF2687
DATE: 7 April 2017
TO: Robert Dobrzynski General Manager
    c.c. Committee Clerks
FROM: Simon Wood Alderman
SUBJECT: Notice of Motion - Franklin House

In accordance with Clause 16 (5) of the Local Government (Meeting Procedures) Regulations 2015 please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on Monday 24 April 2017.

Motion

That the Council commit to provide joint funding with the State Government for the remediation of the convict built southern boundary brick wall at Franklin House.

Background

With general admissions for 2016 totalling 9450 and a further 880 local school children visiting the site, Franklin House is a significant cultural and historical asset for Launceston and broader region.

Franklin House was built in 1838 for former convict Britton Jones (a Launceston brewer and innkeeper), it was later used as a school for boys between 1842-1866.

In 1960 Franklin House was the first heritage property taken over by the National Trust in Tasmania.

Late last year a portion of the convict built southern boundary wall was deemed completely unsafe, and that the temporary supporting measures in place were simply not sufficient to alleviate the dangerous situation. There was at the time, a very real threat of severe injury or worse, in the event that the wall fell down. Indeed the young family next door lived in daily fear of such an occurrence.

The wall is now down and without significant support from the CoL and the State Government it is feared that it may never be reinstated and a simple palling fence will be built in its place thus diminishing the overall feel and significance of the visitor experience and furthermore, the risk that the convict bricks may be lost or stolen.

Through lobbying from myself, Alderman McKendrick and the General Manager, the Treasurer has in principal committed to fund half the amount required, provided the CoL commit to funding the other half.
CITY OF LAUNCESTON

MEMORANDUM

The reconstruction of the wall is unfortunately beyond the financial capabilities of the volunteers. The volunteers struggle to maintain basic work on house and gardens as is. Astonishingly to note some 12,449 volunteer hours go into the house and gardens every year.

I understand Franklin House is not a council owned property, but we all have a role to play in preserving our heritage buildings adding to our art and cultural fabric of Launceston. It is vital to maintain the credibility and integrity of the house.

Therefore, it is hoped that the CoL identifies $40k from the budget and contributes the funds in conjunction with the State Government’s ($40k) to the rebuilding of the Franklin House boundary wall. The integrity of this significant cultural and heritage tourism icon and precinct for our City and the broader region is of the upmost importance.

Attachments
Nil

Alderman Simon Wood
14.3 Notice of Motion - Alderman R J Sands - New Sound System for Princess Theatre

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider funding of a new sound system for the Princess Theatre.

RECOMMENDATION:

That the City of Launceston seriously considers, in the upcoming budget discussions, to include appropriate funding for the urgent upgrade of the sound system in the Princess Theatre.

REPORT:

This motion is brought forward after the cut backs last year across the whole of Council. I believe it is timely to consider having this system installed to complete the recent upgrades that have taken place. That is the new floor, new seating and if this was able to be included it would be a missing piece of the puzzle to enable patrons to really enjoy what we can offer in this magnificent theatre.

The previous quote was in the region of $425,000 but I believe 12 months later with new technology in sound equipment that price would be able to be reduced substantially.

The distortion factor in the dress circle is quite apparent and many patrons have complained that the diction of the singers and the volume of the music is distorted by the inadequate sound system that has been in place for 20 years. It would be advantageous for everyone if this was considered in a positive light.

**Officer Comment**

Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

The replacement of the audio system at the Princess Theatre is listed for the Capital Works 2017/2018 program. A sound engineer will be engaged to assess the requirements and take into consideration the special needs of the site. That report will inform what system is required and the final cost assessed to ensure that we acquire a quality audio system at a good price that will serve the needs of the Theatre for many years.
14.3 Notice of Motion - Alderman R J Sands - New Sound System for Princess Theatre ...(Cont’d)

ECONOMIC IMPACT:
Not considered relevant to this report.

ENVIRONMENTAL IMPACT:
Not considered relevant to this report.

SOCIAL IMPACT:
Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Directions -
1. To establish appropriate mechanisms to support the retail sector
2. To optimise the use and usability of our assets for different types of activities
3. To support and promote alternative uses of underutilised buildings
4. To promote the wide variety of learning opportunities within Launceston
5. To contribute towards artistic, cultural and heritage outcomes

BUDGET & FINANCIAL ASPECTS:
The Council's proposed budget for 2017/2018 includes funding for this project.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

ATTACHMENTS:
1. Notice of Motion - Alderman R J Sands - New Sound System for Princess Theatre
Attachment 1 - Notice of Motion - Alderman R J Sands - New Sound System for Princess Theatre

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 / SFO571
DATE: 6 April 2017
TO: Robert Dobrzynski General Manager
c.c.: Committee Clerks
FROM: Ted Sands Alderman

SUBJECT: Notice of Motion - New Sound System for Princess Theatre

In accordance with Clause 16 (5) of the Local Government (Meeting Procedures) Regulations 2015 please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 24 April 2017.

Motion

That the City of Launceston seriously consider in the upcoming budget discussions to include appropriate funding for the urgent upgrade of the sound system in the Princess Theatre.

Background

This motion is brought forward after the cut backs last year across the whole of Council. I believe it is timely to consider having this system installed to complete the recent upgrades that have taken place. That is the new floor, new seating and if this was able to be included it would be a missing piece of the puzzle to enable patrons to really enjoy what we can offer in this magnificent theatre.

The previous quote was in the region of $425,000 but I believe 12 months later with new technology in sound equipment that price would be able to be reduced substantially.

The distortion factor in the dress circle is quite apparent and many patrons have complained that the diction of the singers and the volume of the music is distorted by the inadequate sound system that has been in place for 20 years. It would be advantageous for everyone if this was considered in a positive light.

Attachments

N/A

Alderman Ted Sands
15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

15.1 Event Sponsorship Policy Update

FILE NO: SF0984

AUTHOR: Wendy Newton (Manager Community, Tourism and Events)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:
To consider the revised Event Sponsorship Policy (05-Plx-012).

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 21 November 2016 - Agenda Item 4.2 - Event Sponsorship Policy

Council - 29 April 2013 - Agenda Item 14.1 - Event Sponsorship Policy (05-Plx-012)

Council - 12 December 2011 - Agenda Item 13.2 - Event Sponsorship Policy (05-Plx-012)

SPPC - 27 March 2017 - Workshop Item - Event Sponsorship Policy Update Funding Levels

RECOMMENDATION:
That Council approves the Event Sponsorship Policy (05-Plx-012) as set out below.

PURPOSE:
The purpose of the Event Sponsorship Policy is to provide a framework to support events that will deliver community, social, cultural, tourism and economic benefits to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

SCOPE:
Applies to applications seeking funding assistance for events held within the Launceston Municipality or that demonstrate substantial benefit to Launceston and the region.

POLICY

Funding Overview
Applications for event sponsorship for the following categories will be assessed under this policy against the relevant assessment criteria.
15.1 Event Sponsorship Policy Update ...(Cont’d)

General Event Sponsorship Program

Small Events - up to $5,000

Funding will be provided to small community events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They may also commemorate or celebrate a significant occasion. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.

The City of Launceston will pre-commit a three (3) year funding allocation commencing 2017/2018 to fund a maximum of four (4) events that celebrate or commemorate a specific tradition in an annual calendar. Annual reporting on event outcomes, budget, and the next year's plan is required prior to release of funds for the following year's event.

Council will allocate an annual amount in the budget specifically for Small Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

Major Events - $5,001 - $20,000

Funding will be provided to major events held in the Launceston Municipality, where local, intrastate, interstate and international attendees are the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Funding will be available under two levels.

Level 1 - $5,001 to $12,500
Would typically be an event held in the Launceston Municipality attracting audiences from local and intrastate areas.

Level 2 - up to $20,000
Would typically be an event held in the Launceston Municipality attracting larger audiences, from local, intrastate, interstate and/or international areas.

Council will allocate an annual amount in the budget specifically for General Event Sponsorship, separate from and in addition to the other event sponsorship programs.
15.1 Event Sponsorship Policy Update …(Cont’d)

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

**Signature Event Sponsorship Program**

Funding will be provided to support established major annual events that deliver a uniquely memorable experience in the Launceston Municipality. Events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. They will operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

The City of Launceston on a tri-annual basis will identify established major annual events that will be eligible for three (3) years of continuous funding support. Events must deliver a unique experience to Launceston, have received a minimum of three (3) years continuous funding support as a City of Launceston Signature Event or Level 2 Major Event recipient and the event continues to deliver Event Strategy outcomes.

Council will pre-commit a three year funding allocation commencing 2017/2018 specifically for Signature Events. Annual reporting on event outcomes, budget, and the next year’s business and marketing plans are required prior to release of funds for the following year’s event.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

**New Year’s Eve Event Sponsorship Program**

The New Year’s Event Sponsorship Program provides support to the primary New Year’s Eve event to be held in the Launceston municipality. The event will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. As a major community event, it may also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

The City of Launceston on a triannual basis will commit to three years of continuous funding to the primary New Year’s Eve event, commencing 2017/2018. Annual reporting on event outcomes, budget, and the next year’s business and marketing plans are required prior to release of funds for the following year’s event.
15.1 Event Sponsorship Policy Update ...(Cont’d)

Council will allocate an annual amount in the budget specifically for New Year's Eve Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

**Start-up Event Sponsorship Program**

Funding is provided to encourage new annual events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will have a vision to develop and grow into a major event delivering tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council will allocate an annual amount in the budget specifically for Start-up Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

**Special Event Sponsorship Program - up to $30,000**

A ‘Special Event’ is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate attendees. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Applicants will be able to apply for up to $30,000 in the Special Event Sponsorship Program.

Council will allocate an annual amount in the budget specifically for Special Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) & Goal 3 (Asset Usage)

**Funding Rounds**

**General Event Sponsorship and Start up Event Sponsorship**

There will be two funding rounds per financial year and the timeframe for applications to be considered is as follows:
15.1 Event Sponsorship Policy Update …(Cont’d)

<table>
<thead>
<tr>
<th>Round</th>
<th>Applications Open</th>
<th>Applications Close</th>
<th>Council Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Round 1</td>
<td>1 February</td>
<td>15 March</td>
<td>May</td>
</tr>
<tr>
<td>(events 1 August - 31 December)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Round 2</td>
<td>1 May</td>
<td>15 June</td>
<td>September</td>
</tr>
<tr>
<td>(events 1 January - 31 July)</td>
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</tbody>
</table>

For General Event Sponsorship and Start up Event Sponsorship, round one covers a five month period and will be allocated 40% of the annual budget; this allocation will be pre-committed by Council. Round two covers a seven month period and will be allocated 60% of the annual budget. Where Programs are over- or under-subscribed in any round, the Assessment Panel may make a recommendation to Council to adjust budget allocation between Programs.

**Signature Event Sponsorship Program**

The City of Launceston on a tri-annual basis will identify established major annual events that will be eligible for three years of funding support. Event organisers will be required to submit an application to support their funding request, up to an amount to be determined by a decision of Council. Applications will open on a triannual basis and the timeframe for funding applications to be considered is as follows:

<table>
<thead>
<tr>
<th>Round</th>
<th>Applications Open</th>
<th>Applications Close</th>
<th>Council Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 February</td>
<td>15 March</td>
<td>May</td>
<td></td>
</tr>
</tbody>
</table>

For Signature Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.

**New Year’s Eve Event Sponsorship Program**

The City of Launceston on a tri-annual basis will open an expression of interest process and the timeline will be as follows:

<table>
<thead>
<tr>
<th>Round</th>
<th>Applications Open</th>
<th>Applications Close</th>
<th>Council Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 February</td>
<td>15 March</td>
<td>May</td>
<td></td>
</tr>
</tbody>
</table>

For New Year’s Eve Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.
15.1 Event Sponsorship Policy Update ...(Cont’d)

Special Event Sponsorship

Expressions of interests can be made for Special Event funding for up to $30,000 and will be ongoing until the budget allocation has been exhausted within that given financial year.

Expressions of interest for Special Event funding will generally be considered by Council within six weeks of receipt of a formal application.

Requests for funding greater than $30,000 or that fall outside of sponsorship guidelines may be considered separately by Council.

Funding Assessment
Assessment of all eligible applications will be made by the City of Launceston Event Sponsorship Assessment Panel and will operate under a Council endorsed Terms of Reference.

Funding decisions will be made by the Council, following recommendations made by the Panel. Funding endorsement will be subject to the budget available.

Funding Agreement
Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.

The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.

Funding Limitations
No funding will be granted to an event that has started or completed prior to the application being assessed.

An event under this Policy will only be eligible to receive funding from one City of Launceston Event Sponsorship program per financial year. The event will also be ineligible to receive funding support from any other City of Launceston funding program (eg. Community Grant).

PRINCIPLES:
Council’s Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES:
Event Sponsorship Guidelines 05-Rfx-015
Event Sponsorship Assessment Panel Terms of Reference 05-Plx-018
Individual Grants Policy 05-PI-011
Community Grants (Organisations) Policy 05-PI-010
15.1 Event Sponsorship Policy Update ...(Cont’d)

Approval of Holding Civic Events (receptions/functions) Policy 05-PL-006
Mayoral Communications Flow Chart 17-HLPr-002
Mayoral Community Assistance Fund Policy 05-Pl-001

RELATED LEGISLATION:
N/A

REFERENCES:
N/A

DEFINITIONS:
N/A

REVIEW:
This policy will be reviewed in line with the City of Launceston Events Strategy or more frequently if dictated by operational demands and with Council’s approval.

REPORT:

Council’s Event Sponsorship Policy includes a Program for Special Event Sponsorship. A Special Event is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate areas. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council allocates an annual amount in the budget specifically for Special Event Sponsorship, separate from and in addition to the other event sponsorship programs. An amount of $50,000 has been included in the draft Budget 2017/2018. Under the current program, there is no maximum amount that applicants can apply for.

Following the SPPC workshop on 27 March 2017, Council officers recommend the addition of a maximum $30,000 funding level in the Special Event Sponsorship Program in the Events Sponsorship Policy. Requests above this level may be considered separately by Council.

The recommendation takes into consideration that a maximum amount of $20,000 applies to the Major Event category within the General Event Sponsorship Program, and additionally the significant return on investment that Special Events can deliver to Launceston and the region.
15.1 Event Sponsorship Policy Update ...(Cont’d)

ECONOMIC IMPACT:
Consideration contained in this report.

ENVIRONMENTAL IMPACT:
Not considered relevant to this report.

SOCIAL IMPACT:
Consideration contained in this report.

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Direction -
6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Directions -
4. To promote Launceston’s rich heritage and natural environment
6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston
Key Directions -
1. To actively market the City and Region and pursue investment
3. To promote tourism and a quality Launceston tourism offering
6. To facilitate direct investment in the local economy to support its growth

City of Launceston Event Strategy 2016-2019
Goal 1: Maximise the economic, tourism and profile benefits achievable from events.
Goal 2: Community, social and lifestyle outcomes
Goal 3: Maximising the promotion, usage of and financial return of City of Launceston owned and managed facilities and infrastructure as event venues.
15.1 Event Sponsorship Policy Update ...(Cont’d)

BUDGET & FINANCIAL ASPECTS:

The final decision on available funding for 2017/2018 will be made in the lead-up to the budget as funding allocation decisions are made prior to the final budget determination.

These decisions will need to be made in the context of the overall financial position, in particular the strategic objective of delivering an ongoing operating surplus.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

[Signature]

Leanne Hurst: Director Development Services
15.2 Event Sponsorship Assessment Panel: Terms of Reference Update

FILE NO: SF5892

AUTHOR: Wendy Newton (Manager Community, Tourism and Events)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the update of the Event Sponsorship Assessment Panel - Terms of Reference (05-Plx-018).

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 21 November 2016 - Agenda Item 4.4 - Event Sponsorship Assessment Panel Terms of Reference

Council - 28 November 2016 - Agenda Item 15.3 - Event Sponsorship Assessment Panel Terms of Reference

RECOMMENDATION:

That Council approves the update of the Event Sponsorship Assessment Panel - Terms of Reference (05-Plx-018) as set out below:

Event Sponsorship Assessment Panel - Terms of Reference

The Event Sponsorship Assessment Panel is a Special Committee of Council as defined under section 24 of the Local Government Act (Tas) 1993.

PURPOSE:

The primary purpose of the City of Launceston (CoL) Event Sponsorship Assessment Panel (the Panel) is to review and assess sponsorship applications in accordance with the Event Sponsorship Policy and Guidelines.

The Panel's recommendations will allow for informed decision making by Council when approving funding allocation for events.

ROLE:

The role of the Panel is to:

- To consider, review and assess event sponsorship applications against the relevant Event Sponsorship Program assessment criteria.
15.2 Event Sponsorship Assessment Panel: Terms of Reference Update ...(Cont’d)

- Provide recommendations to Council on events to be approved for funding.

**MEMBERSHIP:**

The Panel will consist of three representatives from the City of Launceston (Aldermen) and external stakeholders for the following positions:

- City of Launceston Alderman, to Chair the Panel, and two additional Aldermen will be nominated and endorsed by Council;
- A representative of Tourism Northern Tasmania;
- A representative of Launceston Chamber of Commerce; and
- A representative of Cityprom

City of Launceston Officers will provide advice to the Panel.

**MEETING ARRANGEMENTS:**

The Panel will meet twice a year, normally May/July, which will coincide with the event sponsorship rounds and other times as necessary. A minimum of three weeks’ notice will be provided to panel members of meeting date and time. All event sponsorship applications will be assessed in the first instance via an online assessment process. Panel meetings will provide an opportunity for discussion and review of assessments and to confirm recommendations to Council. The length of each meeting will be determined on the number of applications received.

**MEETING QUORUM:**

An absolute majority is considered a quorum for meetings of the Event Sponsorship Assessment Panel.

**HOW THE PANEL WILL OPERATE:**

- The Grants and Sponsorship Officer will coordinate the Event Sponsorship assessment process;
- The Panel will assess all Event Sponsorship applications through an online assessment process prior to a Panel meeting;
- Panel members will independently review and assess each sponsorship application in accordance with the relevant Event Sponsorship Program assessment criteria;
- Once applications have been pre-scored, the Panel will meet to finalise assessment scoring which will determine the applicant's eligibility for funding, and form the Panel's recommendation to Council; and
- All final decisions on Event Sponsorship funding will be made by Council and are subject to the available budget available for that round.
15.2 Event Sponsorship Assessment Panel: Terms of Reference Update ...(Cont’d)

**CODE OF CONDUCT:**
All Panel members must adhere to the Code of Conduct for Committees. Aldermen and Council Officers must also adhere to their own relevant Code of Conduct.

**CONFLICT OF INTEREST:**
If a Panel member has a declared interest in an event they must declare prior to assessment of the application. A declared interest will result in the inability to assess that specific application. The Panel member must withdraw from the meeting during the discussions of the application, finalisation of scoring and subsequent recommendation to Council.

The declaration of interest will be noted in the report outlining the Panel's recommendation to Council.

**RESOURCES:**
The Grants and Sponsorship Officer will coordinate the assessment process, ensuring Panel members have all the necessary support to undertake the assessment process.

**HONORARIUMS:**
Council will not pay any honorariums or expenses to any member on the panel.

**REVIEW:**
The Terms of Reference including membership will be reviewed in conjunction with the review of the City of Launceston Event Sponsorship Policy.

**REPORT:**
The Event Sponsorship Assessment Panel - Terms of Reference (05-Plx-018) was approved by Council on 28 November 2016.

Since approval, Events Tasmania has advised that they are unable to provide a representative for the Assessment Panel.

Council Officers recommend a representative from the Launceston Chamber of Commerce be included in the Panel to replace the representative from Events Tasmania. The Executive Officer of Launceston Chamber of Commerce has agreed to provide a representative for the Panel.
ECONOMIC IMPACT:
Not considered relevant to this report.

ENVIRONMENTAL IMPACT:
Not considered relevant to this report.

SOCIAL IMPACT:
Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Direction -
6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Directions -
4. To promote Launceston’s rich heritage and natural environment
6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston
Key Directions -
1. To actively market the City and Region and pursue investment
3. To promote tourism and a quality Launceston tourism offering
4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar
6. To facilitate direct investment in the local economy to support its growth
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way; to continue to meet our statutory obligations and deliver quality services and to continue to ensure the long-term sustainability of our Organisation
Key Directions -
3. To ensure decisions are made on the basis of accurate and relevant information
4. To continually improve our service delivery and supporting processes

BUDGET & FINANCIAL ASPECTS:
Not considered relevant to this report.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

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

Leanne Hurst: Director Development Services
FACILITIES MANAGEMENT DIRECTORATE ITEMS

16.1 Petition - Provision of CCTV in Rocherlea

FILE NO: SF2306/SF0097

DIRECTOR: Rod Sweetnam (Director Facilities Management)

DECISION STATEMENT:

To decide on a response to a petition requesting among other things the installation of CCTV cameras in Rocherlea.

PREVIOUS COUNCIL CONSIDERATION:

Council - 13 February 2017 - Agenda Item 5.1 - Petition - Rocherlea Surveillance

Council - 20 March 2017 - Agenda Item 16.1 - Petition - Rocherlea Surveillance

RECOMMENDATION:

Following advice from Tasmania Police, that Council:

1. trials the installation of two CCTV cameras at the intersection of Lilydale and George Town Roads and the intersection of Lilydale Road and Waratah Road for a 12 month period.

2. receives a report to a future SPPC Workshop regarding the effectiveness and durability of the installation.

REPORT:

At its Meeting on the 20 March 2017, Council received a petition requesting:

We the undermentioned ratepayers and electors of the Municipal Area of Launceston, in accordance with section 57 of the Local Government Act 1993 petition the Launceston City Council and Aldermen and the Tasmania Police to jointly support the provision of surveillance cameras for Cupania Street, Rocherlea and on George Town Road near the Lilydale Road T-Junction and at the main access and exit points at Waratah Road and Reservoir Roads, Rocherlea.
These areas are experiencing ongoing anti-social and criminal behaviour, ‘hooning’ and erratic driving and putting the public at risk of harm. We, the community have reached a period of where we are not prepared to accept this intolerable behaviour continuing and are demanding action from the Council and Police for their combined assistance in getting control of this unacceptable behaviour.

As a consequence of the petition the views of Tasmania Police were sought and a senior police officer attended a Workshop with Aldermen.

The Council has developed, over a period of time, a network of CCTV cameras principally intended to monitor public areas in retail and central business area gathering spaces.

Thirty five cameras have been installed to assist Tasmania Police with public order management and assist surveillance of key areas as a community safety incentive. Data captured by this network is wholly for the use of Tasmania Police.

**Implementation**

If the recommendation is adopted it should be noted it will take approximately two to three months for installation to occur. Time is required for purchase of hardware, testing of 4G connectivity and obtaining permission from infrastructure owners to install cameras on their property.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

The petition would indicate the signatories believe there will be positive social outcomes as a result of the installation of CCTV cameras in the area. A trial may enable this to be determined.
16.1 Petition - Provision of CCTV In Rocherlea ...(Cont’d)

STRATEGIC DOCUMENT REFERENCE:
City of Launceston Strategic Plan 2014-2024
Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Directions -
1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
3. To contribute to enhanced public health and amenity to promote a safe and secure environment

BUDGET & FINANCIAL ASPECTS:
Council has $140,000 in the current financial year budget of which $40,000 is currently available for renewal and enhancement of the CCTV network. It is estimated a maximum of $12,000 would be required for purchase and installation of two cameras as per the recommendation.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

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

[Signature]
Rod Sweetnam: Director Facilities Management

ATTACHMENTS:
1. Map indicating proposed positions of cameras
Attachment 1 - Map Indicating Proposed Positions of Cameras
QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda
INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Lease - Tasmanian Dog Training Club Inc.

FILE NO: SF0830

AUTHOR: Tricia De Leon-Hillier (Parks Lease Management Officer)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider leasing an area of land at Churchill Park (part of CT50435 Folio 1) to the Tasmanian Dog Training Club Incorporated.

*This decision requires an absolute majority of Council.*

PREVIOUS COUNCIL CONSIDERATION:

Council - 30 January 2012 - Agenda Item 16.3 - Lease Tasmanian Dog Training Club Inc. - lease approved

RECOMMENDATION:

That, in accordance with section 178 of the *Local Government Act 1993*, Council resolves to lease public land situated at Churchill Park (part of CT50435 Folio 1), to the Tasmanian Dog Training Club Incorporated under the following terms:

- the term shall be five years commencing on 1 May 2017.
- the lease amount shall be $1 per annum.
- tenant to be responsible for:
  - energy costs;
  - volumetric and connection service charges for water; and
  - sewerage charges.
- tenant shall continuously maintain:
  - building in good and reasonable order; and
  - public liability insurance of at least $10 million.

REPORT:

The Tasmanian Dog Training Club Incorporated (TDTC) is an affiliated, incorporated and not-for-profit organisation that has been based at Churchill Park (part of CT50435 Folio 1) since 2007 (*Attachment 1*). Their current lease expired on 1 March 2017 and the TDTC continues to occupy the premises under the holding over clause contained in the lease agreement.
The club originally began in 1955 under the name of Tasmanian Dog Club. As a volunteer organisation they have approximately 400 members at any given time with 16 dedicated instructors who provide dog training, education and a variety of dog exercise activities. The club provides a service to the public educating on all aspects of dog care and how to be responsible dog owners, ranging from vaccinating, de-sexing, behaviour and training.

TDTC has approached the Council and requested a new lease agreement (Attachment 2). It is recommended that the Council offer a five year lease at $1 per annum with the lessee to cover all charges in respect of power, water charges, contents insurance plus public liability insurance.

A Council may lease public land for a period not exceeding five years without advertising the proposal under section 178 of the Local Government Act 1993. As the property is public land and the lease is for a maximum period of five years, it is not necessary to provide valuation advice to the Council.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

TDTC is a non for profit organisation which aims to educate the public on how to be responsible dog owners. This proposal will make a positive impact on the community.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024
Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play
Key Directions -
1. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston
3. To contribute to enhanced public health and amenity to promote a safe and secure environment
6. To promote active and healthy lifestyles
18.1 Lease - Tasmanian Dog Training Club Inc. ...(Cont’d)

BUDGET & FINANCIAL ASPECTS:
There are no additional costs to Council as a result of this lease.

DISCLOSURE OF INTERESTS:
The officer has no conflict of interest in this item.

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

Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:
1. Map of leased area
2. Letter of lease proposal
Tasmanian Dog Training Club Inc.
PO Box 1199
Launceston TAS 7250

Ms Tricia De Leon-Hillier
Parks Lease Management Officer
Parks and Recreation
PO Box 396
Launceston TAS 7250

Dear Ms De Leon-Hillier,

The Tasmanian Dog Training Club Inc. (TDTC Inc.) wishes to thank you for arranging its discussion with you on Friday 10 March 2017 regarding the renewal of the club’s lease at Churchill Park for a 5 year term.

TDTC Inc. formally advises that it wishes to take up your kind offer agreed to at that meeting and is pleased to have the current Lease and Licence Policy applied.

The TDTC Inc. agrees that it will be responsible for the current outgoings of electricity and water usage and advises that it will continue to maintain the club infrastructure and immediate club grounds to the current high standard, enhancing the patronage of members of the general community.

Lyn Deitch
President
13 March 2017
18.2 Disposal of Part of Road Reservation - Charolais Drive

FILE NO: DA0229/2016/SF1267

AUTHOR: Robert Holmes (Senior Property Advisor)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a request to purchase part of a road reservation.

A decision to sell land, under section 175 of the Local Government Act 1993, requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

A Development Approval (DA0229/2016) for a 2 lot subdivision was issued on the 30 August 2016 under delegated authority.

RECOMMENDATION:

1. That Council:

   A. authorises the General Manager to commence proceedings under section 14 of the Local Government (Highways) Act 1982 to close 130m² of Charolais Drive as shown on the plan marked Attachment 1.

   B. subject to there being no objections received during the closure notification period, forms the opinion that the above mentioned section of Charolais Drive can be closed because of lack of use.

   C. following the highway closure, in accordance with section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993, decides to:
      (a) amend Sealed Plan SP11020 by deleting from the face of the plan the notation "Road" from the 130m² section of closed,
      (b) to serve notice on the parties that have an estate or interest law affected by the proposed amendment, and
      (c) to register the amendment with the Land Titles Office.

   D. simultaneously, with the amendment to SP11020, decides to sell an area of 130m² as shown on the plan marked Attachment 1 with the sale price being the sum of $1 in exchange for the owners of 5 Tabina Court, Norwood agreeing to:
18.2 Disposal of Part of Road Reservation - Charolais Drive ...(Cont’d)

(a) obtain building approval from a permit authority for an engineer designed retaining wall and,

(b) construct the retaining wall generally in accordance with the detail shown on Attachment 2 or other such form as approved by the Director Infrastructure Services Division, with construction to be completed by 31 December 2018, and,

(c) to enter into a section 71 (under the Land Use Planning and Approvals Act 1993), agreement to record the owners obligations to construct the retaining wall as described in item (b) above and, to detail acceptance of responsibility to maintain the retaining wall for the life of the dwelling and,

(d) pay own legal expenses including all registration and transfer expenses.

2. That, in the event there are any representations or objections to the closure, a further report will be presented to Council.

REPORT:

The property at 5 Tabina Court, Norwood also fronts onto Charolais Drive. Under DA0229/2016 an approval for a 2 lot subdivision at 5 Tabina Court, Norwood was issued on 30 August 2016. That development approval requires that to minimise risk associated with landslide susceptibility consideration be given to specific geotechnical requirements.

While planning approval for the subdivision has been issued it is necessary for a decision of the Council to deal with the disposal of an interest in land. Essentially, to sell the land the Council needs to formally close the road and remove from part of the sealed plan the reference to road.

Background

The land is zoned 12.0 Low Density Residential Zone under the Launceston Interim Planning Scheme 2015 where the acceptable solution for subdivision requires a lot size of 1500m². The current lot size is 1100m². The applicants have requested that the Council consider the sale of part of Charolais Drive in order to create a more favourable assessment when addressing performance criteria. Adding 130m² of road to the area available will create a lot of 1230m².

The area of road in question is adjacent to an embankment fronting onto Charolais Drive and is steep. The Charolais Drive road was constructed in 1994 and is now showing some signs of minor movement.
Highway Closure
The subdivision proposal DA0229/2016 has previously been advertised which included
detail of the proposal to transfer part of the road lot. One neighbour made a
representation during advertising on the basis of a concern that the road might have been
altered to the extent that it affected access to or the convenience of the adjoining
properties. The representation was withdrawn after clarification that there was no
alteration to the existing road.

The area in question is at the end of a cul-de-sac street and the land is of considerable
slope. The Infrastructure Directorate's assessment is that the area is likely to meet the
'lack of use requirement'. An onsite notice and public advertising will determine if any
other party has a concern with the closure. In the event of any representation being made
the matter will be referred back to the Council for further consideration.

Plan Amendment
As stated above the subdivision proposal has previously been advertised. The
amendment to SP111020 is only to remove from face of the plan the notation "Road" from
the 130m² section proposed to be closed. The amendment to SP111020 only affects two
other parties who have previously been notified in regard to the subdivision. The process
is largely a statutory one where registration of the amendment can be tied to the transfer of
the lot.

Geotechnical Review
A geotechnical investigation relating to the subdivision of 5 Tabina Court, Norwood has
been undertaken by Tasman Geotechnics and forms part of the Development Approval.
The report TG16100/1-01 on page six provides the following commentary on risk:

"5.3 Risk to Property
The following table summarizes the risk to property of the landslide events in relation to the
proposed two lot subdivision, assuming limitations in Section 6 are incorporated.

Table - Landslide risk profiles

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Risk Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large-scale deep-seated landslide</td>
<td>Rare: development has negligible impact on entire slope, no evidence of previous movement</td>
<td>Major: would impact several houses</td>
<td>Low</td>
</tr>
<tr>
<td>Small-scale failure of fill embankment</td>
<td>Almost Certain: evidence suggests the embankment is currently creeping</td>
<td>Medium: landslide debris would impact on proposed house</td>
<td>Very High</td>
</tr>
<tr>
<td></td>
<td>Rare: if recommendations in Section 6 are adopted</td>
<td>Medium: landslide debris would impact on proposed house</td>
<td>Low</td>
</tr>
</tbody>
</table>
18.2 Disposal of Part of Road Reservation - Charolais Drive ...(Cont'd)

The assessment shows that the proposed development presents a Low level of risk, provided the limitations listed in Section 6 are incorporated in the design."

Council Officers have in turn had the geotechnical report reviewed by consulting engineers Johnstone McGee & Gandy.

The Johnstone McGee & Gandy review states that the "….current fill embankment should be retained by an Engineered Retaining Wall. .... We suggest that the construction of the retaining wall should be linked explicitly to the subdivision of the land. ...... We further suggest that a Part 5 agreement should be included on title clearly articulating which party is responsible for the retaining wall…”

Review of the applicant’s geotechnical advice has alerted officers that in the coming years the Council may need to undertake remedial action to ensure stability of the fill embankment. As stated above the applicants geotechnical advice identifies that the risk can be minimised by construction of an engineered retaining wall to provide stability of the bank in front of the residence.

The common issue between the applicant and the Council is ensuring stability of the embankment below Charolais Drive. Due to the evidence of road movement, there is already a need for some retaining of the embankment to protect the road. That said, given the above advice, it is noted that the proposed residence requires a more substantial retaining wall than that required by the Council to retain the embankment.

Negotiation between the parties has reached an in principle agreement whereby the Council forgoes the value of the road lot together with the associated highway closure and plan amendment expenses in exchange for the applicant agreeing to:
- obtain building approval from a permit authority for an engineer designed retaining wall and,
- construct the retaining wall generally in accordance with the detail shown on Attachment 2 or other such form as approved by the Director Infrastructure Services with construction to be completed by 31 December 2018 and,
- to enter into a Section 71 agreement to record the owners obligations to construct the retaining wall as described in item (e) above including acceptance of responsibility to maintain the retaining wall for the life of the dwelling and,
- pay own legal expenses all registration and transfer expenses.

The detail above forms the basis of the recommendation.
Legislation

Legislation applicable to consideration of this item is as follows:

Section 14 of the Local Government (Highways) Act 1982

14. Closure and diversion of highways

(1) If, in the opinion of the corporation, a local highway or part of a local highway should be diverted or closed for the public benefit, in the interests of public safety or because of lack of use, it may –

(a) if it is satisfied, in the case of a diversion of a highway, that standard requirements, if applicable, have been complied with; and

(b) not less than 28 days after a written notice of its intention to do so –

(i) has been served on each of the owners and occupiers affected;

(ii) has been served on the Transport Commission;

(iii) has been displayed in a prominent position at each end of the highway; and

(iv) has been published twice in separate issues of a local newspaper circulating in the municipality in which the highway is situated – close or divert the highway in respect of all traffic or particular types of traffic or subject to the reservation of a footpath or some other highway that may be used only for limited purposes.

Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993

103. Amendment of sealed plans

(1) When a plan has taken effect, it may be amended by the council –

(a) of its own motion –

(i) to do anything that the council could do under any other power subject to any conditions precedent to the exercise of the power relied on; or

(ii) to bring the plan into conformity with any change in the rights and duties of land owners made under a statutory power; or

(b) on the application of any person having an interest in land subject to the plan.

(2) If a council acts on its own motion, it is to serve a notice in writing to all persons appearing by the registers under the Land Titles Act 1980 and the Registration of Deeds Act 1935 to have an estate or interest at law affected by the proposed amendment.

(3) A person is to –

(a) make an application under subsection (1) by petition; and

(b) serve a copy of the petition on all persons appearing by the registers under the Land Titles Act 1980 and the Registration of Deeds Act 1935 to have an estate or interest at law affected by the proposed amendment.

(4) Any person affected by the proposed amendment may ask to be heard in support or opposition.
18.2 Disposal of Part of Road Reservation - Charolais Drive ...(Cont’d)

(5) If a notice is not given or a petition is not served as required by this section, subsequent proceedings are not void.

Section 175 of the Local Government Act 1993

177. Sale and disposal of land

(1) A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.

(2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under section 4 of the Land Valuers Act 2001.

(3) A council may sell –
   (a) any land by auction or tender; or
   (b) any specific land by any other method it approves.

(4) A council may exchange land for other land –
   (a) if the valuations of each land are comparable in value; or
   (b) in any other case, as it considers appropriate.

(5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.

(6) A decision by a council under this section must be made by absolute majority.

ECONOMIC IMPACT:

The outcome is cost neutral for the Council if the applicant constructs the retaining wall and beneficial for the applicant as they have the benefit of a larger lot size.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 7 - A City that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston.
Key Direction- 2 To provide an environment that is conducive to business and development.
18.2 Disposal of Part of Road Reservation - Charolais Drive ...(Cont’d)

BUDGET & FINANCIAL ASPECTS:

The Council will pay for the costs associated with road closure and amendment of the sealed plan. Direct expenses can be funded out of existing budgets.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Map - area of road proposed to be closed and subsequently exchanged
2. Proposed design - retaining wall to be built by the applicant
Our Ref: P1675

1st February 2017

Mr Robert Holmes
Launceston City Council
PO Box 396
LAUNCESTON  TAS  7250

Dear Robert,

CLEMENTS RESIDENCE - 28 CHAROLAIS DRIVE, NORWOOD

Thank you for discussing the above project with me recently. In particular, the proposed boundary adjustment on Charolais Drive.

As discussed, the Council's main concern was the stability of the ground surrounding the eastern side of the road reserve.

This stability would be best provided by a retaining wall designed to suit the existing ground conditions.

We refer to our previous letter dated 16th November 2016 that enclosed copies of drawings A-CD-02A & A-CD-03A, detailing our basic proposal for the construction of the retaining wall. You will note that the wall is located as part of the residence structure. This location suits the construction of a basement, level access to the first floor and stabilised the road reserve, and certainly allows a practical construction procedure.

The wall design is based on the following assumptions:

Wall Form
The wall is a stepped reinforced masonry wall, propped by the basement floor slab. The wall is designed to AS4678 – 2008 with the following loads and properties. The strength of the wall is designed to AS3700, and the base to AS3600.

Loading
The wall is designed for back slope of 1 in 2.4 with zero surcharge or a flat upslope with a surcharge of 5 kPa. It is not feasible to surcharge such a steep slope. AS1170.1 guides that the second surcharge will cover light vehicles up to 10 T in weight. The road kerb is about 6 m away from the back of the proposed wall, which is nearly twice the height of the wall, and thus the road load is not likely to impact on the wall.
Landslip and Soil Properties

Landslip issues are addressed in the Tasman Geotechnics Landslide Risk Assessment, 5 Tabina Court, Norwood report dated 22 July 2016. This report says that the fill embankment should be retained by an Engineer designed retaining wall.

Stormwater runoff from roofs and pavements should be collected and discharged to council stormwater.

Vegetation should be maintained on the site.

Soil density of 19 kN/m3 and at rest soil pressures were used as recommended:

- Retained soil, drained
- Effective Internal Friction Angle
- Fill 30°
- Very Stiff Silty Clay 25°
- Effective Wall Friction Angle 12.5°
- Base soil, undrained highly weathered rock
- Effective Internal Friction Angle 35°
- Effective Cohesion 200 kPa
- External Base Wall Friction Angle 17.5°
- External Base Friction Angle 35°

If you are agreeable to this solution, a condition could be written into the planning approval for the subdivision. We are happy to provide reference documents.

Yours faithfully

6ty Pty Ltd

Chester G Bullock
Director

CGB.SJP
18.3 Petition - Speed Limit Reduction and Residential Parking, West Tamar Road

FILE NO: SF0097/SF2150/SF0608

AUTHOR: Nigel Coates (Engineering Officer - Traffic)

DIRECTOR: Shane Eberhardt (Director - Infrastructure Services)

DECISION STATEMENT:
To receive a report in response to the petition received by Council on 20 March 2017 requesting a speed limit reduction and residential parking on the West Tamar Highway.

RECOMMENDATION:
That Council notes the following actions taken in response to the petition received by Council on 20 March 2017, from Mr William Baker, requesting a speed limit reduction and residential parking on the West Tamar Highway:

1. The request for a speed limit reduction on the West Tamar Highway has been forwarded to the Department of State Growth for their decision.

2. Consultation has commenced regarding introducing a two hour time limit on parking on the West Tamar Highway, with exemption for eligible residents and will be provided to Department State Growth for a decision.

REPORT:
On 20 March 2017 Council received a petition with 15 signatures requesting that Council:

1. Reduce the speed limit from 70kmh to 60kmh until at least number 19 West Tamar Road.

2. Implement a 2 hour parking limit (Residents excepted) between 1 and 17 West Tamar Road.

The West Tamar Highway is a state road managed by the Department of State Growth and as such, speed limits on this road are a matter for the State Government to consider. A request for them to consider the speed limit reduction has been made.
18.3 Petition - Speed Limit Reduction and Residential Parking, West Tamar Road ...(Cont’d)

Parking controls on state roads that are not within a city (ie. that have a speed limit exceeding 60km/h) are also not a Council responsibility. The Department of State Growth has been contacted regarding this request and have advised that it would ask the City of Launceston to introduce and administer a residential parking zone on the West Tamar Highway. It will be necessary to seek the approval of the Transport Commissioner to introduce the regulatory signage and the Department would fund their installation.

For consistency with other residential parking zones in Launceston, a zone on the West Tamar Highway should comply with the City of Launceston's residential parking policy.

The main criteria under this policy are:
- the length of the Residential Parking Permit Zone shall be a minimum of 50m;
- 75% of the abutting properties are to have less than two off-street car parking spaces (whether the spaces are located parallel or in series). The useability of spaces will be determined by their compliance with Australian Standards;
- the adjacent properties are to have a residential land-use zoning;
- between the hours 8.30am and 5.30pm Monday to Friday (generally) properties have no available on-street parking due to third party parking;
- the support of the majority of residents in the street is required.

In compliance with this policy it will be possible to offer residential parking to properties 1-9 West Tamar Road with a potential second zone outside properties 19-21A. Numbers 11-17 West Tamar Road are ineligible for parking permits, six of the petitioners are from these properties. Consultation has commenced with properties 1-21A to ensure that all are aware of the potential zone and associated impacts. A majority of the residents consulted would need to support the proposal for it to proceed to implementation.

**ECONOMIC IMPACT:**
Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**
Not considered relevant to this report.

**SOCIAL IMPACT:**
Not considered relevant to this report.
18.3 Petition - Speed Limit Reduction and Residential Parking, West Tamar Road ...(Cont’d)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Shane Eberhardt: Director Infrastructure Services
19 MAJOR PROJECTS DIRECTORATE ITEMS

19.1 St John Street Redevelopment Design

FILE NO: SF6519

DIRECTOR: Dale Sinfield (Director Major Projects)

DECISION STATEMENT:

To consider endorsement of the design for the St John Street Redevelopment (St John Street Central South - southern section between York Street and Brisbane Street).

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 10 April 2017 - St John Street Redevelopment

RECOMMENDATION:

That Council endorses the design as per Attachments 1 and 2 for the St John Street Redevelopment (St John Street Central South).

REPORT:

The Launceston City Heart (LCH) Project is a priority project within the City of Launceston's Greater Launceston Plan. The LCH aims to revitalise the inner city area of Launceston as the primary service and retail centre for the greater Launceston northern Tasmania region, and promote appropriate, planned and desirable commercial and council development opportunities in the area. The LCH Project has 10 key precinct areas and over 60 sub-projects within its scope.

In December 2015, Council endorsed the LCH Masterplan Stage 1. This included the focus and completion of the LCH Stage 1 - Phase 2 Capital program, which incorporates five sub-projects, including the following:

- Project 1 - Civic Square Redevelopment;
- Project 2 - LCH Wayfinding (Pedestrian and Bicycle Signage Treatments);
- Project 3 - Brisbane Street Mall Redevelopment;
- Project 4 - Public Transport Improvements (Redevelopment of St John Street); and
- Project 5 - LCH Live (Wi-Fi and Fibre Infrastructure).
19.1 St John Street Redevelopment Design ...(Cont’d)

The redevelopment of St John Street will significantly improve the built environment and streetscape within the CBD. The project involves the section of St John Street between Brisbane and York Streets, with the remaining section between Brisbane and Paterson Streets being implemented at a later date.

The main components of the redevelopment include upgraded (paved) and widened footpaths, new trees and street furniture, upgraded lighting, new road surfacing, new bus shelters and a substantial raised pedestrian crossing threshold at the intersection of The Quadrant and St John Street.

The reinvigorated streetscape, as designed, reflects contemporary best practice in urban street design and has been designed with enhanced pedestrian functionality and traffic calming outcomes as its major focus.

These two objectives of pedestrianisation and traffic calming will result in an environment that is more attractive to shoppers and visitors alike and continue the theme adopted in the recently completed Quadrant Mall.

The project also involves upgrades to existing bus stops and bus stop infrastructure in this section of St John Street. A new bus shelter facility will be provided in a relocated position approximately 20 to 40m south of their current positions. This shelter will improve on the current facility in that it will accommodate more bus patrons, is more contemporary and robust in its design and will provide a physical separation from passing pedestrians by use of transparent, physical backing to the shelters (Attachment 1). Enhanced security, including CCTV, is incorporated into the design.

The raised at-grade, mid-block pedestrian crossing, combined with the widened footpaths and relocated bus stops and shelters will create an opportunity for a change in focus and use for this section of St John Street. The new design will allow for a continuity of the upgraded pedestrianisation theme in the Quadrant Mall to flow from The Quadrant across the St John Street raised pedestrian crossing down to the Brisbane Street Mall, connecting the two main Malls within the City in an integrated, seamless treatment.

The overall intention of the project is to revitalise this section of St John Street resulting in more vibrant and successful commercial outcomes. In doing so, it aims to achieve the following key objectives:

- Increased pedestrianisation;
- Reduced motor traffic speeds;
- Improve security;
- Increased usage of the bus infrastructure;
- Improved access to businesses for patrons; and
- Improved amenity.
ECONOMIC IMPACT:

The redevelopment of this section of St John Street will provide a significant stimulus to the local economy. A revitalised streetscape, with increased amenity, will result in an area that is more attractive to the businesses and shopping community. The redevelopment will also demonstrate Council's commitment to deliver its objects as laid out in the Launceston City Heart Masterplan - Stages 1 and 2.

ENVIRONMENTAL IMPACT:

The project significantly improves the amenity of St John Street and contributes to the ongoing enhancement of the built environment within the City.

SOCIAL IMPACT:

The new streetscapes will lend itself to a more welcoming and pleasant environment that promotes a feeling of community, high amenity and safe spaces. The new bus shelters and their backing screens and security cameras, will enhance the feel of a safe environment for pedestrians, businesses and bus commuters alike.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries

Priority Area 2 - A city where people choose to live
Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Priority Area 3 - A city in touch with its region
Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Priority Area 4 - A diverse and welcoming City of Launceston
Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Priority Area 6 - A city building its future
Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions.
19.1 St John Street Redevelopment Design ...(Cont’d)

Priority Area 7 - A city that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston.

Greater Launceston Plan (GLP) - 2014
F.1 Launceston City Heart: CBD Revitalisation Projects

Launceston Central Area Development Study 2013
Launceston Public Spaces and Public Life 2011

BUDGET & FINANCIAL ASPECTS:

Current estimates of the tender price are with the available budget for the project.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

[Signature]
Dale Sinfield Director Major Projects

ATTACHMENTS:
1. Attachment 1 - St John Street Central South - Proposed Design Plan
2. Attachment 2 - St John Street Central South - Proposed Design Before and After
Attachment 1 - St John Street Central South - Proposed Design Plan.
Attachment 2 - St John Street Central South - Proposed Design Before and After.
20 CORPORATE SERVICES DIRECTORATE ITEMS

20.1 City of Launceston 2017-2018 Annual Corporate Plan

FILE NO: SF6323

AUTHOR: Leisa Hilkmann (Corporate Planning Administration Officer)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the City of Launceston's proposed Annual Plan Actions for 2017-2018.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 6 February 2017 - Agenda Item 4.2 - Draft Proposed City of Launceston 2017-2018 Annual Corporate Plan

SPPC - 27 March 2017 - Agenda Item 4.1 - Draft Proposed City of Launceston 2017-2018 Annual Corporate Plan

RECOMMENDATION:

Pursuant to section 71 of the Local Government Act 1993 (Tas), Council endorses the following Actions for inclusion in the City of Launceston's 2017-2018 Annual Corporate Plan:

1. A creative and innovative city

Ten-year goal: To foster creative and innovative people and industries

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key direction: To support and promote alternative uses of underutilised buildings</td>
<td></td>
</tr>
<tr>
<td>Macquarie House -</td>
<td>Facilities Management</td>
</tr>
<tr>
<td>To complete the redevelopment of Macquarie House to facilitate the</td>
<td></td>
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<tr>
<td>Macquarie House Innovation Hub project and accommodate Enterprise</td>
<td></td>
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<tr>
<td>Tasmania as the principal tenant of the site.</td>
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<tr>
<td>MEASURES OF SUCCESS</td>
<td></td>
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<tr>
<td>- Manage construction project</td>
<td></td>
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<tr>
<td>- Establish ongoing lease agreements</td>
<td></td>
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</tbody>
</table>
### Key direction: To contribute towards artistic, cultural and heritage outcomes

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallery of the First Tasmanians - Opening of the permanent exhibition gallery titled &quot;Gallery of the First Tasmanians&quot;.</td>
<td>Queen Victoria Museum and Art Gallery</td>
</tr>
<tr>
<td>Cultural Review - Implement the recommendations of the Cultural Review with other cultural providers and assets to develop coherent integrated strategies to leverage these assets more effectively from an economic and social perspective.</td>
<td>General Manager</td>
</tr>
</tbody>
</table>

#### MEASURES OF SUCCESS
- Increased awareness of Tasmanian Aboriginal culture
- Increase in visitor numbers to the art gallery
- Adoption of gallery into regional schools including site visits
- Comprehensive and integrated cultural program
- Enhanced cultural assets including iconic retained heritage architecture
- QVMAG as the lead cultural organisation
- Increase in economic return including tourism sector

### 2. A city where people choose to live

**Ten-year goal:** To promote Launceston as a unique place to live, work, study and play

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gorge Reimagining - Implement action plan to support the preferred future for the Cataract Gorge Reserve and Trevallyn Nature Recreation Area.</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Regional Recreation Strategy - Develop a framework for delivery of a Regional Recreation Strategy in conjunction with sporting clubs, State Government and neighbouring Councils. The strategy development needs to be co-sponsored by the Launceston Regional Council.</td>
<td>Infrastructure Services</td>
</tr>
</tbody>
</table>

#### MEASURES OF SUCCESS
- Path resealing & accessibility along the loop track
- Stone edging & safety fencing along tracks
- Weed control
- Lighting along the Suspension Bridge and Gorge Restaurant entrances
- Playground redevelopment to reduce flood impact
- Access and Information at Kings Bridge and First Basin entrances
- Framework adopted by Council
- Development of strategy commences in consultation with neighbouring Councils
## City of Launceston 2017-2018 Annual Corporate Plan ...(Cont’d)

<table>
<thead>
<tr>
<th>North Bank Park Precinct -</th>
<th>Implement the North Bank Park Precinct Project Plan.</th>
<th>Major Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Completion of the playground equipment in the southern area of the site</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Completion of the landscaping on the western part of the North Bank Precinct</td>
<td></td>
</tr>
<tr>
<td>North Bank Bridge -</td>
<td>Implement the North Bank Bridge Project Plan.</td>
<td>Major Projects</td>
</tr>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Completion of the pedestrian bridge connecting the North Bank Precinct and the Seaport, in accordance with the Project Management Plan</td>
<td></td>
</tr>
</tbody>
</table>

### Key direction: To support the CBD and commercial areas as activity places during day and night

<table>
<thead>
<tr>
<th>Launceston City Heart - Civic Square Redevelopment -</th>
<th>Redevelopment of Civic Square as part of the Launceston City Heart Masterplan and Launceston City Deal.</th>
<th>Major Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Successful completion of the redevelopment of Civic Square</td>
<td></td>
</tr>
<tr>
<td>Launceston City Heart - Brisbane Street Mall Redevelopment -</td>
<td>Redevelopment of the Brisbane Street Mall as part of the Launceston City Heart Masterplan and Launceston City Deal.</td>
<td>Major Projects</td>
</tr>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Commencement and progress in accordance with project milestones</td>
<td></td>
</tr>
<tr>
<td>Launceston City Heart - Wayfinding and Connectivity Implementation -</td>
<td>Implementation of wayfinding treatments in the CBD (Launceston City Heart area).</td>
<td>Major Projects</td>
</tr>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Implement signage treatments across the Launceston City Heart area</td>
<td></td>
</tr>
<tr>
<td>St John Street Bus Stops Redevelopment -</td>
<td>Redevelopment of St John Street (Central North and Central South) including Bus Stops as part of Stage 1 of the Launceston City Heart Masterplan.</td>
<td>Major Projects</td>
</tr>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Successful commencement and progress</td>
<td></td>
</tr>
</tbody>
</table>

### Key direction: To contribute to enhanced public health and amenity to promote a safe and secure environment

<table>
<thead>
<tr>
<th>Municipal Emergency Management Plan -</th>
<th>Plan reviewed and in place for a further two years.</th>
<th>Facilities Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEASURES OF SUCCESS</td>
<td>- Municipal Emergency Management Plan Reviewed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Municipal Emergency Management Committee endorsement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Council approval</td>
<td></td>
</tr>
</tbody>
</table>
20.1 City of Launceston 2017-2018 Annual Corporate Plan …(Cont’d)

3. A city in touch with its region

**Ten-year goal:** To ensure Launceston is accessible and connected through efficient transport and digital networks

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
</table>
| **Key direction:** To improve and maintain accessibility within the city of Launceston area, including its rural areas  
Community Engagement Framework - Further development and implementation of organisation framework including:  
- Service level reviews  
- Digital process  
- Social media | General Manager |

**MEASURES OF SUCCESS**  
- Commence first stages which includes ISD Infrastructure Service levels and strategic asset management

4. A diverse and welcoming city

**Ten-year goal:** To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
</table>
| **Key direction:** To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life  
Events Sponsorship Program - Support economic and social development in the Launceston region through the implementation of the Events Sponsorship Policy. | Development Services |

**MEASURES OF SUCCESS**  
- Events sponsorship programs are administered in accordance with policy and budget allocations  
- A diverse calendar of events is supported through direct sponsorship by the City of Launceston  
- Events sponsorship by the City is recognised and acquitted as per funding agreement conditions
5. A city that values its environment

**Ten-year goal:** To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key direction:</strong> To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders**</td>
<td><strong>Infrastructure Services</strong></td>
</tr>
<tr>
<td>Tamar River Health and Amenity - In partnership with key stakeholders, prioritise and implement recommendations of the Water Quality Improvement Plan.</td>
<td></td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- TasWater, State Government, NRM North, Launceston Flood Authority and Council collaborating on prioritisation and implementation</td>
<td></td>
</tr>
<tr>
<td><strong>Key direction:</strong> To manage the risks of climate-related events particularly in the area of stormwater management**</td>
<td><strong>Infrastructure Services</strong></td>
</tr>
<tr>
<td>Stormwater Management Plan - Analyse results of hydraulic modelling developed over the past three years to prepare stormwater management plans for key catchments.</td>
<td></td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Completion of hydraulic modelling for all catchments</td>
<td></td>
</tr>
<tr>
<td>- Commence community engagement on Stormwater Management Plans</td>
<td></td>
</tr>
<tr>
<td><strong>Key direction:</strong> To reduce our and the community’s impact on the natural environment**</td>
<td><strong>Infrastructure Services</strong></td>
</tr>
<tr>
<td>LED Street Light Project - Continuation of the 2016-17 project to replace existing local street lighting with more efficient and clearer light LEDs.</td>
<td></td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Replacement of existing local street lights with LEDs</td>
<td></td>
</tr>
<tr>
<td>- Improved lighting levels in local streets</td>
<td></td>
</tr>
<tr>
<td>- Reduced on-going street lighting costs</td>
<td></td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- New Waste Strategy adopted by Council</td>
<td></td>
</tr>
</tbody>
</table>
6. A city building its future

**Ten-year goal:** To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key direction: To advocate and collaborate to address regionally significant infrastructure and transport solutions</strong></td>
<td></td>
</tr>
<tr>
<td>Traffic Master Plan (City Precinct) - Develop an Inveresk / Invermay Traffic Master Plan that considers the interface of the precinct with the CBD and as part of the Launceston City Deal.</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Master Plan adopted by Council</td>
<td></td>
</tr>
<tr>
<td><strong>Key direction: To ensure that the planning system at a local and regional level is effective and efficient</strong></td>
<td></td>
</tr>
<tr>
<td>Northern Suburbs Revitalisation Plan - Facilitate the implementation of the Northern Suburbs Revitalisation Plan in conjunction with relevant stakeholders and as part of the Launceston City Deal.</td>
<td>Development Services</td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Assets Based Community Development Engagement model rolled out to at least one other site within the Northern Suburbs (August 2017)</td>
<td></td>
</tr>
<tr>
<td>- Key community projects identified for early implementation in the Northern Suburbs Revitalisation Plan are progressed</td>
<td></td>
</tr>
<tr>
<td>Launceston Planning Scheme - Prepare the local provisions of the Launceston Planning Scheme for translation to the new state-wide planning scheme framework.</td>
<td>Development Services</td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Local provisions prepared</td>
<td></td>
</tr>
<tr>
<td>- Community consultation undertaken</td>
<td></td>
</tr>
<tr>
<td>- Local provisions endorsed by Council for submission to the Tasmanian Planning Commission</td>
<td></td>
</tr>
</tbody>
</table>
7. A city that stimulates economic activity and vibrancy

**Ten-year goal:** To develop a strategic and dedicated approach to securing economic investment in Launceston

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key direction: To provide an environment that is conducive to business and development</strong></td>
<td></td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Prospectus produced and published</td>
<td></td>
</tr>
<tr>
<td>University of Tasmania (UTAS) Relocation - Engage with the UTAS on the project to relocate to Inveresk to ensure it integrates with the precinct and City in a planned manner.</td>
<td>General Manager</td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Commitments made by UTAS regarding project delivery</td>
<td></td>
</tr>
<tr>
<td>- Appropriate arrangements for infrastructure augmentation including traffic flows</td>
<td></td>
</tr>
<tr>
<td>- High level of urban planning to ensure an effective and well-designed interface with the CBD</td>
<td></td>
</tr>
<tr>
<td>- Good pedestrian way finding between the precinct and the CBD</td>
<td></td>
</tr>
<tr>
<td><strong>Key direction: To facilitate direct investment in the local economy to support its growth</strong></td>
<td></td>
</tr>
<tr>
<td>City Deal Agreement - To work with the Commonwealth and State Government under the City Deal program to deliver a range of economic and social benefits to the City.</td>
<td>General Manager</td>
</tr>
<tr>
<td><strong>MEASURES OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- City Deal Agreement executed by Prime Minister, Premier and Mayor</td>
<td></td>
</tr>
<tr>
<td>- Implementation Plan adopted</td>
<td></td>
</tr>
<tr>
<td>- Ongoing monitoring of measures in place</td>
<td></td>
</tr>
</tbody>
</table>
8. A secure, accountable and responsive Organisation

**Ten-year goal:** To continue to ensure the long term sustainability of our Organisation

<table>
<thead>
<tr>
<th>Action</th>
<th>Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key direction: To strategically manage our assets, facilities and services</strong></td>
<td></td>
</tr>
<tr>
<td>Inveresk Masterplan - Engage with UTAS and precinct stakeholders to conclude the development of the Inveresk Masterplan.</td>
<td>Facilities Management</td>
</tr>
<tr>
<td><strong>MEASURE OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Inveresk Master Plan completed and signed off</td>
<td></td>
</tr>
<tr>
<td>- Implementation of the plan commenced</td>
<td></td>
</tr>
<tr>
<td>York Park Stadium - Finalise the arrangements for the reconstruction of the playing surface consistent with its asset management plan and secure turf supply.</td>
<td>Facilities Management</td>
</tr>
<tr>
<td><strong>MEASURE OF SUCCESS</strong></td>
<td></td>
</tr>
<tr>
<td>- Arrangements in place for the renewal of the surface</td>
<td></td>
</tr>
</tbody>
</table>

**REPORT:**

Pursuant to section 71 of the *Local Government Act 1993 (Tas)*, the Council is required to prepare an Annual Plan.

The proposed Annual Plan Actions for 2017-2018 are Key Actions the Council is undertaking in 2017-2018 to work toward achieving the goals and strategies from the Council’s 10-year Strategic Plan 2014-2024.

Annual Plan Actions have one or more of the following features:
- Close alignment with the strategic intent defined in the Strategic Plan 2014-2024
- Significant interest to the community
- A need for cross-directorate collaboration
- Resource-intensive
- Delivery of outcomes that will significantly benefit the community
- Demonstrate compliance with legislation, especially around governance

Actions are directly linked to the strategic framework delivered in the Strategic Plan 2014-2024. The strategic framework takes the form of priority areas, 10-year goals and strategies.
The proposed 2017-2018 Annual Plan includes 25 Actions that cover all of the eight priority areas from the Strategic Plan 2014-2024. Additionally, eight ten-year goals from the Strategic Plan 2014-2024 are represented and 15 of 44 Key Directions are also addressed. All Key Directions from the Strategic Plan 2014-2024 will be addressed in the annual planning cycles that occur over the life of the strategic plan.

The published version of the Annual Corporate Plan will include the information as it appears in the table in the recommendation.

**ECONOMIC IMPACT:**

Not considered relevant to this report.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

Not considered relevant to this report.

**STRATEGIC DOCUMENT REFERENCE:**

City of Launceston Strategic Plan 2014-2024.

**BUDGET & FINANCIAL ASPECTS:**

Specific financial allocations to accommodate the strategies in this Annual Plan have been included in the proposed budget considerations.
20.1 City of Launceston 2017-2018 Annual Corporate Plan ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Michael Tidey; Director Corporate Services
20.2 Proposed 2017/2018 Statutory Estimates (Budget)

FILE NO: SF7024

AUTHOR: Paul Gimpl (Manager Finance)

DIRECTOR: Michael Tidey (Director Corporate Services)

DECISION STATEMENT:

To consider the release for public comment of the 2017/2018 Proposed Statutory Estimates.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually.

RECOMMENDATION:

That Council:

1. Approves the release of the attached 2017/2018 Proposed Statutory Estimates including the proposed budget.
2. Invites the submissions from the community on the 2017/2018 proposed budget.
3. Determines to close the submissions period at 12.00noon on Monday, 8 May 2017.
5. Determines to set aside time on Monday, 29 May 2017 at the SPPC Meeting to receive any presentation in support of written submissions.
6. Notes that the Council Meeting of 26 June 2017 is the intended date on which the budget will be adopted and the rate will be set.

REPORT:

The Council has determined to initiate a community consultation process prior to the final determination of the annual budget and rating resolution. The overall consultation process includes:

(a) an ongoing community engagement process for functional service reviews.
(b) specific consultation over January following the initial consideration by the Council of potential projects.
(c) release of the Proposed Statutory Estimates to the community for comment.

The proposed Statutory Estimates document includes the budget and supporting information. The recommendation is to authorise the release of this document to the community for the consultation period.
20.2 Proposed 2017/2018 Statutory Estimates (Budget) ...(Cont’d)

The proposed structures of the community information and consultation process are:

24 April 2017 Council resolves to approve the release of the proposed statutory estimates for comment.
   Two week period for comment.
8 May 2017 Submissions close at 12.00noon.
29 May 2017 Submissions will be presented to Aldermen for consideration.
   Council formally adopts the 2017/2018 budget.
26 June 2017 Council determines rating resolution and adopts budget.

ECONOMIC IMPACT:

The Council has a significant economic impact in the region through its revenue raising and spending.

ENVIRONMENTAL IMPACT:

The budget contains specific projects and ongoing programs to improve environmental outcomes.

SOCIAL IMPACT:

The budget contains specific projects and ongoing programs to improve social outcomes.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
  Ten-year goals -
  To continue to ensure the long-term sustainability of our Organisation
  Key Directions -
  6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

As per the estimates.
20.2 Proposed 2017/2018 Statutory Estimates (Budget) ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Michael Tidey, Director Corporate Services

ATTACHMENTS:

1. Proposed 2017/2018 Statutory Estimates (distributed electronically)
GENERAL MANAGER’S DIRECTORATE ITEMS

Towards a Cultural Strategy for Launceston

FILE NO: SF3256/SF3816

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To endorse strategic actions, including undertaking the necessary costing and negotiation, necessary to progress the development of a Cultural Strategy for Launceston.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 5 December 2016 - City of Launceston Cultural Strategy

RECOMMENDATION:

That Council endorses the following strategic actions, including undertaking the necessary costing and negotiation, necessary to progress the development of a Cultural Strategy for Launceston:

1. confirm the vision - this is central to all that follows.
2. undertake an Economic Feasibility Study for all elements of the strategy.
3. engage in dialogue with the University of Tasmania around the role certain buildings at Inveresk, local companies and changes to the curriculum can play in the revitalisation of the site and the building of Launceston's reputation as a University City.
4. clarify a series of priorities, dependent on funding outcomes arising from the feasibility studies, including renewed and expanded assistance for artists, companies and community.
5. make public the final strategy/vision.
6. create an appropriately senior ongoing role of Strategic/Creative Lead for the ongoing advocacy and overview of implementation of the Cultural Strategy.
7. create a dedicated Arts and Culture Unit within the Council, with the Unit establishing a new grants program which it runs.
8. undertake research for multiple innovative interactive information installations, and signage on trails.
9. ensure that arts and cultural festivals are properly supported both in their funding model, and in the personnel entrusted with their lively and sustainable carriage.
10. undertake research to prioritise investment in other key entities owned by the Council, such as Design Tasmania.
11. create an environment which will foster new ideas for ongoing enrichment of the cultural landscape as well as the ephemeral things like festivals.
21.1 Towards a Cultural Strategy for Launceston ...(Cont’d)

12. undertake research to reveal the most effective marketing tools for the promotion of arts and culture in Launceston and the region.
13. undertake research into and planning for the public transport networks required to make cultural exploration of the City a genuine possibility.

REPORT:

1. Launceston’s Cultural Assets
Launceston has a richness of cultural assets that are unrivalled in regional Australia. The cultural assets of the City have been interpreted as all that defines being of and within a space. Launceston, as the third oldest city in Australia, is blessed with a wide variety of cultural assets that fall within this definition. These assets include:

- Quality food and wine offerings;
- First class sporting, events and recreational facilities;
- Comprehensive art collections and displays;
- Comprehensive cultural collections and displays;
- Comprehensive historical collections and displays;
- Iconic retained heritage architecture; and
- Spectacular scenery and natural attractions including the Cataract Gorge nearby to the City centre.

The City has undercapitalised on the broad range of these cultural assets due to the lack of a holistic appreciation of the extent of community cultural assets and how they may be collectively leveraged.

The issues would currently appear to be:

- The City does not leverage its cultural potential collectively in an integrated, professionally presented strategy to the community and tourists.
- Each cultural asset essentially stands alone.
- The City’s cultural offering should brand Launceston as a cultural destination.
- The City is not deriving an effective return on investment socially and economically. Much more can be achieved.
- The City has outstanding cultural attractions to take to the community – rather than have them come to us. The value propositions represented by the City’s cultural assets need to be effectively marketed locally and to tourists.
21.1 Towards a Cultural Strategy for Launceston …(Cont’d)

2. Cultural Strategy
Consistent with the functions and powers of the General Manager to be responsible for the day-to-day operations and affairs of the Council and to manage the resources and assets of the Council (section 62 Local Government Act 1993) the General Manager has undertaken the preparation of a City of Launceston Cultural Strategy.

The City of Launceston is seeking to establish a Cultural Strategy that reflects the higher value placed by the community on the City’s cultural assets and which develops coherent, integrated strategies to leverage these assets more effectively, strategically from an economic and social perspective.

It is envisaged that a cultural and arts strategy will inform the manner by which the Council and the community take advantage of the unique arts and cultural capacity to bring further renown to the City.

A key element will be to showcase the City’s cultural assets in a coordinated manner that integrates and professionally presents a quality offering as a major part of the City’s tourism attractions.

3. QVMAG as a Cultural Centrepiece
The Cultural Strategy is predicated upon establishing the Queen Victoria Museum and Art Gallery (QVMAG) as the centrepiece of a vibrant, dynamic cultural strategy that brands the City, engages its residents and becomes a cultural destination for tourists.

QVMAG has been the subject of a number of investigations in relatively recent times. In the absence of a comprehensive and integrated cultural and arts strategy, it is questionable whether investigating QVMAG separately will take the Council and the community to its desired destination in terms of valuing and utilising its culture. It would appear that a strategy for positioning QVMAG must necessarily sit within a broader context for culture and the arts established and adopted by the Council.

4. Key Questions for a Cultural Strategy to Address
Some of the matters specifically relating to the development of a cultural strategy which should be addressed include (and not exclusively) the following:

1. Developing a contemporary offering: This may include matters such as method of display, curating, quality and scale of exhibitions, collaborations with other institutions and beneficial alignments among other matters.

2. Efficiency of locations: Is there a coherent strategic argument for two sites or could QVMAG more effectively present its qualities to the community through one well managed contemporary site offering? What nature of capital facility augmentation may be required to effectively position the QVMAG in this respect?
3. Improved accessibility and visual awareness of the sites: A common criticism is that both sites appear "anonymous" and attendances do not reflect the iconic nature of the collections and do not attract the tourism visitations desired.

4. What might be the elements of an effective marketing strategy and what annual budget provision would be considered appropriate?

5. In terms of a contemporary offering: What digital opportunities are available in the cultural and arts space that offer positive prospects for QVMAG?

6. How can QVMAG sit as a centre piece of an integrated holistic Cultural Strategy which presents a strategic approach to leveraging all the City’s cultural assets?

7. How can the City utilise its cultural assets to drive economic yield as a tourist attractor?

8. What specific initiatives in a prioritised ranking should the Council be pursuing to increase attendance, both locally from residents and through attracting greater tourist numbers?

9. Various debates have occurred over a number of years regarding the most effective governance model for QVMAG. QVMAG is owned and operated by the City of Launceston. Some have suggested that a separate Board of Trustees with delegated authority to establish policy for QVMAG and operated as an autonomous group would be more appropriate. Various models exist, an understanding of what would be the most appropriate model for QVMAG in terms of contemporary cultural arts governance practices should be considered.

10. The Council currently contributes in the order of $4.2million a year in funding to support QVMAG. What funding model most appropriately fits the nature of QVMAG? In particular, the Council has, over a period of time, lobbied the State Government for an increased contribution. The State Government currently contributes in the order of $1.2million per year to QVMAG. The Council believes a more appropriate contribution would be in the order of $5million per year.

11. In terms of the strategic positioning of QVMAG within a cultural and arts strategy, the Council seeks to evaluate and demonstrate the economic, social and environmental value of QVMAG and the contribution it makes to the education, intellectual, human, social and natural capital of its community. A process that has rigor in undertaking this evaluation and demonstration is required.
21.1 Towards a Cultural Strategy for Launceston ...(Cont’d)

5. **Project Objectives**
   The objectives are to:
   1. develop Launceston and the Tamar region as a major cultural hub;
   2. provide opportunities across the community for cultural expression and development, and enhance Launceston's values as an attractive place to live;
   3. combine more effectively the arts providers and practitioners with the cultural facilities of the region;
   4. provide a valuable arts resource for the community;
   5. provide an important tourism attractor and other flow on economic benefits;
   6. allow for collaborative programs with other parties including tourism providers like Launceston Airport;
   7. create a distinctive regional arts profile and enhance Launceston's capacity to become a destination and a gateway to the rest of Tasmania;
   8. stimulate a climate of activity, creativity and good ideas.

6. **Cultural Audit**
   The first step in any quest for cultural development anywhere is to undertake an audit of what the place already has. This necessitates a certain amount of on-site investigation, however, undertaking this preliminary work in advance provides a rich source of information for analysis as part of the cultural strategy project.

   The audit will reveal what is already there, and what is already supported, but also will reveal the gaps, and what needs to be developed or imported to bring to both artists and communities things which will be enjoyed and can be built upon.

   The valuable preliminary work embarked upon in advance of immersion into the cultural strategy could include the following:

   1. **Who are the artists living in Launceston and the region?**
      - These are among our greatest assets.
      - Does the Council run any grant programs which support them and their work?

   2. **What are the cultural organisations and institutions in Launceston and the region?**
      It is useful to have some detail on their structures, governance, staffing and budgets (and where the cash comes from). Some of these include:
      - Queen Victoria Museum and Art Gallery
      - Princess Theatre
      - Earl Arts Theatre
      - Wood Design Museum
      - University Arts School
      - TasDance
      - Stompin'
      - Junction Arts Festival
What are the others? Including Pro-Am (eg choirs) and educational outfits (eg dance schools).

3. What other festivals (of all kinds – unique to Launceston) currently exist? (This means, food, agriculture, heritage, community, etc).
   - When are they held?
   - How are they supported?

4. What partnerships does the region have with festivals and events originating from other places?
   - Tasmanian International Arts Festival
   - MoFo and Dark MoFo
   - AFL
   - TSO and other Hobart – based arts companies
   - Commercial touring (theatre, rock concerts, etc)
   - Arts touring (does Musica Viva tour to Launceston? Australian Chamber Orchestra? Bell Shakespeare?)

This work, fundamental to the City of Launceston Cultural Strategy has now been undertaken. A copy of the City of Launceston Cultural Audit January – April 2016 has been provided to Council under separate cover electronically.

7. Strategic Alignment
   The City of Launceston Cultural Strategy project is consistent with the City of Launceston Strategic Plan 2014 – 2024:
   - Priority Area 1 – A creative and innovative city
   - Ten year goal – To foster creative and innovative people and industries
   - Key Direction – 6. – Contribute towards artistic, cultural and heritage outcomes

8. Project Outline
   1. Consideration of the cultural audit and relevant documentation
   2. Identify stakeholders and commence consultation
   3. Response to key questions and findings
   4. Prioritised recommendations
   5. Provision of Cultural Strategy
   6. Presentation to Council
9. **Project Outcomes and Deliverables**
   The initial Cultural Strategy report will take the form of a paper which considers where the City and region is currently at in terms of managing its cultural assets and providing an effective level of support. The paper will further consider where the City and region should be positioning itself to effectively leverage the richness of cultural assets for enjoyment and promotion to residents and visitors alike in a manner that generates a higher level of social and economic return.

   The third and crucial aspect to the paper will consider strategies required to engage the journey from the current state to the desired future state.

   Inevitably the strategies identified will require further “finer grain” work to engage appropriate stakeholders and to plan and deliver specific actions required to achieve the objectives sought which are integral to delivering the cultural strategy.

10. **Robyn Archer AO**
    The Council has engaged the services of the pre-eminent Robyn Archer AO as an indispensable resource in developing the cultural strategy for Launceston.

    Robyn Archer AO is a singer, writer, artistic director and public advocate for the arts. She is currently Artistic Director of *The Light in Winter*, created for Federation Square, Melbourne and the City of Gold Coast's Strategic Advisor, Arts and Culture, which hosts the Commonwealth Games in 2018. She recently completed five years as Creative Director of the Centenary of Canberra 2013.

    Robyn is Deputy Chair of the Australia Council, a member of the Council for Australian and Latin American Relations and of the European House of Culture.

    Robyn is the former Artistic Director of the National Festival of Australian Theatre (Canberra), the Adelaide and Melbourne Festivals and Ten Days on the Island (which she created for Tasmania). She has received many awards including the Dame Elisabeth Murdoch Cultural Leadership Award, the International Society of Performing Arts International Citation of Merit and the Premier's Lifetime Achievement Award (SA).

    She is patron of numerous arts organisations across Australia and mentor for the European Festivals' Association *Ateliers* (Varna, Singapore, Izmir, Ljubljana and Poznań 2014). Robyn is Officer of the Order of Australia, Chevalier de l'Ordre des Arts et des Lettres (France) and Officer of the Crown (Belgium) and holds honorary doctorates from Flinders University (South Australia) and the Universities of Sydney and Canberra.
Put simply, we are delighted to have a person of Robyn's talent and experience assisting us. It is testimony to the richness of cultural assets in Launceston and the great potential to create a very significant cultural experience in the city and region that Robyn has chosen to take on this brief of work.

11. **Strategic Actions - How Do We Get There?**

There is a widely shared recognition that Launceston is culturally rich, not only in its geographic, gastronomic, institutional and organisational assets, but also in its human capital. But it is also recognised that the City has as yet not found the pathway effectively to promote this cultural wealth and thus to leverage those assets.

It is proposed that Council endorse a series of strategic actions which progress a considered and comprehensive appreciation of relevant considerations necessary to determine a Cultural Strategy for Launceston. The following strategic actions are proposed:

(i) confirm the vision - this is central to all that follows.
(ii) undertake an Economic Feasibility Study for all elements of the strategy.
(iii) engage in dialogue with the University of Tasmania around the role certain buildings at Inveresk, local companies and changes to the curriculum can play in the revitalisation of the site and the building of Launceston's reputation as a University City.
(iv) clarify a series of priorities, dependent on funding outcomes arising from the feasibility studies, including renewed and expanded assistance for artists, companies and community.
(v) make public the final strategy/vision.
(vi) create an appropriately senior ongoing role of Strategic/Creative Lead for the ongoing advocacy and overview of implementation of the Cultural Strategy.
(vii) create a dedicated Arts and Culture Unit within the Council, with the Unit establishing a new grants program which it runs.
(viii) undertake research for multiple innovative interactive information installations, and signage on trails.
(ix) ensure that arts and cultural festivals are properly supported both in their funding model, and in the personnel entrusted with their lively and sustainable carriage.
(x) undertake research to prioritise investment in other key entities owned by the Council, such as Design Tasmania.
(xi) create an environment which will foster new ideas for ongoing enrichment of the cultural landscape as well as the ephemeral things like festivals.
(xii) undertake research to reveal the most effective marketing tools for the promotion of arts and culture in Launceston and the region.
(xiii) undertake research into and planning for the public transport networks required to make cultural exploration of the City a genuine possibility.
21.1 Towards a Cultural Strategy for Launceston ...(Cont’d)

Forthwith it is proposed that Council Officers under the direction of the General Manager pursue the execution of these strategic actions with appropriate progress reporting and Council reports for policy decision progressively provided.

ECONOMIC IMPACT:

The effective leveraging of cultural assets in Launceston and the Tamar Valley will realise significant economic impact through greater exposure, accessibility and utilisation.

ENVIRONMENTAL IMPACT:

Part of the culture of Launceston is its environment. Important aspects such as the riverine environment and Cataract Gorge are major assets to be more effectively utilised and enhanced.

SOCIAL IMPACT:

Greater exposure, accessibility and utilisation of the City and region’s cultural assets will enrich the lives of visitors and residents and grow engagement and branding of the City as a premier cultural destination.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Direction -
6. To contribute towards artistic, cultural and heritage outcomes

BUDGET & FINANCIAL ASPECTS:

All aspects of the Cultural Strategy will be subject to feasibility assessment including capacity to provide necessary budget for implementation.
21.1 Towards a Cultural Strategy for Launceston ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Robert Dobrzynski: General Manager
21.2 Cimitiere Street Carpark - Partial Sale

FILE NO: SF2444/PF19036

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To consider the sale of part of the Cimitiere Street carpark.

PREVIOUS COUNCIL CONSIDERATION:

SPPC - 16 May 2016 - Agenda Item No 6.2 - Deputation - Proposed Development

SPPC - 3 October 2016 - Agenda Item 6.3 - Asset Disposal Strategy

Council - 24 October 2016- Agenda Item 20.1 - Cimitiere Street Carpark - Partial Sale

RECOMMENDATION:

That, pursuant to section 177 of the Local Government Act 1993, Council resolves to sell to Stay Tasmania Pty Ltd (or their agreed nominee) the land described as:

<table>
<thead>
<tr>
<th>Volume</th>
<th>Area (m²)</th>
</tr>
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<tbody>
<tr>
<td>206941</td>
<td>Folio 1</td>
</tr>
<tr>
<td>206940</td>
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<td>Folio 4</td>
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<td></td>
<td>283</td>
</tr>
<tr>
<td></td>
<td>2,427</td>
</tr>
</tbody>
</table>

Delineated on the attached map (Figure 1) described as “Indicative Purchase Area”.

Subject to compliance by Stay Tasmania Pty Ltd (or their agreed nominee) with the following conditions:

1. The land purchased from Council by Stay Tasmania Pty Ltd (or their agreed nominee) shall be used for the development of a tourist hotel.

2. Stay Tasmania Pty Ltd (or their agreed nominee) are to, within two years, gain development approval from the Council as the Planning Authority, for a development consistent with the design for the tourist hotel that has been proposed to Council.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

3. If the development of the proposed tourist hotel is not, within three years from the date of the development approval issued by the Council as a Planning Authority, substantially commenced, then the Council will have the option to buy back the land at the purchase price paid to the Council by Stay Tasmania Pty Ltd (or their agreed nominee).

4. Stay Tasmania Pty Ltd (or their agreed nominee) are to grant the Council licenses or a lease that allow for the portion of Cimitiere Street carpark that is to be sold to continue to be used until building work commences by:
   (a) Harvest Market, for conduct of the weekly market; and
   (b) Council as a carparking facility.

5. The General Manager is authorised to negotiate:
   (a) a contract price that is not less than the valuation advice obtained from a qualified valuer engaged by the Council, and
   (b) such other contract terms and conditions that are consistent with the Council's decision.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

6. Figure 1 - Indicative Purchase Area
REPORT:

Summary

Aldermen received deputations from Mr Lyndon Jago and Mr Sam Tucker on 16 May 2016 and 10 April 2017 regarding the purchase and development of part of the Cimitiere Street Carpark. Following this proposal, a list of tasks was identified with the overall objective of finding whether there are any impediments to the sale and development of the site or part of the site. The premise of this work was that even if this proposal proved to be unacceptable there would at some stage be a proposal for a development that would see a higher and better use for the prime location.

The outcome is that the Council can now consider a proposal (that has been revised to increase the area of land sold from approximately 1,660m$^2$ to 2,427m$^2$) for the sale and development of part of the site. The sale would be subject to conditions such that should the development not be progressed then the property ownership would revert (through a buy back arrangement) to the Council.

The proposed development aligns with the Council's Strategic Plan and the offered price is consistent with the estimated value given by the Council appointed valuer.

The General Manager has met with the Executive of Harvest Market to discuss the proposal and arrangements to facilitate the continued occupation of the site to conduct the Harvest Market.

The Meeting was positive and proactive. The Executive understood that the Cimitiere Street carpark was a prime development location in the City.

The Executive believed that a re-orientation of the Market to include the Cameron Street frontage would present exciting opportunities.

The General Manager undertook to provide assistance in facilitating the adaptation of the Harvest Market to the new arrangements.

Discussion also ensued with the Executive on planning for an alternative site for the Harvest Market, should the remainder of the Cimitiere Street carpark be developed in the future.

The Executive advised on their site requirements to maintain the high standard of the Harvest Market.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

Council Strategy

The organisational strategy has been to hold the site to address operational (light vehicle fleet parking) and employee day parking on an interim basis, while recognising that at some time a development opportunity would occur that provided economic benefit to the City and the use of the carpark would change. Should the sale of land proceed, operational fleet parking can adequately be accommodated in the remaining portion of the site.

The Proposal and the Proponent

The Council received a revised offer for the sale of approximately 2,427m² of the Cimitiere carpark site.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

Figure 1 - Indicative Purchase Area
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

Mr Lyndon Jago of ST Operations Pty Ltd has made a proposal for the area (shown in Figure 1) fronting onto Tamar Street, to be purchased from the Council and used for the construction of an estimated 88 room hotel. The proposal as presented is for the hotel (when complete) to be contained within the proposed area and not to require access across the remainder of the site.

The overall carpark site can be considered in three areas.

<table>
<thead>
<tr>
<th>Description (fronting)</th>
<th>Existing</th>
<th>Possible Sale</th>
<th>Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Tamar Street</td>
<td>818</td>
<td>818</td>
<td>-</td>
</tr>
<tr>
<td>B Cimitiere Street</td>
<td>3,793</td>
<td>1,609</td>
<td>2,184</td>
</tr>
<tr>
<td>C Cameron Street</td>
<td>1,416</td>
<td>-</td>
<td>1,416</td>
</tr>
<tr>
<td></td>
<td>6,027</td>
<td>2,427</td>
<td>3,600</td>
</tr>
</tbody>
</table>

In support of the proposal Mr Jago cites:
- Access to finance already in place;
- Designs prepared for a similar project;
- Relationship with an established builder;
- Experience with hotel development; and
- Expectation the development can proceed in the short term.

Legislative Provisions and Greater Launceston Plan

Section 177 of the Local Government Act 1993 (the Act) states:

1. A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.

2. Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practices as a land valuer under section 4 of the Land Valuers Act 2001.

3. A council may sell -
   (a) any land by auction or tender; or
   (b) any specific land by any other method it approves.

4. A council may exchange land for other land -
   (a) if the valuations of each land are comparable in value; or
   (b) in any other case, as it considers appropriate.

5. A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.

6. A decision by a council under this section must be made by absolute majority.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

The land that is the subject of the proposal is not public land under the Act and accordingly does not appear on the Council's public land register. Mr Jago, in his initial presentation to Aldermen, noted the public process the Council had undertaken with the Greater Launceston Plan. Mr Jago noted that the development is consistent with the objectives of the Greater Launceston Plan, which have been referred to previously.

The proposal is brought to the Council on the basis that the development is entirely consistent with the objectives of the Greater Launceston Plan, particularly noting that under section 177 of the Act as referred to above, the Council has legislative power to consider and determine the offer.

Impact on existing uses

Figure 2 shows an indicative layout of the existing parking bays and the line as the boundary for the proposal. The schematic shows that the proposal would see the loss of approximately 83.

Figure 2 - Parking Schematic
The reduction in the number of parking spaces will be managed through transitional arrangements as the construction of the CH Smith carpark is completed. The actual dates of the commencement of construction in Cimitiere Street and the completion of construction at CH Smith won't be known until next year. Indications from the plans are that any gap between the two can be managed for a transitional period.

The other use of the site is for the Harvest Market. The proponents have indicated that they would like to see the market continue to operate adjacent to the development. The Cameron Street area is approximately 1,480m² is less than the 2,427m² proposed for the development and a similar number of parking spaces. Although it would reduce the onsite parking available to visitors to the market it would be possible to use the Cameron Street area for stallholders, noting the slight incline might require minor modifications for some stalls.

Creating visibility for the market from Cameron Street provides an advantage in enhancing the profile and visibility of the Market.

**Valuation Advice**

The recommendation refers to the General Manager being authorised to negotiate a contract for sale price that is not less than the valuation obtained from a qualified valuer. This information is commercial in confidence and provided to Aldermen in closed session pursuant to the provisions of Regulation 15(2)(c) and (f) of the Local Government (Meeting Procedures) Regulations 2015: (f) proposals for the council to acquire land or an interest in land or for the disposal of land;

**Analysis**

The analysis of the proposal is framed around the Council's objectives as set out in the City of Launceston Strategic Plan 2014-2024, the financial and community benefits (to the Council and the local economy), and lastly a risk management perspective relating to the Council with the proposal.

**City of Launceston Strategic Plan 2014-2024**

Commentary on the proposal is provided below against each of the relevant goals in the Council's Strategic Plan 2014-2024 (The Plan).
Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key measures of success in this goal include ‘higher usage of City of Launceston assets and underutilised buildings.’ Another key direction is to optimise the use and useability of our assets for different types of activities. Whilst much of this goal is centred on the arts community, it clearly articulates that innovation and vibrancy should be encouraged and promoted in other sectors. It is argued that the development of a high quality city hotel will support the cities current range of festivals and events and enable further growth of these and new activities to occur. Any festival or cultural event necessarily brings visitors to the city and to ensure this can continue, further visitor accommodation must be provided in the inner city. Council envisages that their assets may be utilised in the attainment of the goal.

Priority Area 2 - A city where people choose to live

Ten Year Goal - To promote Launceston as a unique place to live, work and play

Key indicators of success in obtaining this goal include increasing visitor numbers and visitor satisfaction. The Plan states that Council should support the CBD and commercial areas as activity places during day and night. The development of a hotel on the CBD fringe location, opposite a key visitor attraction such as City Park will assist Council in achieving this goal. Increased accommodation within walking distance of inner city restaurants and shops means visitors will patronise these and inject life into the CBD.

Priority Area 5 - A city that values its environment

Ten Year Goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

The project management team linked with the current proposal has recently overseen the development of a 5 star - green star designed building, demonstrating in-house expertise in this area.

Priority Area 6 - A city building its future

Ten Year Goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Council is seeking to strategically develop a number of its key sites around the City. One of the key success indicators is increased levels of investment in the CBD. There are key sites in the CBD that warrant development and further investment in order to stimulate the economy and increase the vibrancy of the CBD. Council recognises the importance of partnering with the private sector to facilitate investment and development on key identified sites that will support the Strategic Goals.
Key Direction 2 states - *to develop and take a strategic approach to development sites to maximise public benefits of development.*

The proposed location of the hotel on land opposite City Park and the Albert Hall, in close proximity to both the CBD and the University Inveresk campus, will ultimately benefit the public and City residents alike. It will capitalise on and further enhance Launceston as a tourist destination. Increased visitors to the City will bring with them economic benefits to business owners and employees.

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

*Ten Year Goal - To develop a strategic and dedicated approach to securing investment in Launceston*

There is a need for an ‘active’ and ‘facilitative’ approach by Council to engage with investors and drive economic growth. Key directions are:

1. *To actively market the City and Region and pursue investment.*
2. *To provide an environment that is conducive to business and development.*
3. *To promote tourism and a quality Launceston tourism offering.*
4. *To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.*
5. *To support sustainable population growth in Launceston.*
6. *To facilitate direct investment in the local economy to support its growth.*

Development of an iconic and successful hotel at the site will enable increased visitor numbers which ties in with the key direction of promoting tourism and a quality Launceston tourism offering. The hotel will be developed by a local Tasmanian business with a proven track record meaning the entire process from procurement to operation will result in economic investment in the local economy.

The heritage nature of the City (which is clearly an asset for the tourist market), also means that land parcels are small in size which means that it is difficult to purchase sites of a sufficient size that are not also constrained in terms of development options due to heritage listed properties. The vacant, large land holding that is the Cimitiere Street carpark is ideally located and unencumbered to enable development of a hotel.

The hotel will not only promote tourism in the City and provide additional jobs during the operational phase, but also significant investment and jobs growth during the construction phase. Launceston needs more investment and growth in the City and due to a number of economic factors, it is unlikely that it will entirely happen organically. The City needs its local government to be active participants in the process in conjunction with private enterprise.
Without Council and State Government partnering with private enterprise to stimulate investment and growth, the economy stagnates and ultimately the community suffers through loss of growth, employment and investment. By Council facilitating investment in a project of this size, jobs will be created right through the process from procurement, construction to the operation whilst at the same time providing much needed tourist accommodation. There are clear benefits to the community.

Priority Area 8 - A secure, accountable and responsive Organisation

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

Council needs to balance its role of championing Launceston and guaranteeing economic growth with ensuring it remains transparent and accountable. The opportunity to progress the sale of a City owned asset to a private investor to provide much needed additional visitor accommodation will clearly meet the goal of stimulating economic growth. The Strategic Plan states that: ‘Accountability requires that decisions are made on the basis of relevant and complete information, including information about the implications of decisions and alternative options.’

The Plan and Greater Launceston Plan clearly recognise the need for investment in the CBD, including Council owned assets and the need for additional visitor accommodation. The proponent’s submission is a response to that EOI that is likely to result in an outcome for the site that benefits the City.

Greater Launceston Plan (GLP)

The GLP is the lead strategic reference document for Council for the next 20 years. It outlines a ‘community vision and evidence-based framework for the sustainable development of Launceston and its suburbs and localities over the next 20 years.’

The GLP underpins all the actions in the Plan and provides a blueprint to attainment of the vision under the Plan.

Section 2 provides the Policy and Vision Framework. Policy Framework 9 - Economic Development is most relevant to this proposal.

Key Directions:
- maximise regional advantage and competiveness by focusing on strategic development and investment that builds on the greater city’s strengths and opportunities.
- support planning and investment decisions that optimise greater Launceston’s regional role and attraction.
provide a framework for future investment and development within a coordinated physical framework.

- support the ongoing development of key services that best promote regional growth and exports and economic and employment diversity.
- support ongoing investment and the longer term consolidation and advancement of the region’s gateways.
- support opportunities for new regional employment and logistics development co-located with existing and future regional arterial routes. Facilitate migration to promote population growth in greater Launceston.

The key directions are centred on facilitating investment and economic growth. One way of facilitating investment and stimulating economic growth, particularly in an area such as tourism, is for Council to enable appropriate development on parcels of land that could be better utilised than they currently are. Removal of an estimated 83 carparking spaces from a ground level carpark to enable development of a hotel in a key Launceston location, opposite City Park and the Albert Hall as being a means of optimising Launceston’s role as a regional attraction.

There are two key (and high priority) projects identified in the GLP that provide further evidence that a hotel located on the propose site espouses the strategic direction envisaged by Council through the GLP. They are:

- F.1 Launceston City Heart: CBD Revitalisation Project
  A set of inter-related initiatives planned to improve living, tourism, recreational and employment opportunities within a robust heritage and environmental framework.

- G.1 Living in the City
  An initiative to promote new housing development on sites in the established suburbs. An important part of the project will be the facilitation of a broader diversity of housing and accommodation types to better meet changing demographic and lifestyle needs. The project will be directed to encourage creative architectural and garden design and innovations that support energy conservation.

Launceston Central Area (LCA) Development Strategy
The Launceston Central Area Strategy forms part of the broader GLP.

The Strategy references the Launceston Strategic Tourism Plan. A number of major challenges to tourism in Launceston were identified in that plan, those which are relevant to this proposal are:

- lack of night time activity;
- lack of boutique 5 star options – the Tourism Plan indicated that Launceston; and the wider region has sufficient mid-range hotels and B & B’s but is lacking a greater variety of higher quality accommodation.
Section 1.3 outlines the key directions and issues and challenges under a range of areas. Those relevant to the proposal are outlined below:

1.3.1 Land Use Activities

*Issues and challenges and key directions*

Private market investment in the LCA is constrained by the broader economic climate and appetite for development in Tasmania.

A response is to stimulate further business and residential activity within the LCA through targeted investment attraction strategies and increased housing densities. Additionally, Council can unlock potential future development land within the city centre through the use of development incentives. Locate key development opportunity sites in appropriate locations so they can act as catalysts for development within areas.

The subject site, located on Council land is a key development site. By Council responding to this request with agreement to sell the land for development of a hotel will assist in achieving the key direction of creating catalysts for development.

1.3.2 Built Form

*Issues and challenges and key directions*

A key characteristic of the LCA is the strong built form at many street corners. However, there are a number of ‘gaps’ where the quality of built form is eroded. There is a lack of active and pleasant ground floor frontage outside of the primary retail core.

A response is to:

- encourage landmark architecture on development opportunity sites and other corner sites reflective of the prevailing form
- encourage active and vibrant streetscapes particularly along primary pedestrian routes that link key destinations.
- promote high quality and excellence in building design including environmentally sustainable (ESD) opportunities.

The subject site is one such ‘gap’ in built form and has a concept to fill that gap with an architecturally designed hotel that would fulfil the key direction. The site is on a primary pedestrian route and a hotel foyer and potentially a bar at street level will assist in providing an active and vibrant streetscape.

Section 3.1 - Land Use and Activities and Framework

LU3 - ENCOURAGE A GROWTH IN THE RESIDENTIAL POPULATION

- Encourage higher density residential development in appropriate locations close to services and transport facilities.
- Identify development opportunity sites that can be amalgamated for medium and higher density residential development and promote these to the development market through improved planning certainty.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

The hotel proposal would be unlikely to include apartment living however in any case promotion of inner city living complements reactivation of the inner city by increasing the number of hotels within the city centre.

LU4 – PROMOTE THE LCA AS AN APPEALING PLACE TO LIVE, WORK AND STAY
- Identify appropriate locations for the provision of a range of facilities, including restaurants, bars/taverns, retail and accommodation focusing on Brisbane Street, George Street, St John Street, Cameron Street, Seaport and Kingsway as a way of encouraging staying activities.

LU6 – DEVELOP LAUNCESTON AS A TOURIST DESTINATION
- Increase the number of visitors to Launceston, their length of stay, and encourage additional tourist expenditure in Launceston in accord with the Launceston Tourism Strategic Plan.
- Facilitate the development of business and other visitor tourism facilities such as accommodation (ranging in type), convention and event spaces. This may include:
  - A new 5 star hotel as part of the JMC site redevelopment.
  - A new 5 star boutique heritage hotel utilising an existing heritage property such as the Tasmanian Flour Mill.
  - A new 1,000 plus participant conference centre (subject to detailed feasibility).
  - Undertake ways of finding improvements between key tourist attractions and cultural precincts to ensure an improved visitor experience.

Tasmania is currently experiencing a tourism boom. Unless Launceston can provide the range of accommodation to suit all travellers, it will miss out on capturing the benefits of the increased tourist numbers. There are few high quality hotels in Launceston and the development of a new one opposite City Park and within walking distance to the city centre (and potentially the new UTAS campus) will be highly attractive to tourists and corporate travellers alike.

Section 3.1 - Built Form Strategies
BF4 – PROMOTE HIGH QUALITY DESIGN
- Ensure the facades of buildings with wide (or consolidated) street frontages are broken into smaller vertical sections to reflect the predominant rhythm of the streetscape
- Encourage contemporary and innovative development that respects the existing heritage fabric whilst adopting innovative and environmentally sustainable design responses.

The success of a high quality hotel will begin with the architectural design. High quality design will be an integral part of the success of the hotel.
Section 3.5 - Development Facilitation

DF2 - DEVELOP A PROGRAM OF DEVELOPMENT BASED INCENTIVES TO ENCOURAGE USE OF VACANT OR UNDERUTILISED SPACE
- Develop partnerships between Council and the private sector to identify and develop catalyst projects on Development Opportunity Sites.

Council would be adopting a facilitative approach and will foster a "catalyst" project. Cimitiere Street carpark is recognised as potential development site. Council recognises it needs to play a role in stimulating new development.

DF3 – ENCOURAGE LOT AMALGAMATIONS AND ASSIST VIABILITY
- Consider provisions which limit the quantum of carparking (particularly where not doing so would require basement carparking) or provide innovative mechanism in the means of delivering/funding carparking.

Launceston City Heart
The Launceston City Heart project aims to redefine central Launceston to facilitate its adjustment to a modern regional retail, cultural and business hub for the greater Launceston region.

The Cimitiere Street carpark is identified as a strategic investigations area within the project precinct investigation areas of the LCH project. It is also noted that the development of a high quality hotel along the Tamar Street frontage will also indirectly support a number of the other projects within the LCH project.

Strategic Project No. 7: LCH Parking Strategy Review. Given any redevelopment of the Cimitiere Street carpark will result in the loss of some public parking spaces. In relation to the loss of carparking spaces, the current ground level arrangement for the Cimitiere Street carpark is not the most efficient use of inner city space and that redevelopment of part of the site for a hotel which will necessarily need to provide its own parking, will create opportunities for and provide an impetus for alternate, more efficient and strategically placed public carparks.

Strategic Project No 10: Inner City Living Strategy. Reinvigoration of the city centre through the encouragement of inner city living has been identified in the Greater Launceston Plan, the Launceston Central Area Development Strategy and the Gehl report.

The LCH project aims identify and explore the opportunities within the LCH area for various residential development - renewal, new development or redevelopment (adaptive reuse). Whilst the hotel proposal is not purely for inner city living, there is the opportunity to provide some apartment style accommodation on site and it is argued that the success of inner city living is co-dependent on reactivation of the city more broadly and that bringing more tourists into the City helps to facilitate this.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

Strategic No.13 – Future Development sites. The LCH Future Development Sites Strategy is a future investigation aimed at encouraging land and building owners to consider redevelopment of underutilised spaces. The LCH Masterplan identifies a number of sites including the Cimitiere Street carpark.

The LCH project masterplan document cites the following benefits of the Future Development Sites project, all of which will occur as a result of the proposed hotel development:

- Encourage innovative and contextually responsive opportunities to unlock development potential in the city centre;
- To generate economic benefits for the city by encouraging greater mix of uses in the LCH area.
- To build partnerships and opportunities for investment.
- Public/private partnerships can successfully drive the economy and investment in Launceston whilst at the same time delivering quality architectural outcomes and providing for essential tourist services.

There are few hotels servicing the higher end of the market, which is limiting Launceston’s ability to tap into the corporate market and really establish itself as a major service centre.

The City has been going through a period of limited development in what could be described as a challenging economic environment. In more recent times there have been a number of announcements that have given cause for optimism about future development activity. The development that is being proposed as the reason for the request to purchase part of the Cimitiere Street carpark site fits well with the potential regional growth area of tourism.

The development of a new hotel aligns with the Council's objectives through the economic stimulus it would provide during construction and the ongoing operation.

The site was formerly occupied by BBC hardware and was acquired by the Council following its sale of the former Charles Street works depot and the Cornwall Square carpark. Since that time it has been used for employee and limited commercial parking. The current use of the whole site as an on-ground carpark is a sub-optimal use of this prime location near City Park, the Albert Hall and Inveresk.

**ECONOMIC IMPACT:**

The construction and operation of a hotel provides significant economic benefit to the City through the expenditure on the initial construction, subsequently through the operation of the business and also through the retention of increased tourist numbers within the city for a greater number of bed days and consequently tourist spend. Previous advice has been that there is a marked shortage of hotel accommodation.
Contribution to the Launceston economy

Based on the average tourist spend for an overnight stay in northern Tasmania of $192 and the accommodation occupancy rates of 72% in Launceston, the following model reflecting the contribution of an 88 bed hotel development to the Launceston economy is put forward.

<table>
<thead>
<tr>
<th>Bed Capacity</th>
<th>88</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average tourist spend per room based on average tourist spend of $192 per person for an overnight stay</td>
<td>$250</td>
</tr>
<tr>
<td>Days per year</td>
<td>365</td>
</tr>
<tr>
<td>Occupancy Rate</td>
<td>72%</td>
</tr>
<tr>
<td>Secondary Economic Driver within economy</td>
<td>1.5 times</td>
</tr>
</tbody>
</table>

Primary Economic Driver

Formula: 88 beds X $250 X 365 X 72% = $5,781,000

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Economic Driver</td>
<td>$ 5,781,600</td>
</tr>
<tr>
<td>Secondary Economic Driver Multiplier (1.5)</td>
<td>$ 8,672,400</td>
</tr>
<tr>
<td><strong>Total Contribution to Economy</strong></td>
<td><strong>$14,454,000</strong></td>
</tr>
</tbody>
</table>

Shortage of bed rooms

Minimum of 150 required by 2020
357 - 523 required by 2026
25 X 5 star plus rooms urgently needed

ENVIRONMENTAL IMPACT:

The environmental impact of this proposed project will be assessed through the development application process.

SOCIAL IMPACT:

There are two social impacts from the proposal. Firstly, the increase in short term accommodation capacity with the benefits from visitor involvement in the social activities in the City. Secondly, there would need to be a change in the operation of Harvest Market with the possible modification in the use of the Cameron Street carpark on market days.

The conversion of the carpark to another 'higher and better use' is desirable. The proponents of the proposal are keen to see the market stay and continue to operate next to the hotel.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

STRATEGIC DOCUMENT REFERENCE:

Greater Launceston Plan
Summary Report July 2014
Policy Framework (p19) - Economic Development

Economic development is a fundamental and underpinning of sustainable societies...

Key Direction -
- Support planning and investment decisions that optimise greater Launceston’s regional role and attraction.

City of Launceston Strategic Plan 2014-2024
Priority Area 6 - A city building its future
Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions
Key Direction -
2. To develop and take a strategic approach to development sites to maximise public benefits of development

Priority Area 7 - A city that stimulates economic activity and vibrancy
Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston
Key Direction -
6. To facilitate direct investment in the local economy to support its growth

BUDGET & FINANCIAL ASPECTS:

A valuation of the land has been obtained.

The relocation of parking from Cimitiere Street to CH Smith is expected to result in no loss of revenue, in fact the freeing up of Cimitiere Street to commercial daily parking is likely to maintain the overall parking revenue. The development, when complete, will provide significant rate revenue. The lease arrangements should minimise any short term revenue reduction.
21.2 Cimitiere Street Carpark - Partial Sale ...(Cont’d)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Robert Dobrzynski: General Manager

ATTACHMENTS:
1. The Proposal (distributed electronically)
21.3  UniverCities Trip to Europe - May 2017

FILE NO: SF2385

AUTHOR: Alderman A M van Zetten (Mayor)

GENERAL MANAGER: Robert Dobrzynski (General Manager)

DECISION STATEMENT:

To approve the participation of the City of Launceston in the University of Tasmania's "UniverCities" trip to Europe in May 2017.

RECOMMENDATION:

That Council approves the participation of the City of Launceston in the University of Tasmania's "UniverCities" Trip to Europe in May 2017.

REPORT:

Details of the travel arrangements and participants are being finalised and have been provided on the basis that they remain confidential.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To seek and champion collaboration to address major issues for Northern Tasmania
Key Direction -
2. To lead the implementation of the Greater Launceston Plan by collaborating on relevant initiatives
21.3 Universities Trip To Europe - May 2017 ...(Cont’d)

BUDGET & FINANCIAL ASPECTS:

There is no specific budget provision, however, the costs can be managed within the Council's overall budget.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

Robert Dobrzynski: General Manager
22 **URGENT BUSINESS**

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

23 **CLOSED COUNCIL**

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

23.1 **Confirmation of the Minutes**

**DECISION STATEMENT:**

The *Local Government (Meeting Procedures) Regulations 2015 - Regulation 34(6)* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

23.2 **Cimitiere Street Carpark - Partial Sale**

**RECOMMENDATION:**

That Agenda Item 23.2 - Cimitiere Street Carpark - Partial Sale be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(f) of the *Local Government (Meeting Procedures) Regulations 2015*, which permits the meeting to be closed to the public for business relating to the following:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.
23.3 UniverCities Trip to Europe - May 2017

RECOMMENDATION:

That Agenda Item 23.3 - UniverCities Trip to Europe - May 2017 be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015, which permits the meeting to be closed to the public for business relating to the following:

15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

23.4 Disposal of Part of Road Reservation - Charolais Drive

RECOMMENDATION:

That Agenda Item 23.4 - Disposal of Road Reservation - Charolais Drive be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(f) of the Local Government (Meeting Procedures) Regulations 2015, which permits the meeting to be closed to the public for business relating to the following:

15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.5 Project Consultant

RECOMMENDATION:

That Agenda Item 23.5 - Project Consultant be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015, which permits the meeting to be closed to the public for business relating to the following:

15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
23.6 General Manager's Performance Review Committee

RECOMMENDATION:

That Agenda Item 23.4 - General Manager's Performance Review Committee be considered within Closed Council pursuant to the authority contained within Regulation 15(2)(b) of the Local Government (Meeting Procedures) Regulations 2015, which permits the meeting to be closed to the public for business relating to the following:

15(2)(b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.

24 MEETING CLOSURE