



City of  
**LAUNCESTON**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 13 AUGUST 2018  
1.00pm**

# City of Launceston

COUNCIL AGENDA

Monday 13 August 2018

---

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: 13 August 2018

Time: 1.00pm

---

## Section 65 Certificate of Qualified Advice

### Background

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

### Declaration

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



**Michael Stretton**  
General Manager

---

3 August 2018

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

Dear Michael

### **COUNCIL MEETING**

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

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

I request that you make the necessary arrangements for the next Ordinary Meeting of Council to be convened on Monday, 13 August 2018 commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



**Alderman A M van Zetten**  
**MAYOR**

## ORDER OF BUSINESS

<b>Item No</b>	<b>Item</b>	<b>Page No</b>
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	6
2	DECLARATIONS OF INTEREST	6
3	CONFIRMATION OF MINUTES	6
4	DEPUTATIONS	6
	No Deputations have been identified as part of this Agenda	6
5	PETITIONS	6
	No Petitions have been identified as part of this Agenda	6
6	COMMUNITY REPORTS	7
	No Community Reports have been registered with Council as part of this Agenda	7
7	PUBLIC QUESTION TIME	7
7.1	Public Questions on Notice	7
	No Public Questions on Notice have been identified as part of this Agenda	7
7.2	Public Questions without Notice	7
8	PLANNING AUTHORITY	8
8.1	5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling	8
8.2	10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1)	39

---

<b>Item No</b>	<b>Item</b>	<b>Page No</b>
<b>9</b>	<b>ANNOUNCEMENTS BY THE MAYOR</b>	<b>63</b>
<b>9.1</b>	<b>Mayors Announcements</b>	<b>63</b>
<b>10</b>	<b>ALDERMEN'S REPORTS</b>	<b>65</b>
<b>11</b>	<b>QUESTIONS BY ALDERMEN</b>	<b>65</b>
<b>11.1</b>	<b>Questions on Notice</b>	<b>65</b>
	<b>No Aldermen's Questions on Notice have been identified as part of this Agenda</b>	<b>65</b>
<b>11.2</b>	<b>Questions Without Notice</b>	<b>65</b>
<b>12</b>	<b>COMMITTEE REPORTS</b>	<b>65</b>
	<b>No Committee Reports have been identified as part of this Agenda</b>	<b>65</b>
<b>13</b>	<b>COUNCIL WORKSHOPS</b>	<b>66</b>
<b>14</b>	<b>NOTICES OF MOTION</b>	<b>66</b>
	<b>No Notices of Motion have been identified as part of this Agenda</b>	<b>66</b>
<b>15</b>	<b>DEVELOPMENT SERVICES DIRECTORATE ITEMS</b>	<b>67</b>
<b>15.1</b>	<b>Delegation from Council to General Manager - Land Use Planning and Approvals Act 1993 and Land Use Planning and Approvals Regulations 2014</b>	<b>67</b>
<b>16</b>	<b>FACILITIES MANAGEMENT DIRECTORATE ITEMS</b>	<b>74</b>
<b>16.1</b>	<b>Headstone Project</b>	<b>74</b>
<b>17</b>	<b>CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS</b>	<b>76</b>
	<b>No Items have been identified as part of this Agenda</b>	<b>76</b>

---

<b>Item No</b>	<b>Item</b>	<b>Page No</b>
<b>18</b>	<b>INFRASTRUCTURE SERVICES DIRECTORATE ITEMS</b>	<b>77</b>
<b>18.1</b>	<b>Proposed Street Name - Henry Reed Court</b>	<b>77</b>
<b>18.2</b>	<b>Lease - Heritage Forest Community Garden</b>	<b>80</b>
<b>18.3</b>	<b>Lease - Tamar Bridge Club</b>	<b>84</b>
<b>19</b>	<b>MAJOR PROJECTS DIRECTORATE ITEMS</b>	<b>87</b>
	<b>No Items have been identified as part of this Agenda</b>	<b>87</b>
<b>20</b>	<b>CORPORATE SERVICES DIRECTORATE ITEMS</b>	<b>88</b>
<b>20.1</b>	<b>Change to Council Meetings Schedule 2018</b>	<b>88</b>
<b>20.2</b>	<b>Budget Amendments - 2018/2019</b>	<b>92</b>
<b>21</b>	<b>GENERAL MANAGER'S DIRECTORATE ITEMS</b>	<b>96</b>
	<b>No Items have been identified as part of this Agenda</b>	<b>96</b>
<b>22</b>	<b>URGENT BUSINESS</b>	<b>96</b>
<b>23</b>	<b>CLOSED COUNCIL</b>	<b>96</b>
<b>23.1</b>	<b>Confirmation of the Minutes</b>	<b>96</b>
<b>23.2</b>	<b>Remission of Development Fees</b>	<b>96</b>
<b>24</b>	<b>MEETING CLOSURE</b>	<b>96</b>

---

**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 30 July 2018 be confirmed as a true and correct record.

**4 DEPUTATIONS**

**No Deputations have been identified as part of this Agenda**

**5 PETITIONS**

*Local Government Act 1993 - sections 57 and 58*

**No Petitions have been identified as part of this Agenda**

---

**6 COMMUNITY REPORTS**

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

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

**7 PUBLIC QUESTION TIME**

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

**7.1 Public Questions on Notice**

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

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

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

**7.2 Public Questions without Notice**

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

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

---



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

## **8 PLANNING AUTHORITY**

### **8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling**

**FILE NO:** DA0252/2018

**AUTHOR:** Luke Rogers (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:	Bradley Matthew Reeves
Property:	5 Eglington Street, South Launceston
Zoning:	General Residential
Receipt Date:	7/05/2018
Validity Date:	11/05/2018
Further Information Request:	18/05/2018
Further Information Received:	14/06/2018
Deemed Approval:	13/08/2018
Representations:	10

#### **RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0252/2018 Residential - construction of two additional dwelling and additions and alterations to an existing dwelling at 5 Eglington Street, South Launceston 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. Demolition Plan, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglington Street, South Launceston TAS, Revision No. A, Dated 07-06-18
-

**8.1 5 Eglinton Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

- b. Proposed Site Plan, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglinton Street, South Launceston TAS, Revision No. A, Dated 07-06-18
- c. Floor Plans, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglinton Street, South Launceston TAS, Revision No. -, Dated 04-05-18
- d. Roof Plan, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglinton Street, South Launceston TAS, Revision No. -, Dated 04-05-18
- e. Elevations, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglinton Street, South Launceston TAS, Revision No. -, Dated 04-05-18
- f. Shadow Diagrams, Designed by MMW, Project Name: Reeves Townhouses, Address: 5 Eglinton Street, South Launceston TAS, Revision No. -, Dated 04-05-18

**2. TASWATER**

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00740-LCC) (attached).

**3. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m - 1.8m with uniform transparency of not less than 30% above 1.2m within 4.5m of the frontage; and
- b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.

**4. OVERLOOKING**

Prior to the commencement of use obscure glazing, or comparable permanent screening, up to a height of 1.7m above the floor level must be installed to the satisfaction of the Manager City Development for the following windows:

- a. The window of bedroom 2 of dwelling 1;
- b. The window of the bathroom dwelling 1;
- c. The window of the kitchen of dwelling 1; and
- d. The south western facing window of the living room of dwelling 2.

**5. MULTIPLE DWELLINGS - SERVICE FACILITIES**

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
  - b. Each multiple dwelling must be provided with a minimum 6m<sup>3</sup> exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
  - c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.
-

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

**6. LEGAL TITLE**

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

**7. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

**8. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property.

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

**9. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development

Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

**10. DAMAGE TO COUNCIL INFRASTRUCTURE**

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

---

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

## **11. 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.

## **12. VEHICULAR CROSSINGS**

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

An application for such work must be lodged electronically via the Council 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 and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

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

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the

---

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

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

#### **14. AMENITY**

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

#### **15. 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. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*
  - B. Occupancy Permit Required  
*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. Section 225. A copy of this planning permit should be given to your Building Surveyor.*
  - C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a*
-

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

*plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.*

**D. Strata Title Approval**

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

**E. General**

*This permit was issued based on the proposal documents submitted for DA0252/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

**F. 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 affected, restricted or prohibited by any such covenant.*

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

**G. 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 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

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

**H. Permit Commencement**

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

---

**REPORT:**

**1. THE PROPOSAL**

The proposal is for the construction and use of two dwellings on a site with an existing dwelling, which will be subject to some alteration. In addition, there are fences, vehicular accesses, earthworks and other landscaping proposed. The two dwellings proposed will consist of the following:

Dwelling 1

- 2 storeys
- 3 bedrooms, one with walk in robe and ensuite
- 1 bathroom
- 1 open plan kitchen, living and dining room
- 1 double garage with storage and laundry
- 1 deck

Dwelling 2

- 1 storey
- 3 bedrooms, one with walk in robe and ensuite
- 1 bathroom
- 1 open plan kitchen, living and dining room
- 1 double garage with storage
- 1 laundry
- 2 decks

The existing dwelling will be altered through the addition of a deck, and a garage to replace the carport to be removed in association with the development. An additional crossover is proposed for both dwelling 1 and dwelling 2. Internal fences are proposed to separate the private areas of each of the dwellings. Retaining walls are proposed along the north eastern boundary and along the existing driveway.

---

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

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

The site is located at the intersection of Eglington and Hampden Streets, on the north eastern and north western sides of the streets respectively. The site is a regular rectangle of shape with an area of approximately 989m<sup>2</sup>. The surrounding area is predominantly comprised of residential dwellings, with the vast majority of those being single dwellings. There is also an area of public open space to the east of the site and the Launceston General Hospital located to the west of the site off Howick Street.

Access to the site is over an existing concrete crossover from Hampden Street. The site has a slope of approximately 13% falling to the south west. The site is developed with an existing dwelling in the southern corner of the site and has associated landscaping and vegetation. The site is connected to all relevant infrastructure services and is in the combined drainage area.

## **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 proposal is for the development and use of multiple dwellings at the site of an existing residential single dwelling. As multiple dwellings are a permitted use in the zone, the proposal is considered to be consistent with the purpose of the zone.

---



**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**10.4 Development Standards**

**10.4.1 Residential density for multiple dwellings**

**Objective:**

To provide for suburban densities for multiple dwellings that:

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

**Consistent**

The proposed development will provide a residential density that makes efficient use of suburban land for housing and further optimises the use of infrastructure and community services.

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

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

**Complies**

The site area of the proposed development is 989m<sup>2</sup>, which represents a site area per dwelling of approximately 329m<sup>2</sup> for each of the three dwellings.

**10.4.2 Setbacks and building envelope for all dwellings**

**Objective:**

To control the siting and scale of dwellings to:

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

**Consistent**

The siting and scale of the proposed dwellings will provide reasonably consistent separation between the dwellings on adjacent sites and the dwellings and the frontages. This siting and design will assist in the attenuation of traffic noise while providing visual consistency in apparent scale, bulk, massing and proportion of dwellings. The separation between the dwellings will be sufficient to provide the opportunity for daylight and sunlight to enter habitable rooms and private open space.

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

- a. if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

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

**Complies**

The proposed development is on a corner lot that has frontage to both Eglington Street and Hampden Street. As the frontage to Hampden Street is shorter this is considered to be the primary frontage.

The proposed dwelling 2 will be set back from Hampden Street by approximately 5.5m. The proposed double garage for the existing dwelling will be set back from the primary frontage by 4m at the closest point, however, this is not less than the setback of the dwelling currently on the site. The proposed dwelling 1 will be set back from the secondary frontage to Eglington by 3m. As such the proposal is in compliance.

A2 A garage or carport must have a setback from a primary frontage of at least:

- a. 5.5m, or alternatively 1m behind the facade of the dwelling; or
- b. the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or
- c. 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

**Relies on Performance Criteria**

The proposal includes the construction of three garages, two of which will face the primary frontage. The garage for dwelling 1 will face onto the secondary frontage to Eglington Street and is not in the vicinity of the primary frontage. The garage for dwelling 2 is to have a setback of 5.5m from the primary frontage. The existing dwelling will have a garage constructed that is 4m from the primary frontage at the closest point. This garage is also located closer to the frontage than the façade of the existing dwelling and, as such, the proposal relies on performance criteria.

P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

**Complies**

The proposed garage will be compatible with the existing garages and carports in the street, including the carport that currently exists on the site. The garage is to take the place of a currently existing carport that is also generally in line with the existing dwelling and within 5.5m of the frontage. In addition there are garages built on, or near, the primary frontage boundary at 5 and 7 Hampden Street and a carport built in line with the dwelling, within the frontage setback, at 17 Hampden Street.

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p>The proposed setback from the primary frontage of the proposed garages is therefore considered to be consistent with the existing garages and carports in the street and with the performance criteria.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>a. be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:             <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</li> </ul> </li> <li>b. only have a setback within 1.5m of a side boundary if the dwelling:             <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>
<p><b>Relies on Performance Criteria</b></p> <p>As the site of the proposed development is a corner lot, each of the boundaries other than the frontages are considered as if side boundaries. The deck of dwelling 1 is located 0.3m from the north western boundary at the closest point, however, the length of the deck is 8.82m, which is less than 9m, or one third of the boundary length. Dwelling 2 is located 1.15m from the north eastern boundary at the closest point. This wall, within 1.5m of the boundary, has a length of 10.58m and, as such, the proposal relies on performance criteria.</p>
<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>a. not cause unreasonable loss of amenity by:             <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</li> <li>(iii) overshadowing of an adjoining vacant lot; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</li> </ul> </li> <li>b. provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</li> </ul>
<p><b>Complies</b></p>
<p>The siting and scale of the proposed dwellings will not cause an unreasonable loss of amenity to any adjoining dwellings. The location of the proposed dwellings are to the south, south east and south west of the dwellings and private open space on adjoining lots. This siting will limit the potential for overshadowing due to the proposed development.</p>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

The deck of dwelling 1 is 0.3m from the north west boundary, which adjoins the rear private open space of 9 and 11 Howick Street. The location of the proposed dwellings, being to the south of the private open space of the adjoining properties, suggests that there will be limited overshadowing. The amount of overshadowing that could occur due to the proposal is not considered to be unreasonable.

Dwelling 2 is closest to the habitable rooms of an adjoining dwelling, being 6 Hampden Street which is located to the north east. The height of dwelling 2 is approximately 3m, which, when coupled with the required 1.8m fence, represents limited ability for overshadowing of the adjoining lot. The area that is adjacent to dwelling 2 at its closest point is used as a driveway and parking space by 6 Hampden Street. The habitable room windows of 6 Hampden Street are approximately 4.5m from the proposed development, and are up slope of the development, further limiting the ability for overshadowing.

Dwelling 2 is cut into the land by approximately 0.8m, which, when coupled with the slope of the land and the boundary fence, will reduce the scale and bulk of the proposed development when viewed from the adjoining lot. The visual bulk is also reduced when being viewed from 9 and 11 Howick Street, as architectural features and the setback of the main bulk of the buildings from the boundary will reduce the impact. There are numerous other examples of dwellings that are sited close to the side boundary of an adjoining lot, including but not limited to 4, 6, 7, 9 and 11 Hampden Streets. The setbacks provided are considered to be compatible with the surrounding area.

10.4.3 Site coverage and private open space for all dwellings

Objective:  
To provide:

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

**Consistent**  
The proposal provides for the outdoor recreation of residents and for the planting of gardens and landscaping. Private open space provided is integrated with the living areas of the dwelling and has access to some degree of sunlight.

A1 Dwellings must have:

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

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**Complies**

The roofed structures proposed will cover 471m<sup>2</sup> of the 989m<sup>2</sup> total site area, which represents site coverage of 47.6%. The dwellings proposed each have over 60m<sup>2</sup> of private open space. The site has approximately one third of the total site area which is free from impervious surfaces and exceeds the minimum 20% requirement.

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

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

**Relies on Performance Criteria**

Each of the dwellings has private open space, considered the primary area of private open space, provided in one location that is 24m<sup>2</sup> in area, is connected to a habitable room other than a bedroom and is level. None of the areas of private open space provided are located to the south, south east, or south west of the dwelling to which they are associated or between that dwelling and the frontage. The private open space for dwelling 1 has a minimum horizontal dimension of 2.64m, and as this dwelling includes a master bedroom on the ground floor the proposal relies on performance criteria.

P2 A dwelling must have private open space that:

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

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**Complies**  
 The private open space provided for each of the dwellings, including that for dwelling 1, is capable of serving as an extension of the dwelling that allows for outdoor relaxation, dining, entertaining and children's play. While the dimensions of the primary area of private open space for dwelling 1 are limited for children's play there are other areas of private open space that could be utilised if additional space is required for these activities. The private open space provided for each dwelling is connected to internal living areas. The orientation of these areas, in relation to the dwelling to which they are associated, would allow access to sunlight.

10.4.4 Sunlight and overshadowing for all dwellings

Objective:  
 To provide:

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

**Consistent**  
 The proposal provides the opportunity for sunlight to enter habitable rooms, other than bedrooms of the proposed dwellings, and the existing dwelling. The two dwellings proposed are sited and designed to not interfere with the solar access of the other, and are sufficient to not overly limit the amount of sunlight able to be received by the existing dwelling. The separation of the dwellings on the site is considered to be sufficient to provide a reasonable opportunity for daylight and sunlight to enter the private open space of the all dwellings.

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

**Relies on Performance Criteria**  
 Each of the proposed dwellings has windows to the living/dining room which face 34 degrees east of north, as such the proposal relies on performance criteria. The orientation of the windows of the existing dwelling face approximately 40 degrees east of north.

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

**Complies**  
 Each of the dwellings have living/dining room windows that face generally to the north and have additional windows to supplement the access to sunlight for that room. The siting and design of the dwellings is considered to be appropriate to allow for sunlight to enter at least one habitable room other than a bedroom.

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

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p>accordance with a. or b., unless excluded by c.:</p> <p>a. The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the window; and</li> <li>(ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>b. The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>c. That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</li> </ul>
<p><b>Complies</b></p> <p>As none of the dwellings provide a habitable room window that faces between 30 degrees east or west of north, the position of the other dwelling in relation to habitable room windows is not considered to be relevant.</p>
<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>a. The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>b. The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>c. That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</li> </ul>
<p><b>Complies</b></p> <p>Dwelling 1 is located to the north of the private open space of the existing dwelling. However, the area identified as primary open space with dimensions of 4m x 6m, is located more than 3m from the dwelling to the north. As such, the proposal is considered to be compliant with the acceptable solution.</p>

10.4.5 Width of openings for garages and carports for all dwellings

<p>Objective:</p> <p>To reduce the potential for garage or carport openings to dominate the primary frontage.</p>
<p><b>Consistent</b></p> <p>The garages proposed do not dominate the primary frontage.</p>
<p>A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**Complies**  
 The garages proposed for both the existing dwelling and dwelling 2 are within 12m of the primary frontage, however, each of these have openings of less than 6m.

10.4.6 Privacy for all dwellings

**Objective:**  
 To provide reasonable opportunity for privacy for dwellings.

**Consistent**  
 The proposal is sited and designed to provide a reasonable opportunity for existing and proposed dwellings.

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

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

**Complies**  
 Each of the dwellings on the site is to have one or more decks. The deck of dwelling 1 faces the north western boundary, with a floor level more than 1m above ground level and has a setback of 0.3m at the closest point, this, however, has a privacy screen to 1.7m with a uniform transparency of 25%.

Dwelling 2 has a deck that faces the north western boundary with a floor level more than 1m above ground level, however this is set back from this boundary by over 3m. Dwelling 2 also has a deck facing the north eastern boundary, however, this does not have a floor level more than 1m above ground level.

The existing dwelling will also have a deck constructed with a floor level more than 1m above ground level. As this deck faces the windows of bedroom 2 and a bathroom of dwelling 1, and is set back approximately 3m, the proposal relies on performance criteria.

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



**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p>a. a dwelling on an adjoining lot or its private open space; or                  b. another dwelling on the same site or its private open space; or                  c. an adjoining vacant residential lot.</p>
<p><b>Complies</b>                  The design of the proposed deck for the existing dwelling is designed and sited to minimise the overlooking of the proposed dwelling 1 on the same site. The difference in height of the proposed deck and the habitable room windows of dwelling 1 will not provide the opportunity for overlooking. The sill height of the windows in question is 1.7m above the floor level of the proposed deck, this will act in a similar way to a privacy screen minimising the opportunity for overlooking. In addition, obscure glazing of these windows is recommended to be required by condition, which will further reduce the potential for overlooking.</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with a., unless it is in accordance with b.:</p> <p>a. The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.</li> </ul> <p>b. The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>
<p><b>Complies</b>                  The proposal contains several windows of habitable rooms which have floor levels over 1m above natural ground level. Of these windows, all are set back from the side boundaries by 3m or more. There are, however, several that are within 6m of the private open space or habitable room windows of the existing dwelling. It is therefore recommended that a condition be imposed, requiring obscure glazing to a height of 1.7m above the floor level for the following windows;</p> <ul style="list-style-type: none"> <li>• the window of bedroom 2 of dwelling 1;</li> <li>• the window of bedroom 2 of dwelling 1;</li> <li>• the window of the bathroom of dwelling 1; and</li> <li>• the south western facing window of the living room of dwelling 2.</li> </ul>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

With the addition of this condition the proposal is considered to meet the acceptable solution.

10.4.7 Frontage fences for all dwellings

**Objective:**

To control the height and transparency of frontage fences to:

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

**Consistent**

The proposed frontage fence will provide adequate privacy and security for residents while allowing for mutual passive surveillance and reasonable consistency with other frontage fences.

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

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

**Complies**

The frontage is currently fenced, and the majority of that will be retained. There are, however, some fences proposed within 4.5m of the frontage, conditions are recommended to ensure that the proposed fences are appropriately tapered or otherwise designed to meet the acceptable solution.

10.4.8 Waste storage for multiple dwellings

**Objective:**

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

**Consistent**

The proposal provides for the storage of waste and recycling bins for the dwellings.

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

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

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p><b>Relies on Performance Criteria</b>                  The proposal includes individual storage areas for the exclusive use of each of the dwellings, however, the area provided for the existing dwelling is located between the dwelling and the primary frontage. As such, the proposal relies on performance criteria.</p>
<p>P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is:</p> <ul style="list-style-type: none"> <li>a. capable of storing the number of bins required for the site; and</li> <li>b. screened from the frontage and dwellings; and</li> <li>c. if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>
<p><b>Complies</b>                  Each of the dwellings proposed provides an area for the individual storage of waste and recycling bins, these are located to the side of dwellings and/or behind fences, screening the bins from the frontage and dwellings.</p>

10.4.9 Site facilities for multiple dwellings

<p>Objective:                  To provide adequate site and storage facilities for multiple dwellings.</p>
<p><b>Consistent</b>                  The proposal includes adequate site and storage facilities for the multiple dwellings.</p>
<p>A1 Each multiple dwelling must have access to 6m<sup>3</sup> of secure storage space not located between the primary frontage and the facade of a dwelling.</p>
<p><b>Complies</b>                  Each of the multiple dwellings provides for 6m<sup>3</sup> of storage space located in the garage of the corresponding dwelling.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p><b>Complies</b>                  A mailbox is proposed at a frontage for dwelling 1 and dwelling 2, the existing dwelling has an existing mailbox at a frontage that is not proposed to be removed.</p>

10.4.10 Common property for multiple dwellings

<p>Objective:                  To ensure that common areas are easily identified.</p>
<p><b>Consistent</b>                  The proposal identifies the lack of common areas.</p>
<p>A1 Site drawings must clearly delineate private and common areas, including:</p> <ul style="list-style-type: none"> <li>a. driveways;</li> <li>b. parking spaces, including visitor parking spaces;</li> <li>c. landscaping and gardens;</li> <li>d. mailboxes; and</li> <li>e. storage for waste and recycling bins.</li> </ul>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**Complies**  
 The proposal does not include any common areas and site drawings clearly show which areas are for the exclusive use of which dwellings.

10.4.12 Earthworks and retaining walls

<p><b>Objective:</b>                  To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p><b>Consistent</b>                  The earthworks and retaining walls proposed are appropriate to the site and respect the amenity of the adjoining lots.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> <li>a. be located no less than 900mm from each lot boundary;</li> <li>b. be no higher than 1m (including the height of any batters) above existing ground level;</li> <li>c. not require cut or fill more than 1m below or above existing ground level;</li> <li>d. not concentrate the flow of surface water onto an adjoining lot; and</li> <li>e. be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.</li> </ul>
<p><b>Relies on Performance Criteria</b>                  The proposal includes earthworks and retaining walls requiring cuts of more than 600mm. The cut for the lower floor of dwelling 1 will be over 1m in depth and a retaining wall of 0.8m in height will be located along the north eastern boundary, as such, the proposal relies on performance criteria.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> <li>a. the topography of the site;</li> <li>b. the appearance, scale and extent of the works;</li> <li>c. overlooking and overshadowing of adjoining lots;</li> <li>d. the type of construction of the works;</li> <li>e. the need for the works;</li> <li>f. any impact on adjoining structures;</li> <li>g. the management of groundwater and stormwater; and</li> <li>h. the potential for loss of topsoil or soil erosion.</li> </ul>
<p><b>Complies</b>                  The earthworks and associated retaining walls proposed are designed and located as to not have an unreasonable impact on the amenity of the adjoining lots. The topography of the site is such that earthworks are required, as the site falls away to the south west. The earthworks consist of cuts that will lower the impact of the proposed development and lessen the overshadowing or overlooking potential of both dwelling 1 and 2.</p>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

The earthworks proposed for dwelling 1 will cut the structure into the hill and no external retaining walls are proposed. The retaining wall proposed along the north eastern boundary does not have a significant visual impact as it only retains a cut of approximately 0.8m.

The earthworks and retaining walls that are proposed will be designed to the standards of the National Construction Code and will ensure that there will be no impact on adjoining structures or potential for erosion. The retaining wall will be appropriately drained and will not direct any water to the adjoining property.

10.4.13 Location of car parking

**Objective:**  
**To:**

- a. provide convenient car parking for residents and visitors;
- b. protect residents from vehicular noise within sites; and
- c. minimise visual impact on the streetscape.

**Consistent**  
 The proposal provides car parking for residents and visitors that is convenient and does not cause unreasonable visual impacts or impacts from vehicular noise.

A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.  
 A2.2 Turning areas for vehicles must not be located within the primary front setback.

**Complies**  
 The car parking proposed is not located in the primary front setback, except for visitor parking for dwelling 2, which is tandem car parking in the driveway. There are no turning areas proposed

E4.0 Road and Railway Assets Code

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

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

**Consistent**  
 The proposal will protect the safety and efficiency of the road network. The separation between the site and major roads or the rail network will reduce the potential for conflict.

**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.

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p><b>Consistent</b> The safety and efficiency of the road network is not reduced as a result of the proposed creation of new accesses.</p>
<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>
<p><b>Relies on Performance Criteria</b> The proposal includes the creation of two accesses in addition to the existing access. This will result in three accesses providing both entry and exit, as such, the proposal relies on performance criteria.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>a. the nature and frequency of the traffic generated by the use;</li> <li>b. the nature of the road;</li> <li>c. the speed limit and traffic flow of the road;</li> <li>d. any alternative access to a road;</li> <li>e. the need for the access or junction;</li> <li>f. any traffic impact assessment; and</li> <li>g. any written advice received from the road authority.</li> </ul>
<p><b>Complies</b> The proposal will provide accesses that are safe and will not unreasonably impact on the efficiency of either of the roads providing frontage. The use will generate a reasonable residential level of traffic, with each of the dwellings being three bedrooms. A three-bedroom residential dwelling with two dedicated car parks is considered to create nine vehicle movements on average per day. The addition of 18 extra vehicles movements from the site would meet the acceptable solution for vehicle movements over a single crossover. This can be used as a guide and would suggest that an additional nine vehicle movements added to Hampden Street and Eglington Street respectively would not overwhelm the capacity of these streets.</p> <p>Hampden Street and Eglington Street are both narrow residential streets that have speed limits of 50km/h and have limited traffic movements. Eglington Street is approximately 60m in length between Hampden Street and Howick Street, and has four existing crossovers. Hampden Street is a no through road which is relatively steep rising to the north east. Parking is only permitted on one side of each street. The fact that Hampden Street is a dead end reduces the amount of traffic using the section of the street where a new crossover is proposed.</p>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

The proposal utilises the alternate access to both roads to which the site has frontage. While a traffic impact assessment has not been provided, the applicant has provided justification for the proposal against this clause. This statement has been attached to this report as Attachment 5. The proposal was referred to the Infrastructure Services Directorate of the Council and was deemed to not cause an unreasonable impact on traffic in the area. Due to the relatively low traffic numbers, the slow speed of traffic on the road and the spread of traffic movements from the site to two roads, the proposal is considered to meet the performance criteria.

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

<p><b>Objective:</b> To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>
<p><b>Consistent</b> The site distances at the proposed accesses provide sufficient sight distances between vehicles to enable the safe movement of traffic.</p>
<p><b>A1 Sight distances at:</b></p> <ul style="list-style-type: none"> <li>a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and</li> <li>b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</li> </ul>
<p><b>Complies</b> The proposed crossovers provide sight distances that comply with the Safe Intersection Sight Distances, or sight distances for the length of the street. As such the proposal meets the acceptable solution.</p>

**E6.0 Parking and Sustainable Transport Code**

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

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

**E6.5 Use Standards**

**E6.5.1 Car parking numbers**

<p><b>Objective:</b> To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p><b>Consistent</b> The number of car parks provided is an appropriate level to meet the needs of the use.</p>
<p><b>A1</b> The number of car parking spaces must:</p> <ul style="list-style-type: none"> <li>a. not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</li> <li>b. not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</li> <li>c. not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</li> <li>d. be in accordance with an acceptable solution contained within a parking precinct plan.</li> </ul>
<p><b>Relies on Performance Criteria</b> The proposal provides two car parking spaces within the garages of each of the dwellings, meeting the dedicated parking requirements of Table E6.1. The proposal also allows for visitor parking in the driveway of dwelling 2, and across the driveway and garage of the existing dwelling. However, as this cannot be utilised by all the dwellings on the site, the proposal does not include sufficient visitor parking to meet the requirements of the Table. As such, the proposal relies on performance criteria.</p>
<p><b>P1.1</b> The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>a. the availability of off-road public car parking spaces within reasonable walking distance;</li> <li>b. the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in car parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>c. the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>d. any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>e. the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>f. an assessment of the actual car parking demand determined in light of the nature of the use and development;</li> <li>g. the effect on streetscape; and</li> <li>h. the recommendations of any traffic impact assessment prepared for the proposal; or</li> </ul> <p><b>P1.2</b> The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>a. the intensity of the use and car parking required;</li> </ul>



**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

- b. the size of the dwelling and the number of bedrooms; and
  - c. the pattern of parking in the locality; or
- P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

**Complies**

The number of car parking spaces provided for the residential use is considered to be reasonable to meet the needs of the use. As each of the dwellings are provided with frontage to a road, and access over that frontage, they will act in a similar manner to the surrounding single dwellings. Each of the dwellings with access to Hampden Street will be capable of providing parking in the driveway, or across the driveway and the garage for two additional cars. Only dwelling 1 will not be able to provide visitor car parking. This, however, will not be any change to the existing parking situation, as there is currently one, three-bedroom dwelling on the site which does not provide dedicated on-site visitor parking. The dwellings and the parking that they provide is consistent with the other dwellings in the area, and as such are in keeping with the pattern of parking in the area and compliance with P1.2 can be achieved.

**E6.6 Development Standards**

**E6.6.1 Construction of parking areas**

Objective:

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

**Consistent**

The parking areas proposed are to be constructed to an appropriate standard.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- a. have a gradient of 10% or less;
- b. be formed and paved;
- c. be drained to the public stormwater system, or contain stormwater on the site;
- d. except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- e. except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

**Complies**

The parking areas provided are internal garage parking spaces, and associated access ways. These all have gradients of less than 10% and are formed, paved and drained.

**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.

**8.1 5 Eglinton Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<p><b>Consistent</b> The parking areas provided are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> <li>a. provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;</li> <li>b. have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;</li> <li>c. have parking space dimensions in accordance with the requirements in Table E6.3;</li> <li>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</li> <li>e. have a vertical clearance of not less than 2.1m above the parking surface level.</li> </ul> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p><b>Complies</b> The proposed parking spaces and associated manoeuvring areas are designed with dimensions in accordance with Tables E6.2 and E6.3. There is a vertical clearance of 2.1m for each of the garages. While the site provides for more than four parking spaces in total, there is no single area or access on the site where more than four parks are provided. As such the proposal is considered to meet the acceptable solution.</p>

**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

**8.1 5 Eglinton Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

REFERRAL	COMMENTS
<b>EXTERNAL</b>	
TasWater	Conditional consent provided. TasWater has issued a Development Submission to Planning Authority Notice TWDA 2018/00740-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

**5. REPRESENTATIONS**

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 23 June to 9 July 2018. 10 representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue	Planning Comments
Over development of the site, overcrowded relative to other dwellings in the area.	The density of the site was discussed in Clause 10.4.1 A1 of the Launceston Interim Planning Scheme 2015. The proposal is compliant with the acceptable solution with approximately 329m <sup>2</sup> per dwelling. The planning scheme does not take into account the density of the surrounding area in the General Residential Zone, only the density of dwellings on the site.
Insufficient space provided for gardens or green areas.	The provision of private open space and site coverage was discussed in Clause 10.4.3 A1 of the Scheme. The proposal provides 60m <sup>2</sup> of private open space per dwelling, which is considered sufficient for the planting of gardens and the like.

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<b>Issue</b>	<b>Planning Comments</b>
<p>Visual impact of the development due to garages.</p>	<p>The width of the garages on the frontage was discussed in Clause 10.4.5 A1 of the Scheme. The proposed garages meet the acceptable solution for garages facing the frontage. It is also noted that a number of dwellings in the street have garages to the frontage.</p>
<p>The development will impact on the historic character of the area as it is not in keeping with that character.</p>	<p>The site of the proposed development is not heritage listed, and is not currently located in a heritage precinct. As such the proposal is not subject to assessment against E13.0 Local Historic Cultural Heritage Code which would address the historic nature of an area. In addition, as the use is not discretionary, the proposal is not considered against neighbourhood character under Clause 10.4.14 P1 of the Scheme. The General Residential Zone is considered to have a character that accommodates a wide range of dwelling types.</p>
<p>The development would have a detrimental impact on traffic. There is difficulty turning in the street.</p>	<p>The impact on the traffic of the area is discussed under Code E4.0 Road and Railway Assets under the Scheme. The proposal is considered to meet the performance criteria of the code due to the vehicle movement numbers produced and the slow speed of traffic on the streets. It is noted that existing issues are independent of the assessment of this development application.</p>
<p>Parking concerns in the area which would be exacerbated by the proposed development.</p>	<p>The amount of parking provided is discussed under Code E6.0 Parking and Sustainable Transport under the Scheme. The amount of parking provided is considered to be sufficient for the use and in keeping with the pattern of the area. It is noted that existing issues are independent of the assessment of this development application.</p>

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

Issue	Planning Comments
Loss of privacy to nearby dwellings.	The impact on privacy was discussed in Clause 10.4.6 A1 and A2 of the Scheme. The proposal is sufficiently set back and/or screened to meet the acceptable solutions protecting the privacy of surrounding dwellings.
Overshadowing, particularly of 6 Hampden Street.	The potential for overshadowing of adjoining dwellings was discussed in Clause 10.4.2 P3 of the Scheme. The impact on the adjoining dwellings, including 6 Hampden Street, is considered to meet the performance criteria.
Decrease of house prices.	The planning scheme does not address the potential impact of proposed development on surrounding house prices.
Visual bulk due to length of wall and reduced setback.	The visual bulk is discussed in Clause 10.4.2 P3 of the Scheme. The impact on the adjoining dwellings, including number 6 Hampden Street is considered to meet the performance criteria.
Reduced view due to the proposed development.	The impact on amenity is discussed in Clause 10.4.2 P3 of the Scheme. The impact on the adjoining dwellings, including 4 and 6 Hampden Street is considered to meet the performance criteria. The excavation and low roof height of the proposal is deemed to be reasonable and will lessen or eliminate any reduction of view from neighbouring properties.
Approval could impact on further similar developments.	The proposed development does not have any material impact on the ability for future development to be approved or rejected in the area.
Turning larger blocks into smaller blocks for modern constructions.	The aesthetic design of the development is not dealt with under the Scheme. Subdivision of the block is not proposed. The Scheme allows for the development of multiple dwellings with the potential for strata titling.

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

<b>Issue</b>	<b>Planning Comments</b>
Traffic impacts during construction.	The impact on traffic during the construction phase is not dealt with under the planning scheme. It is noted that during construction all vehicles must still adhere to road and parking rules. A Traffic Management Plan is required by recommended condition by Council's Infrastructure Department.
Development of this type should be located in new suburbs rather than established ones.	The site is in the General Residential Zone, and the proposal is assessed against the requirements of the Scheme as proposed developments in all areas are.
Removal of existing gardens and space	The site of the proposed development is not in an area subject to Code E7.0 Scenic Management which assesses the removal of vegetation. It is noted that this is privately held land and the type and extent of vegetation cannot be compelled under the scheme.
The development is good for Launceston/other positive comments.	These comments have been noted.

**6. CONCLUSION**

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

**ECONOMIC IMPACT:**

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

**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.

**8.1 5 Eglington Street, South Launceston - Residential - Construction of Two Additional Dwellings and Additions and Alterations to an Existing Dwelling ... (Cont'd)**

---

**SOCIAL IMPACT:**

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

**STRATEGIC DOCUMENT REFERENCE:**

Launceston Interim Planning Scheme 2015


**BUDGET & FINANCIAL ASPECTS:**

Not 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. Locality Map (distributed electronically)
  2. Plans to be Endorsed (distributed electronically)
  3. TasWater SPAN (distributed electronically)
  4. Representations (distributed electronically)
  5. Applicant's Response Statement (distributed electronically)
-

**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1)****FILE NO:** DA0345/2018**AUTHOR:** Duncan Payton (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:	Rebecca Lee Page
Property:	10 Croydon Avenue, Newstead
Zoning:	Inner Residential
Receipt Date:	20/06/2018
Validity Date:	20/06/2018
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval (extension):	14/08/2018
Representations:	Five

**PREVIOUS COUNCIL CONSIDERATION:**

DA0040/2018, dealing with the same proposal, was withdrawn earlier in the year and resubmitted as this application.

**RECOMMENDATION:**

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0345/2018 Residential - construction of two additional dwellings at 10 Croydon Avenue, Newstead 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. Cover Sheet, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. A00, revision 13, dated 17/01/18
-



**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

---

- b. Floor Plans, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. A01, revision 14, dated 17/01/18
- c. Elevations, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. A02, revision 13, dated 17/01/18
- d. Elevations, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. A03, revision 13, dated 30/01/18
- e. Services Plan, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. P01, revision 13, dated 21/02/18
- f. Parking Site Plan, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. P02, revision 14, dated 20/03/18
- g. Existing Site Plan, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. P03, revision 13, dated 22/03/18
- h. Site Plan / Roof Plan, prepared by Louton Design Pty Ltd, project no. AR442, Proposed Residential Development 10 Croydon Avenue, drawing no. S01, revision 13, dated 17/01/18

**2. MULTIPLE DWELLINGS - SERVICE FACILITIES**

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Each multiple dwelling must be provided with a minimum 6m<sup>3</sup> exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Manager City Development.

**3. TASWATER**

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2018/00178-LCC, dated 05/03/2018 and attached to the permit.

**4. FENCING**

Prior to the commencement of the use, all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:

- a. 1.2m within 4.5m of the frontage; and
  - b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries.
-

**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

---

**5. LEGAL TITLE**

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

**6. WASTE COLLECTION**

The owner or owners of the dwellings at 10 Croydon Avenue shall engage a contractor to empty the waste and recycling bins within the boundaries of the site.

**7. HOURS OF CONSTRUCTION**

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

**8. DRIVEWAY AND PARKING AREA CONSTRUCTION**

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

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes.

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

**9. ON-SITE DETENTION (TASWATER ADVICE TO DRAINAGE AUTHORITY)**

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a 1 in 5 storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site post development

Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

**10. AMENDED PLANS REQUIRED**

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

- a. A detailed plan showing the proposed cut and fill across the development site showing 200mm depth increments,
-

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

---

- b. All retaining structures and associated drainage required on the boundary of the site and within 1.5m of a building.

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

**11. 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.

**12. 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.

**13. 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.

**14. 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

---

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

---

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.

**15. CONSTRUCTION OF RETAINING WALLS**

All retaining walls located within 1.5m of the property boundaries are to be designed and certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

**16. AMENITY**

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

Notes

- A. All plumbing work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.*
- B. Strata Title Approval  
*The proposal may be Strata titled. If this is to be staged the Strata plan must be accompanied by a Disclosure Statement for a Staged Development Scheme.*
- C. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code  
*Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.*
- D. General  
*This permit was issued based on the proposal documents submitted for DA0345/2018. You should contact Council with any other use or developments, as they may require*
-

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

---

*the separate approval of Council. Council's planning staff can be contacted on 6323 3000.*

*This permit takes effect after:*

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

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

**E. Restrictive Covenants**

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

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

**F. Appeal Provisions**

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

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

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

**G. Permit Commencement**

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

---

**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

*H. Street addresses for Multiple Dwellings*

*Residential addressing is undertaken in accordance with Australian Standard AS4819. The development has been assessed according to the standard and the following addresses allocated:*

<i>Dwelling No</i>	<i>Street Address</i>
<i>1</i>	<i>1/10 Croydon Avenue</i>
<i>2</i>	<i>2/10 Croydon Avenue</i>
<i>3</i>	<i>3/10 Croydon Avenue</i>
<i>4</i>	<i>4/10 Croydon Avenue</i>

*The above addresses are to be adhered to when identifying the dwellings and their associated letterboxes.*

**REPORT:**

**1. THE PROPOSAL**

It is proposed to demolish the existing three bay shed in the northern corner of 10 Croydon Avenue, Newstead and to construct two, single storey, three bedroom, dwellings plus associated carports and earthworks.

It is proposed to clad the dwellings in rendered polystyrene with colorbond roofing. The north-eastern roofline on each dwelling will also have a 10Kw solar array.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

10 Croydon Avenue is a 2259m<sup>2</sup> lot located at the end of Croydon Avenue, a private road providing right of way access to Cypress Street. It also has right of way access over the adjoining lot (13 Dowling Street).

Currently the site contains a large dwelling being used as two multiple dwellings (one five bedroom and one two bedroom). The site is broadly surrounded by a mix of single and multiple dwellings and some previous dwellings now used as medical rooms and the like.

The adjoining site to the east is currently a vacant residential lot, whilst the land further east is zoned Light Industrial and is used for a mix of light industrial and commercial activities.

The subject site and the immediate area are clearly residential in character.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone Purpose**

**11.0 Inner Residential Zone**

**11.1.1 Zone Purpose Statements**

11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.

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

11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.

11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.

11.1.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.

**Consistent**

The subject site is currently used as two multiple dwellings and the current application is for the construction of two additional dwellings in this residential zone.

**11.3 Use Standards**

**11.3.1 Hours of operation**

A1 Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.

**Complies**

No commercial vehicles are proposed

**11.3.2 Mechanical plant and equipment**

**Objective:**

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.

**Consistent**

No mechanical plant or equipment, other than that normally expected for residential development is included in this proposal.

It is noted that representors have alleged that some industrial use is carried out on the site and that such use involves the delivery of component parts and the later removal of assembled machinery. This allegation has been referred to the relevant compliance officer for investigation. Notwithstanding this, there is no suggestion that such use will be undertaken or intensified as a result of the current proposal to develop and use two additional dwellings on the site.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

11.3.3 Light spill and illumination

Objective:  
To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.

**Consistent**  
No specific outdoor lighting is proposed and the permit will be conditioned to contain light within the boundaries of the site.

11.3.4 External storage of goods

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

**Consistent**  
No external storage of goods or materials is proposed.

11.3.5 Commercial vehicle parking

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

**Consistent**  
No commercial vehicles are proposed as part of the use of these units.

It is noted that representors have alleged that some industrial use is carried out on the site and that such use involves the delivery of component parts and the later removal of assembled machinery. This allegation has been referred to the relevant compliance officer for investigation. Notwithstanding this, there is no suggestion that such use will be undertaken as a result of the current proposal to develop and use two additional dwellings on the site.

**11.4 Development Standards**

11.4.7 Site coverage

Objective:  
To:

- a. ensure that the site coverage of residential development and ancillary buildings respects the character of the surrounding area;
- b. reduce the impact of increased stormwater runoff on the drainage system; and
- c. provide for landscaping and private open space.

**Consistent**  
The proposal demonstrates compliance with the relevant assessment criteria.

A1.1 Site coverage must be no greater than 60%; and  
A1.2 No less than 25% of the site must be pervious to rainfall.



**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**Complies**  
 The subject site has an area of 2259m<sup>2</sup>. Site coverage is made up of existing dwellings (433m<sup>2</sup>), proposed dwellings (202.5m<sup>2</sup>) and outbuildings (129m<sup>2</sup>), which equates to around 32%. The applicants advise that 712m<sup>2</sup>, or around 31%, of the site remains pervious to rainfall.

11.4.8 Building height

<p><b>Objective:</b>                  To ensure that the building height respects the character of the surrounding area.</p>
<p><b>Consistent</b>                  The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1 Building height must be no greater than 9m.</p>
<p><b>Complies</b>                  The proposed dwellings do not exceed 6.4m.</p>
<p>A2 For internal lots, building height must be no greater than 6m.</p>
<p><b>Relies on Performance Criteria</b>                  The subject site is an internal lot as it is a lot that lies predominantly behind another lot and has access to a road by a private road. Notwithstanding assertions in the applicant's report, the building height, at the point the carport for unit three adjoins unit four, is some 6.4m on the north-eastern elevation and performance criteria are therefore relied upon.</p>
<p>P2 The siting and scale of buildings on internal lots must not cause unreasonable loss of amenity to adjoining lots, having regard to:</p> <ul style="list-style-type: none"> <li>a. the topography of the site;</li> <li>b. the size and layout of lots;</li> <li>c. the form and style of development; and</li> <li>d. the proximity and density of adjoining development.</li> </ul>
<p><b>Complies</b>                  The proposed dwellings are to be located with a three metre setback from the north-eastern boundary on the low point of the lot, with natural ground levels between one and two metres lower than the existing dwelling.</p> <p>The existing shed on the north-west boundary will be removed to facilitate the development of the proposed dwellings and new carport.</p> <p>The proposed carport will be erected on some 1.7m of compacted fill and will reach a combined height of 5.5m and setback only one metre from the rear boundary. The dwellings located at 9 and 11 Dowling Street are some 12m from this boundary and will not be significantly impacted by early morning overshadowing from the proposed development.</p> <p>The adjoining lot to the north-east is currently vacant and has been the subject of a multiple dwelling development proposal which was withdrawn following exhibition.</p>

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

11.4.9 Frontage setbacks

Objective: To ensure that the setbacks from a frontage respect the character of the surrounding area.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1.1 The primary frontage setback must be no less than: a. 4m; or b. for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in the Figure 11.4.9 below; and Figure 11.4.9 - Primary Frontage Setback for Infill Lots. A1.2 Setback from a frontage other than a primary frontage must be no less than 3m; and A1.3 Porches, pergolas, verandas, that are less than 3.6m high and eaves may encroach no greater than 1.5m into the setbacks of this standard.
<b>Complies</b> The proposed dwellings are located in the rear corner of the property and are setback over 17m from the frontage boundary.

11.4.10 Rear and side setbacks

Objective: To ensure that the setbacks are compatible with the character of the surrounding area and minimise the impacts on the amenity and solar access of adjoining dwellings.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1 Buildings must be set back from the rear boundary no less than 2.5m.
<b>Relies on Performance Criteria</b> The proposed dwellings are to be setback 2.54m from the rear boundary, which relevantly adjoins 11 Dowling Street and the proposed carport will be setback only one metre from the rear boundary adjacent to 11 and a portion of 9 Dowling Street.
P1 Building setback to the rear boundary must be appropriate to the location, having regard to: a. the ability to provide adequate private open space; b. the character of the surrounding area and location of buildings on adjoining lots; c. the impact on the amenity, solar access and privacy of habitable rooms, windows, and private open space of nearby or adjoining buildings; and d. the size, shape and orientation of the lot.
<b>Complies</b> Where the carport encroaches into the rear setback, it is adjacent to existing sheds and shrubs and will not have any significant impact on the amenity of the adjoining properties. Relevantly, the carport is to the south-east of these properties and will not result in any overshadowing.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

<p>It is noted that the owners of 11 Dowling Street lodged a representation concerning drainage and retaining walls and specifically stated that they did "not object to the proposed development, particularly because of its single storey form and setback from the shared boundary".</p>
<p>It is considered that the reduced setback for the proposed carport, which is necessary to provide unhindered access into proposed dwelling 3, will have no impact on the amenity or character of the surrounding area.</p>
<p>A2 Buildings must be set back from side boundaries no less than:</p> <ul style="list-style-type: none"> <li>a. for lots 1,000m<sup>2</sup> or less, 1m, plus 0.3m for every metre of building height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m; or</li> <li>b. (b) for lots greater than 1,000m<sup>2</sup> , 2.0m, plus 0.3m for every metre of building height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.</li> </ul>
<p><b>Complies</b> The proposed dwellings will be setback 3m from the north-eastern boundary, whereas the acceptable solution requires only 2.9m based on a maximum height of 6.4m.</p>

11.4.12 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> <li>a. provide convenient car parking for residents and visitors;</li> <li>b. protect residents from vehicular noise within sites; and</li> <li>c. minimise visual impact on the streetscape.</li> </ul>
<p><b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1 Shared driveways or car parks of residential buildings must be located no less than 1.5m from the windows of habitable rooms.</p>
<p><b>Complies</b> Dwelling 3 has a kitchen and bedroom window adjacent to the shared driveway to the west of the proposed dwellings. These windows are setback 2.21m and 3.06m respectively.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p><b>Complies</b> No car parking for the proposed dwellings is to be located within the primary front setback.</p>
<p>A3 A garage or carport must be:</p> <ul style="list-style-type: none"> <li>a. within 10m of the dwelling it serves; and</li> <li>b. located no less than 5.5m from a frontage; or</li> <li>c. with a setback equal to or greater than the setback of the dwelling to the frontage; or</li> <li>d. in line with or behind the front building line of the dwelling, if the dwelling is facing an internal driveway.</li> </ul>

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**Complies**  
 The proposed carports are adjacent to and within 10m of, the proposed dwellings and are more than 5.5m from the frontage.

11.4.13 Overlooking

Objective:  
 To minimise:  
 a. overlooking into private open space and habitable room windows; and  
 b. the impact on the amenity of the adjoining and the subject site.

**Consistent**  
 The proposal demonstrates compliance with the relevant assessment criteria.

A1.1 A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio must:  
 a. be offset no less than 1.5m from the edge of one window to the edge of the other; or  
 b. have sill heights no less than 1.7m above floor level; or  
 c. have fixed, obscure glazing in any part of the window less than 1.7m above floor level; or  
 d. have permanently fixed external screens to no less than 1.7m above floor level; and  
 e. have obscure glazing and screens must be no greater than 25% transparent; or  
 A1.2 New habitable room windows, balconies, terraces, decks or patios that face a property boundary at ground level must have a visual barrier no less than 1.8m high.

**Complies**  
 The proposed dwellings are more than 9m away from any adjoining dwelling with the exception of dwellings four and two, where the separation is 7.12m. Notwithstanding a significant difference in heights, the windows are offset more than 1.5m and thus satisfy the acceptable solution. Boundary fences shall be a minimum 1.8m high.

11.4.16 Density control of multiple dwellings

Objective:  
 To ensure that multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road and the surrounding area.

**Consistent**  
 The proposal demonstrates compliance with the relevant assessment criteria.

A1 Multiple dwellings must have a site area per dwelling of no less than 350m<sup>2</sup>.

**Complies**  
 Density per dwelling is 565m<sup>2</sup>.

A2 Dwellings must have a density no greater than 40% by lot number, of the number of lots on land zoned Inner Residential along the road to which the site has frontage.

**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**Complies**  
 The site fronts Croydon Avenue and there are no other multiple dwelling lots fronting Croydon Avenue. As Croydon Avenue is a private road that adjoins Cypress Street, it is relevant to note that the percentage of multiple dwelling lots, in Cypress Street, is only 10%.

11.4.17 Private open space for multiple dwellings

<p><b>Objective:</b>                  To provide adequate and useable private open space for the needs of residents.</p>
<p><b>Consistent</b>                  The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1.1 Each multiple dwelling must have private open space:</p> <ul style="list-style-type: none"> <li>a. with a continuous area of 24m<sup>2</sup> and a horizontal dimension of no less than 4m;</li> <li>b. directly accessible from, and adjacent to, a habitable room other than a bedroom;</li> <li>c. with a gradient no steeper than 1:16;</li> <li>d. located on the side or rear of the dwelling; and</li> <li>e. that is not provided within the setback from a frontage.</li> </ul> <p>A1.2 Where all bedrooms and living areas in a multiple dwelling are above ground floor, each multiple dwelling must have private open space, with direct access from a habitable room other than a bedroom, of:</p> <ul style="list-style-type: none"> <li>a. a balcony of 8m<sup>2</sup> with a minimum dimension of 2m<sup>2</sup> ; or</li> <li>b. a roof-top area of 10m<sup>2</sup> with a minimum width of 2m<sup>2</sup> .</li> </ul>
<p><b>Relies on Performance Criteria</b>                  The proposed dwellings each have more than 24m<sup>2</sup> of private open space, located on the north-eastern side with direct access from the lounge rooms. However, the minimum horizontal dimension is only 3m and the performance criteria are relied upon.</p>
<p>P1 Multiple dwellings must be provided with sufficient private open space to meet the reasonable needs of the residents having regard to:</p> <ul style="list-style-type: none"> <li>a. the size and usability of the private open space;</li> <li>b. the accessibility of the private open space;</li> <li>c. the availability of common open space;</li> <li>d. the availability of and access to public open space;</li> <li>e. the orientation of the lot to the road; and</li> <li>f. the ability of the private open space to receive adequate solar access.</li> </ul>
<p><b>Complies</b>                  Sufficient private open space is provided to meet the reasonable needs of the residents in the form of a three metre wide relatively level area the full length of the north-eastern facade, directly accessible from the dwellings. In addition, the site is close to the Dowling Street sporting facilities and to public open spaces such as City Park and Windmill Hill.</p>

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

11.4.18 Site facilities for multiple dwellings

Objective: To provide adequate site and storage facilities for multiple dwellings.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1 Each multiple dwelling must have access to 6m <sup>3</sup> of secure storage space not located between the primary frontage and the facade of a dwelling.
<b>Complies</b> Each dwelling is to be provided with 8m <sup>3</sup> of secure storage.
A2 Mailboxes must be provided at the frontage.
<b>Complies</b> Mailboxes will be provided adjacent to the existing mailboxes at the boundary with Croydon Avenue
A3 No less than 2m <sup>2</sup> per dwelling must be provided for bin and recycling enclosures and be located behind a screening fence of no less than 1.2m.
<b>Complies</b> The required screened bin area is provided adjacent to the visitor car park. It is noted that, in response to representations, the applicants advise that they will engage a private contractor to collect the waste from all dwellings on site rather than place more bins in Croydon Avenue. This has been conditioned accordingly.

11.4.19 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1 Site drawings must clearly delineate private and common areas, including: <ul style="list-style-type: none"> <li>a. driveways;</li> <li>b. parking, including visitor parking;</li> <li>c. landscaping and gardens;</li> <li>d. mailboxes; and</li> <li>e. storage for waste and recycling bins.</li> </ul>
<b>Complies</b> The proposal plans clearly delineate the required areas.

11.4.20 Streetscape integration and appearance

Objective: To: <ul style="list-style-type: none"> <li>a. integrate the layout and form of residential development with the road; and</li> <li>b. promote passive surveillance; and</li> <li>c. enhance streetscapes.</li> </ul>
--

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

<p><b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1 Dwellings, other than outbuildings, must:</p> <ul style="list-style-type: none"> <li>a. have a front door and a window to a habitable room in the wall that faces a road; or</li> <li>b. if not immediately adjacent to a road, face an internal driveway or common open space area.</li> </ul>
<p><b>Complies</b> The proposed dwellings each have a front door facing the internal driveway.</p>
<p>A2 Dwellings, other than outbuildings, must provide a porch, shelter, awning, recess, or similar architectural feature that identifies and provides shade and weather protection to the front door.</p>
<p><b>Complies</b> Each proposed dwelling has a porch over the front doorway.</p>

11.4.21 Outbuildings and swimming pools

<p>Objective: To ensure that outbuildings and swimming pools:</p> <ul style="list-style-type: none"> <li>a. do not detract from the character of the surrounding area;</li> <li>b. are appropriate to the site and respect the amenity of neighbouring lots; and</li> <li>c. dwellings remain the dominant built form.</li> </ul>
<p><b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1 The combined gross floor area of outbuildings is no greater than 42m<sup>2</sup>; and</p> <ul style="list-style-type: none"> <li>a. have a wall height no greater than 2.7m, and</li> <li>b. have a building height no greater than 3.5m.</li> </ul>
<p><b>Relies on Performance Criteria</b> The applicants advise that the combined gross floor area (including the proposed carports) is 129m<sup>2</sup>. None of these outbuildings exceed the building or wall heights specified in the acceptable solution.</p>
<p>P1 Outbuildings must not detract from the character of the surrounding area or the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> <li>a. the visual impact on the streetscape;</li> <li>b. any overshadowing of adjoining lots;</li> <li>c. the size and location of outbuildings on surrounding lots;</li> <li>d. existing buildings on the site; and</li> <li>e. the topography of the site; and</li> <li>f. outbuildings must not have:             <ul style="list-style-type: none"> <li>(i) a combined gross floor area of more than 56m<sup>2</sup> for each dwelling; or</li> <li>(ii) a wall height greater than 3m; or</li> <li>(iii) a maximum building height greater than 4m.</li> </ul> </li> </ul>

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**Complies**

Most of the outbuildings are existing and therefore have no impact on this application. The proposed carports and small storage sheds will not impact on the amenity of surrounding sites and will not be visible from public areas. The proposed outbuildings do not exceed the prescribed dimensions.

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**

The proposal demonstrates compliance with the relevant assessment criteria.

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**

Two retaining walls of up to one metre in height are proposed perpendicular to the rear boundary and contain up some 1.7m of compacted fill, upon which the carport is to be located one metre from the rear boundary.

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 earthworks and retaining walls are necessary to provide appropriate level building areas for the proposed dwellings and carport. As this is located on the southern side of the adjoining property, there will be no overshadowing impact. Overlooking will be prevented by the requirement for a 1.8m boundary fence.



**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

Additional plans, prepared by a suitably qualified person, will be required to demonstrate the structure of the works and the management of stormwater and groundwater.

The integrity of the retaining walls and related drainage was a matter raised by one of the representors and will be fully addressed through the provision of appropriate plans prior to the commencement of any works.

11.4.23 Development for discretionary uses

<p><b>Objective:</b> To ensure that development for discretionary uses is sympathetic to the form and scale of residential development and does not adversely impact on the amenity of nearby sensitive uses.</p>
<p><b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.</p>
<p>A1 No acceptable solution.</p>
<p><b>Relies on Performance Criteria</b></p>
<p>P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>a. the setback of the building to a frontage;</li> <li>b. the streetscape;</li> <li>c. the topography of the site;</li> <li>d. the building height, which must not be greater than 8.0m;</li> <li>e. the bulk and form of the building;</li> <li>f. the height, bulk and form of buildings on the site, adjoining lots and adjacent lots;</li> <li>g. setbacks to side and rear boundaries;</li> <li>h. solar access and privacy of habitable room windows and private open spaces of adjoining dwellings;</li> <li>i. the degree of overshadowing and overlooking of adjoining lots;</li> <li>j. mutual passive surveillance between the road and the building;</li> <li>k. any existing and proposed landscaping;</li> <li>l. the visual impact of the building when viewed from adjoining or immediately opposite lots;</li> <li>m. the location and impacts of traffic circulation and parking; and</li> <li>n. the character of the surrounding area.</li> </ul>
<p><b>Complies</b></p>
<p>The proposal is to develop an additional two dwellings on a large lot containing a large home currently used as two multiple dwellings. The surrounding area is comprised of a number of single and multiple dwellings as well as a number of previously single dwellings now being used as medical rooms.</p> <p>To the east is a vacant lot, the subject of a recently withdrawn multiple dwelling application, whilst further east is land zoned Light Industrial and being used for commercial and light industrial activities.</p>

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

The proposed dwellings will not be visible in the street scape and will not result in any overshadowing or overlooking concerns and will not unreasonably impact on the amenity of nearby sensitive uses.

**E6.0 Parking and Sustainable Transport Code**

**E6.1** The purpose of this provision is to:

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

**Consistent**

**E6.5 Use Standards**

**E6.5.1 Car parking numbers**

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

**Consistent**  
The proposal demonstrates compliance with the relevant assessment criteria.

**A1** The number of car parking spaces must:

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

**Complies**  
The Table requires one car parking space per bedroom or two spaces per three bedrooms, plus one visitor space for every five dwellings. The proposal is for two three bedroom dwellings and each dwelling is provided with two car parking spaces. A visitor parking space is also provided adjacent to the proposed dwellings. Parking for the existing dwellings complies with the requirements of the Table and is not proposed to change.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**E6.6 Development Standards**

**E6.6.1 Construction of parking areas**

Objective: To ensure that parking areas are constructed to an appropriate standard.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>a. have a gradient of 10% or less;</li> <li>b. be formed and paved;</li> <li>c. be drained to the public stormwater system, or contain stormwater on the site;</li> <li>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</li> <li>e. except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.</li> </ul>
<b>Complies</b> All parking and driveways will be constructed with a gradient of 10% or less and will be formed, paved and appropriately drained to the public stormwater system.

**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.
<b>Consistent</b> The proposal demonstrates compliance with the relevant assessment criteria.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>a. provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;</li> <li>b. have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;</li> <li>c. have parking space dimensions in accordance with the requirements in Table E6.3;</li> <li>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</li> <li>e. have a vertical clearance of not less than 2.1m above the parking surface level.</li> </ul> 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.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

**Complies**  
 The proposal provides for vehicles to the site to enter and leave in a forward direction. Appropriate sealed driveways and manoeuvring areas are provided to enable vehicles to turn on site.

**4. REFERRALS**

REFERRAL	COMMENTS
<b>INTERNAL</b>	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
<b>EXTERNAL</b>	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2018/00178-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

**5. REPRESENTATIONS**

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 23 June to 9 July 2018. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue	Planning Comments
Difficult to determine from the plans what the impact of the proposed retaining walls and land fill will be in regard to: (a) impact on surface runoff from 10 Croydon Ave; (b) impact on drainage from 11 Dowling St; (c) need for additional screening or landscaping. Trust that appropriate conditions will be imposed.	The applicants advise that detailed design work will be undertaken at the building application phase. Council's Infrastructure officers have reviewed the proposal and imposed a condition requiring detailed plans of the retaining walls, fill and impact on adjoining sites. On-site detention of increased stormwater is also required.

**8.2 10 Croydon Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

<b>Issue</b>	<b>Planning Comments</b>
Not enough space for additional rubbish bins in Croydon Avenue.	Currently, bins are left outside 6 Croydon Avenue and the rubbish truck reverses up Croydon Avenue to collect them. Whilst this will continue to occur, the applicants have advised that they are willing to engage a private contractor to collect the bins of 10 Croydon Avenue on-site. An appropriate condition will be included.
Owners of Croydon Avenue do not consent to additional usage.	The right of way over Croydon Avenue, in favour of number 10, exists and is not impacted by this proposal. Nor is consent of the owner of the private laneway required for the additional dwellings to use the right of way. Similarly, if the dwellings are subdivided or separated by strata title in the future, the right of way will carry to those future titles.
Croydon Avenue is narrow and there will be too much additional traffic.	Seven dwellings are currently accessed by Croydon Avenue and generate around 56 movements per day. The proposed new dwellings will increase the number of dwellings to nine. The extra two dwellings will generate only around 16 extra traffic movements per day and this meets the applicable acceptable solution.
Potential impact on the hedge on Croydon Avenue.	No works on the hedge within Croydon Avenue are proposed by this application.
Industrial business at 10 Croydon Avenue.	It is alleged that the owners of 10 Croydon Avenue are away for around half the year and operate a manufacturing business from the site when they are in residence. The applicants dispute this and assert that they operate a home occupation - that does not require planning approval. The allegations have been referred to Council's compliance section and will be investigated. The proposed application to develop two additional dwellings is not impacted by these allegations.

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(Cont'd)**

<b>Issue</b>	<b>Planning Comments</b>
The right of way over 13 Dowling Street should be removed.	The right of way over 13 Dowling Street is not part of this application and its removal is beyond the scope of this approval process.

**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 relevant to this report

**8.2 10 Croyden Avenue, Newstead - Residential - Construction of Two Additional Dwellings (Amended Application) (Inc CT160782/1) ...(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 to be Endorsed (distributed electronically)
  3. TasWater SPAN (distributed electronically)
  4. Representations (distributed electronically)
-

**9 ANNOUNCEMENTS BY THE MAYOR****9.1 Mayors Announcements****FILE NO:** SF2375

---

**Tuesday 31 July 2018**

- Officiated at the City of Launceston's Citizenship Ceremony at Albert Hall

**Wednesday 1 August 2018**

- Attended Circus Oz theatre production at the Princess Theatre

**Thursday 2 August 2018**

- Officiated for visiting Chinese students from Fuzhou at the Town Hall

**Friday 3 August 2018**

- Attended the official opening of the Lilydale District School Farm classroom on Station Road, Lilydale

**Saturday 4 August 2018**

- Officiated at the Global Village Celebrations (part of Peace Festival) at West Launceston Primary School
- Attended the Launceston Community Dinner at the Northern Suburbs Community Centre

**Wednesday 8 August 2018**

- Officiated at the launch of the Northern Suburbs Revitalisation Plan at the Northern Suburbs Community Centre
- Attended the Opening Night Launceston College Production (Jesus Christ Superstar) at Princess Theatre

**Thursday 9 August 2018**

- Officiated at the official opening of the opening of Civic Square
  - Attended the TasWater Regional Briefing (MoU) at West Tamar Meeting Room
-



**9.1 Mayors Announcements ...(Cont'd)**

---

**Friday 10 August 2018**

- Officiated at the official launch of National Science Week at Queen Victoria Museum and Art Gallery Inveresk
- Attended the Launceston Night Market at Civic Square

**Saturday 11 August 2018**

- Officiated at the 2018 Tasmanian Open DanceSport Championships at Silverdome
-

**10 ALDERMEN'S REPORTS**

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

**11 QUESTIONS BY ALDERMEN****11.1 Questions on Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 30*

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

**No Aldermen's Questions on Notice have been identified as part of this Agenda**

**11.2 Questions Without Notice**

*Local Government (Meeting Procedures) Regulations 2015 - Regulation 29*

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

**12 COMMITTEE REPORTS**

**No Committee Reports have been identified as part of this Agenda**

---

**13 COUNCIL WORKSHOPS**

Council Workshops conducted on 30 July and 6 August 2018 were:

- Launceston General Hospital Parking
- Review of Draft Strategic Asset Management Plan and Long Term Financial Management Plan Documents (LTFP)
- Council Meeting Schedule - Incoming Council
- Airport Briefing
- Retirement Village Rate Remissions
- Draft On-Street Dining Policy
- Headstone Project
- Aldermens' Rooms Upgrade

**14 NOTICES OF MOTION**

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

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

---

**15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014***

**FILE NO:** SF2378/SF0113

**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)

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

**DECISION STATEMENT:**

To consider the delegation from Council to the General Manager and other Council officers of particular powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014*.

**RECOMMENDATION:**

That Council, in accordance with section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Land Use Planning and Approvals Act 1993* and the Regulations of the *Land Use Planning and Approvals Regulations 2014* specified in Column Two of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.

**The Schedule**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
General Manager  Director Development Services  Manager City Development	Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40U, 40W, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 60P(4), 60Q(5), 60Y, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together	The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993</i> ;

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014* ... (Cont'd)**

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
	<p>with the <i>Land Use Planning and Approvals Regulations 2014</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i>.</p>	<p>and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993</i>. The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993</i>; and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates is 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to s 56O(2) of the <i>Water and Sewerage Industry Act 2008</i></p> <p>The delegation under section 57A is only exercisable where the power or function to accept a mediated outcome of a development decision that has been subject to an appeal against a Council decision so long as the outcome is not contrary to the spirit of the original Council decision on the development application.</p>

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014* ... (Cont'd)**

<b>Column One</b>	<b>Column Two</b>	<b>Column Three</b>
<b>Position</b>	<b>Extent of Delegation</b>	<b>Restrictions</b>
Senior Town Planner  Town Planner  Graduate Town Planner  Team Leader Planning Assessments  Team Leader Strategic Planning  Urban Design Planner  Heritage Planner  (hereinafter Planners)	Sections 40U, 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i> .	
Team Leader Compliance	Sections 48AA, 48A, 64, 65C(5)	
Planning Compliance Officer	Sections 48AA, 48A, 64, 65C(5)	
Team Leader Statutory Services	Sections 57(3), 71, 74(3), 75, 76, 78 together with Regulations 9 of the <i>Land Use Planning and Approvals Regulations 2014</i> .	
Statutory Services Officer	Sections 57(3), 71, 74(3), 75, 76, 78 together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014</i> .	

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014* ... (Cont'd)**

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
Permit Authority  Permit Authority Officer  Planning Administration Officer	Sections 57(3) together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014</i> .	

**REPORT:**

Powers under the *Land Use Planning and Approvals Act 1993* (the Act) have been reviewed to identify the ways in which Council can update its processes.

Major functions remain with Council and have not been delegated. These functions and powers include preparing a draft Local Planning Scheme (LPS) and draft special LPS, amending or modifying an LPS, the making of proposals that projects are of regional significance and withdrawing or modifying a planning scheme following a determination of compensation.

Applications for discretionary permits, where more than two representations have been received, must be determined by Council. This power has not been delegated.

The new delegations reflect the fact that the majority of the remaining formal decisions to be made and powers to be exercised will be restricted to the General Manager, Director Development Services and Manager City Development.

General Manager, Director Development Services and Manager City Development

The restrictions listed in the recommendation are adopted from previous restrictions that were placed upon previous delegations, passed by Council at the Council Meeting of 26 August 2013. There is no reason to remove such restrictions.

Sections 35C-40W are new delegations and deal with the Local Planning Scheme amendments to the Act:

- Sections 35C, 35D deal with the publishing of an exhibition notice in relation to a draft LPS, ensuring other relevant authorities and agencies are advised of it and making it available for viewing by the public.
- Section 35F empowers Council to provide a report to the Tasmanian Planning Commission, containing representations regarding a draft LPS, Council's opinion as to each representation received, whether a draft LPS ought to be thereby modified, and recommendations of Council in relation to a draft LPS.

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014* ...*(Cont'd)***

---

- Section 36G provides Council with the ability to advise the Commission that State Planning Provisions should be altered.
- Section 35I allows Council to withdraw a draft LPS from the Commission.
- Section 35M requires Council to provide notice of the Commission's approval of a Local Provisions Schedule.
- Section 35P sets out the requirements for Council if it is required to conduct a review, including publishing notice of a review of an LPS is occurring, inviting and receiving and considering comments in relation to the LPS review, and to prepare and provide a report to the Commission containing an opinion as to whether amendment, replacement or continuance of the LPS is required.
- Section 40G requires Council to publish an exhibition notice in relation to the draft amendment to an LPS, inviting representations.
- Section 40U allows Council to request further information where an applicant seeks an amendment to an LPS and also permit under section 40T.
- Section 40W allows Council to agree or refuse to agree to concurrently consider a permit and an application to amend an LPS.
- Section 43(2) allows Council to make a minor amendment to a permit.
- Section 43(6), (7), (9) and (10) requires Council to give notice of permit amendments to various persons.

Sections 48AA to 71 deal with more general matters:

- Section 48AA places a duty on Council to enforce observance of conditions in a special permit.
  - Section 48A allows Council to require the removal of signs in breach of permit requirements.
  - Section 51 provides the broad decision making process for determining planning permits
  - Section 53(5A) allows Council to grant an extension to a permit.
  - Section 54 allows Council to request further information relating to a permit.
  - Section 55 allows Council to correct permits containing clerical mistake or miscalculation.
  - Section 56 allows Council make minor amendments to permits.
  - Section 57(2)-(7) relate to the granting or refusal of a discretionary permit.
  - Section 57A relates to mediation.
  - Section 58 relates to non-discretionary permits.
  - Section 59(7) allows Council to make a decision on an application for a discretionary permit following a deemed decision to grant a permit, but before an application has been made to the Appeal Tribunal.
  - Section 60P(4) allows Council to provide information to the Development Assessment Panel in relation to projects of regional significance.
  - Section 60Q(5) requires Council to arrange the public exhibition of a project of regional significance.
-



**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993* and *Land Use Planning and Approvals Regulations 2014* ...*(Cont'd)***

---

- Section 60Y allows Council to consult with the Commission relating to amending a planning scheme.
- Section 63 allows Council to carry out work that a person ordered by a court to complete but has not completed.
- Section 63B requires Council to issue a notice where a person has provided written notice of a contravention of the Act.
- Section 65C(5) requires Council to notify an owner of land of an enforcement order where the enforcement order has been served on a person who is not the owner.
- Section 65G allows a Council to cancel a permit in certain circumstances.
- Sections 71, 74(3), 75, 76 and 78 allow Council to enter, amend and end agreements relating to, amongst other things, the restriction of use or development and conditions of the development, and to lodge agreements with the Commission and Recorder of Titles.

Provisions of the Act (pre-Tasmanian Planning Scheme amendments) which apply under Schedule 6:

- Section 38(1) relates to public exhibition of draft amendment of planning scheme.
- Section 39(2) requires Council to provide a report on representations received regarding draft amendment of a planning scheme under section 38(1).
- Section 43J allows Council to correct clerical and similar mistakes.
- Section 43K allows Council to make minor amendments of a permit.

### Planners

The delegation of powers under the Act to Planners is further restricted. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

### Team Leader Compliance and Planning Compliance Officer

There are a limited number of powers to be delegated to Compliance officers, as outlined above. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

### Team Leader Statutory Services and Statutory Services Officer

There are a limited number of powers to be delegated to Compliance officers, as outlined above. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

### Permit Authority, Permit Authority Officer, Planning Administration Officer

A single delegation is required for this category of officers to ensure notices can be issued.

---

**15.1 Delegation from Council to General Manager - *Land Use Planning and Approvals Act 1993 and Land Use Planning and Approvals Regulations 2014* ... (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 8 - A secure, accountable and responsive Organisation  
Ten-year goal - To ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services  
Key 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

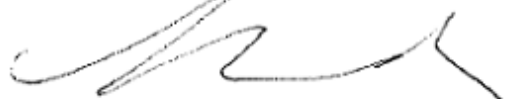
**BUDGET & FINANCIAL ASPECTS:**

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**

---

**16 FACILITIES MANAGEMENT DIRECTORATE ITEMS****16.1 Headstone Project****FILE NO:** SF6741**AUTHOR:** Andrew Frost (Manager Parking and Carr Villa)**DIRECTOR:** Bruce Maclsaac (Director Facilities Management)

---

**DECISION STATEMENT:**

To consider remitting permit fees for the Headstone Project.

**PREVIOUS COUNCIL CONSIDERATION:**

Workshop - 6 August 2018 - Headstone Project

**RECOMMENDATION:**

That Council, under section 207 of the *Local Government Act 1993*, remits the plaque permit fees for the Headstone Project.

---

**REPORT:**

The first stage of the Headstone project is nearing completion. The project was successful in receiving \$3,750 through the City of Launceston (CoL) grant's program towards expenses that included plaque permit fees. There were nine unmarked graves that required the permit fees which equated to \$1,305.

The second stage of the Headstone Project has identified approximately 170 additional graves that will require headstones. Of these, 93 have been identified that will require permit fees to be paid if normal procedure is followed.

The Carr Villa Coordinator has contacted cemeteries that participated in the Headstone Project. None of these cemeteries charged the permit fees in regards to the Headstone Project and it is recommended that CoL takes the same approach.

Section 205 of the *Local Government Act 1993* (the Act) provides Council with the authority to set fees. Section 207 of the Act provides Council with the authority to *remit all or part of any fee or charge paid or payable under this Division*.

---

**16.1 Headstone Project ...(Cont'd)**

---

The permit fee for the 2018/2019 financial year is \$170 per grave and the estimated foregone revenue would be a total of \$15,810 (GST inclusive), based on the 93 graves identified at the time of writing. It is likely the project will be completed over a number of years.

It is proposed that Council remits permit fees for the unmarked graves.

**ECONOMIC IMPACT:**

There will be an economic impact for Council.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

This project will have a positive social impact.

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

**BUDGET & FINANCIAL ASPECTS:**

This decision may result in foregone revenue of approximately \$15,810 (GST inclusive).

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
Director Facilities Management Bruce Maclsaac

---

**17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS**

**No Items have been identified as part of this Agenda**

---

**18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS****18.1 Proposed Street Name - Henry Reed Court****FILE NO:** SF0621/DA0497/2013/DA0497/2013.A04**AUTHOR:** Sonia Smith (Infrastructure Development Liaison)**DIRECTOR:** Leigh Handley (Acting Director Infrastructure Services)

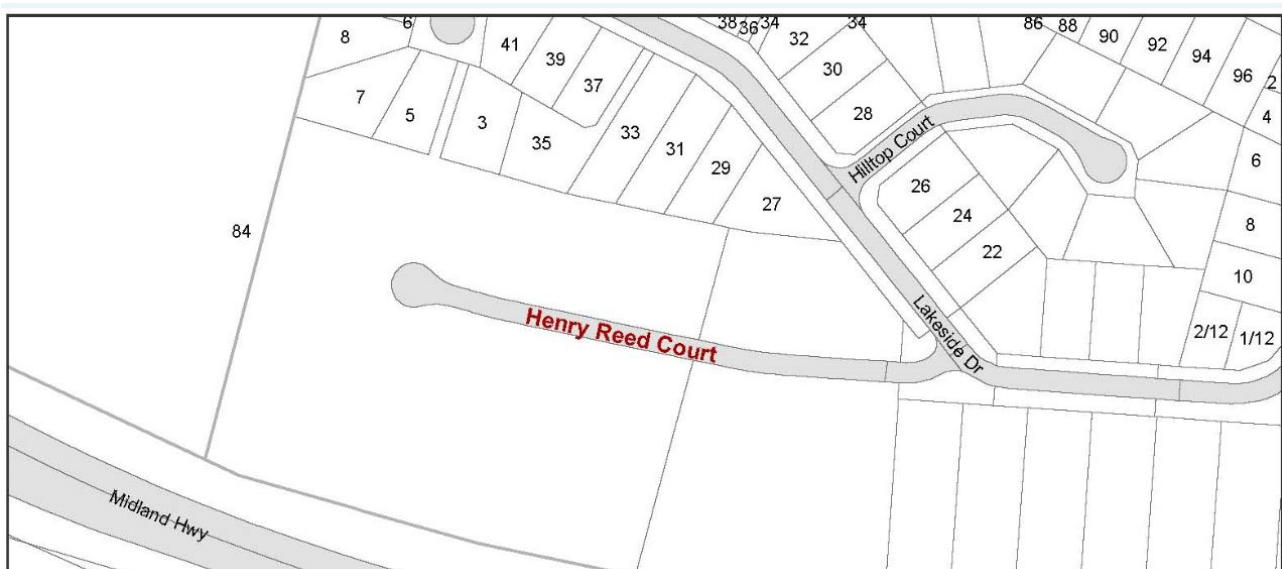
---

**DECISION STATEMENT:**

To consider a street name for the new cul de sac created off Lakeside Drive at Kings Meadows.

**RECOMMENDATION:**

That, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, Council approves the name Henry Reed Court for the new road constructed off Lakeside Drive in Kings Meadows as shown in map below.

**REPORT:**

The final stage of the subdivision of land within the development known as Mount Pleasant Estate at Kings Meadows has resulted in the creation of a new urban cul de sac.

---

**18.1 Proposed Street Name - Henry Reed Court ...(Cont'd)**

---

The developer has proposed the names Henry Reed Court and Reed Court. A review of the Placenames Tasmania website and advice received from the Meander Valley Council indicates that in addition to Reid Street located in Kings Meadows, there is a Reid Street East and a Reid Street West located in Westbury. It is for this reason that the name Henry Reed Court is recommended for approval. The existence of Henry Street in Launceston is noted.

Henry Reed (1806-1880) was a landowner, shipowner, merchant and philanthropist born in Doncaster, England who arrived in Launceston in 1827, after landing in Hobart and walking the 193kms north. Reed returned to England several times and upon his return to Tasmania in 1873, settled at Mount Pleasant. The following year he purchased Mount Pleasant from the bankrupt estate of John Crookes, which he renovated extensively. He died at Mount Pleasant in 1880.

**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 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

---

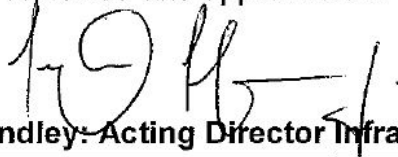
18.1 Proposed Street Name - Henry Reed Court ...(Cont'd)

---

**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.



**Leigh Handley: Acting Director Infrastructure Services**

---



## 18.2 Lease - Heritage Forest Community Garden

**FILE NO:** SF0830

**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)

**DIRECTOR:** Leigh Handley (Acting Director Infrastructure Services)

---

### DECISION STATEMENT:

To consider leasing an area of land situated at 148 Vermont Road, Mowbray (CT50354/1) known as Heritage Forest to the Youth Futures Incorporated.

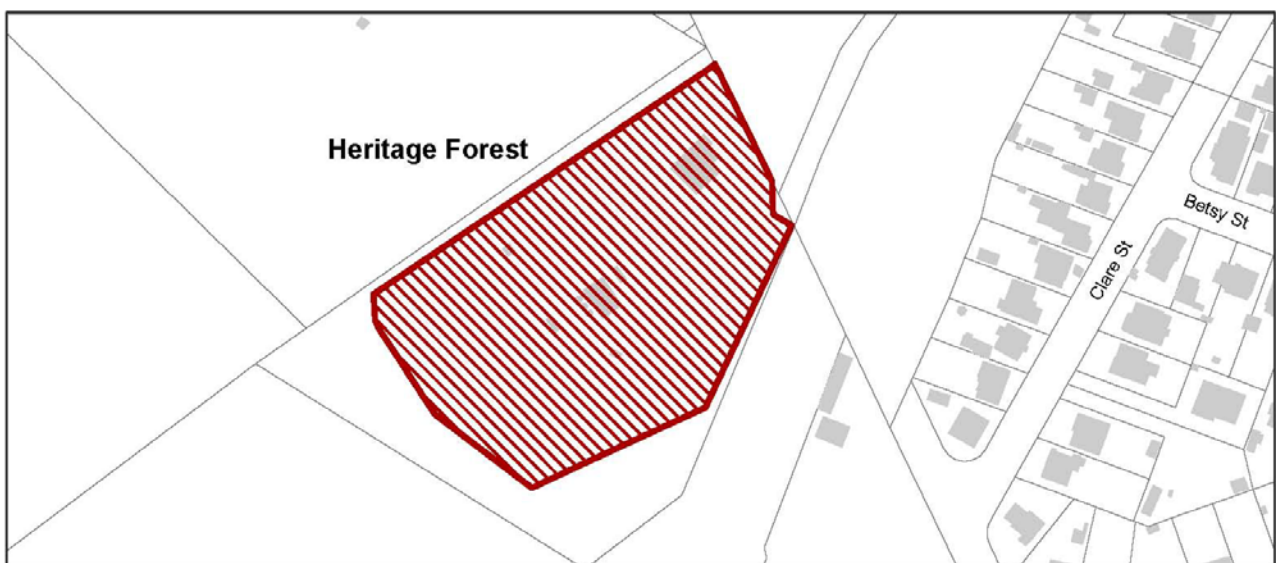
*Under section 178(3) of the Local Government Act 1993 this decision is required to be passed by an absolute majority of Council.*

### PREVIOUS COUNCIL CONSIDERATION:

Council - 28 September 2015 - Agenda Item 18.3 - Heritage Forest Community Garden - Lease approved

### RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of Heritage Forest to Youth Futures Incorporated (CT50354/1) as indicated on the plan below, for the purposes of a community garden and recreational area.



**18.2 Lease - Heritage Forest Community Garden ...(Cont'd)**

---

2. The General Manager is authorised to enter into a formal lease under the following terms:
- the term shall be five years commencing on 1 May 2018
  - the lease amount shall be \$1per annum if demanded
  - tenant to be responsible for:
    - energy costs
    - volumetric and connection charges for water
    - sewerage charges
    - contents insurance
    - and other service charges if any
  - tenant shall continuously maintain:
    - any infrastructure or any infrastructure installed by the tenant or Council in relation to the tenants occupation
    - building in good and reasonable order
    - public liability insurance of at least \$10 million
- 

**REPORT:**

The Heritage Forest Community Garden is located in Heritage Forest (part of CT50354/1).

At a Strategic Planning and Policy Committee meeting on 20 August 2012, Mr Gus Green presented a deputation regarding the establishment of a Community Garden in Heritage Forest in association with the Migrant Resource Centre.

The vision of the Heritage Forest Community Garden was to create opportunities for migrants and local Tasmanians to grow produce of their choice and to secure access to fresh produce, as well as sharing important life skills amongst the community to encourage relationship building.

The Launceston Rotary Club and City of Launceston became a major partner in the project providing funding, labour and establishment of infrastructure. Funding was also secured through the Tasmanian Community Fund.

During the construction process, Youth Futures Incorporated (YFI) also became heavily involved in the project. YFI has been managing the operations since the first lease agreement was established and approved by the Council on 28 September 2015.

The development of the community garden has included the setting up of an Operations Committee, made up of the key stakeholders who have developed a Code of Conduct to provide a framework for the daily use and operation of the garden plots. It is a productive community garden consisting of raised garden beds, compost bays, worm farm, shelter and garden tool shed.

---

**18.2 Lease - Heritage Forest Community Garden ...(Cont'd)**

---

YFI has written to the Council requesting a new five year lease agreement as their current lease expires on 30 September 2018. The new lease will also include Lamont House with future plans for a community meeting space.

Section 179 of the *Local Government Act 1993*, provides that the Council may lease public land for a period not exceeding five years without requiring the need for advertising.

**ECONOMIC IMPACT:**

The project has had a positive economic impact through encouraging sustainable food production.

**ENVIRONMENTAL IMPACT:**

The community garden has had a positive environmental impact through education and demonstration of sustainable food production techniques.

**SOCIAL IMPACT:**

The Heritage Forest community garden has had significant social benefits through enhanced opportunities for integration for migrants and by satisfying the current demand for community gardening.

**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 -

2. To understand and support the establishment and growth of creative industries in Launceston
3. To optimise the use and usability of our assets for different types of activities
4. To support and promote alternative uses of underutilised buildings

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 -

3. To contribute to enhanced public health and amenity to promote a safe and secure environment
  6. To promote active and healthy lifestyles
-

**18.2 Lease - Heritage Forest Community Garden ...(Cont'd)**

---

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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



**Leigh Handley: Acting Director Infrastructure Services**

---

## 18.3 Lease - Tamar Bridge Club

**FILE NO:** SF0387

**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)

**DIRECTOR:** Leigh Handley (Acting Director Infrastructure Services)

---

### DECISION STATEMENT:

To consider leasing an area of land situated at the St Leonards Sports Complex, known as the St Leonards Memorial Hall, to the Tamar Bridge Club.

*Under section 178(3) of the Local Government Act 1993, this decision is required to be passed by an absolute majority of Council.*

### PREVIOUS COUNCIL CONSIDERATION:

Council - 10 October 2016 - Agenda Item 18.4 - Tamar Bridge Club Lease - Lease approved

### RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of St Leonards Sports Centre to the Tamar Bridge Club Inc (CT103535/1) as indicated by hatch on the plan below, for the purposes of a community recreational area.



**18.3 Lease - Tamar Bridge Club ...(Cont'd)**

---

2. The General Manager is authorised to enter into a formal lease under the following terms:
- the term shall be two plus one year commencing on 1 October 2018;
  - the lease amount shall be \$2,933.55 plus GST and linked to CPI;
  - tenant to be responsible for:
    - energy costs;
    - volumetric and connection 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 St Leonards Memorial Hall, located within the St Leonards Sports Complex, has been leased to the Tamar Bridge Club since 1997. The Tamar Bridge Club's lease is due to expire on 30 September 2018 and the club has requested a further two plus one year lease.

The Community Halls Review conducted in 2016 recommended the demolition of the St Leonards Memorial Hall due to the high costs associated with asbestos removal and general maintenance costs over the next ten years exceeding \$150,000.

At the Council Meeting on 14 November 2016, Council adopted a recommendation to commence the project plan for the potential demolition of the St Leonards Memorial Hall and upgrade of the Soldiers Memorial Hall to accommodate the Tamar Bridge Club.

The upgrade of the Soldiers Memorial Hall has been identified in the proposed capital budget for 2020/2021. The demolition of the St Leonards Memorial Hall will commence once the Soldiers Memorial Hall redevelopment is completed. The request for a two year lease with an option for an additional one year, will allow for any unforeseen delays to the project plan.

The Tamar Bridge Club maintains the premises in good working order and pays for the rent, public liability insurance and utility costs. The Club currently pays \$2,865.14 per annum and with the CPI increase, will pay \$2,933.55 from the 1 October 2018.

Therefore, it is recommended that a two plus one year lease be offered to the Tamar Bridge Club.

Section 179 of the *Local Government Act 1993*, provides that the Council may lease public land for a period not exceeding five years without requiring the need for advertising.

---

**18.3 Lease - Tamar Bridge Club ...(Cont'd)**

---

**ECONOMIC IMPACT:**

With the Tamar Bridge Club taking over the management of the facility there is an opportunity to further promote the usability of the club rooms to the local community.

**ENVIRONMENTAL IMPACT:**

Not considered relevant to this report.

**SOCIAL IMPACT:**

There is a positive social impact with this proposal as the Tamar Bridge Club provides opportunities and support for members to grow and brings a range of diverse people together through numerous social events and recreational activities.

**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
6. To promote active and healthy lifestyles

**BUDGET & FINANCIAL ASPECTS:**

Rental income of \$2,933.55 plus GST per annum.

**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.

  
**Leigh Handley: Acting Director Infrastructure Services**

---

**19 MAJOR PROJECTS DIRECTORATE ITEMS**

**No Items have been identified as part of this Agenda**



**20 CORPORATE SERVICES DIRECTORATE ITEMS****20.1 Change to Council Meetings Schedule 2018****FILE NO:** SF6299**AUTHOR:** Leanne Purchase (Governance and Planning Coordinator)**DIRECTOR:** Louise Foster (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider a change to the Council Meetings Schedule 2018.

*The decision is respect of recommendation 2 requires an absolute majority of Council.*

**PREVIOUS COUNCIL CONSIDERATION:**

Council - 18 December 2017 - Agenda Item 21.4 - Council Meetings Schedule 2018

**RECOMMENDATION:**

That Council:

1. cancels the Council Meeting scheduled for 1.00pm Thursday, 8 November 2018.
  2. pursuant to Regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015* and by absolute majority, determines that if a Council Meeting is called by the General Manager for Thursday, 15 November 2018, the start time of that meeting will be 1.00pm.
  3. notes that if recommendations 1 and 2 are resolved in the affirmative, the Council Meetings Schedule 2018 (ECM Ref. 14-Rfx-009) will be updated accordingly.
  4. notes that if recommendations 1 and 2 are resolved in the affirmative, notice of changes to the Council Meetings Schedule 2018 will be published as required by Regulation 7(4) of the *Local Government (Meeting Procedures) Regulations 2015*.
- 

**REPORT:**

City of Launceston's Council Meetings Schedule 2018 was approved by Council on 18 December 2017. The schedule provides for a Council Meeting at 1.00pm on Thursday, 8 November 2018.

---

**20.1 Change to Council Meetings Schedule 2018 ...(Cont'd)**

---

At the time of writing, the Tasmanian Electoral Commission (TEC) advises that results from the 2018 Local Government Elections will be released as available from 31 October to 6 November 2018.

To allow for incoming Aldermen to be inducted prior to the first meeting of Council, recommendation 1 asks that Council cancels the Council Meeting scheduled for 1.00pm on Thursday, 8 November 2018. Instead, it is suggested that incoming Aldermen make their declarations of office and undertake their induction from 7-9 November 2018.

Regulation 4(2) of the *Local Government (Meeting Procedures) Regulations 2015* (the Regulations) says that:

*The general manager of an existing council is to convene the first ordinary meeting of the council following an ordinary election.*

The General Manager, Michael Stretton, proposes to call an ordinary meeting of the Council of the City of Launceston for 1.00pm on Thursday, 15 November 2018 if required.

Regulation 6(1) of the Regulations says that:

*A meeting is not to start before 5:00pm unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*

With this in mind, recommendation 2 seeks a resolution of Council to start this Meeting at 1.00pm. This resolution requires an absolute majority.

Following this, the meeting schedule will revert to the Council Meetings Schedule 2018 that was approved by Council on 18 December 2017, ie. with the next Council Meeting being at 1.00pm on Thursday, 22 November 2018.

If a Council Meeting at 1.00pm on Thursday, 15 November 2018 is not required, the Council Meeting at 1.00pm on Thursday, 22 November 2018 will be called by the General Manager as required by Regulation 4(2) of the Regulations. If, however, the Council Meeting at 1.00pm on Thursday, 15 November 2018 is required, the Council Meeting at 1.00pm on Thursday, 22 November 2018 will be called by the Mayor in the usual manner. The start time of 1.00pm for this meeting was determined by an absolute majority on 18 December 2017.

Recommendations 3 and 4 deal with the administrative matters associated with a change to the time of ordinary council meetings. This includes updating the reference document 14-Rfx-009 and publishing notice of change. For clarity, the changes to the Council Meetings Schedule 2018 are tabled below:

---

**20.1 Change to Council Meetings Schedule 2018 ...(Cont'd)**

DAY	DATE	MEETING	TIME
<b>NOVEMBER</b>			
Thursday	8 November	Council	4.00pm
Thursday	15 November <i>(tentative)</i>	Council	1.00pm
Thursday	22 November	Council	1.00pm
<b>DECEMBER</b>			
Thursday	6 December	Council	1.00pm
Thursday	6 December	Annual General Meeting	5.30pm
Thursday	20 December	Council	1.00pm

**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 ensure decisions are made in a transparent and accountable way  
 To continue to meet our statutory obligations and deliver quality services  
 Key Direction -  
 3. To ensure decisions are made on the basis of accurate and relevant information

**BUDGET & FINANCIAL ASPECTS:**

Not considered relevant to this report.

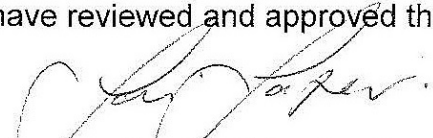
20.1 Change to Council Meetings Schedule 2018 ...(Cont'd)

---

**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.



**Louise Foster: Director Corporate Services**

**20.2 Budget Amendments - 2018/2019****FILE NO:** SF6640**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

---

**DECISION STATEMENT:**

To consider changes to the Council's 2018/2019 Statutory Estimates.

*This decision requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993.*

**RECOMMENDATION:**

That Council, by absolute majority:

1. pursuant to section 82(4) of the *Local Government Act 1993*, approves the following amendments to the Statutory Estimates:
    - (a) Revenue
      - (i) the net increase in revenue from external grants and contributions of \$14,880,669.
    - (b) Capital Works Expenditure
      - (i) the net increase in expenditure from external funds of \$14,880,669.
  2. notes that amendments from point 1 result in:
    - (a) the operating surplus being amended to \$16,062,115 (including capital grants of \$15,875,669) for 2018/2019.
    - (b) the capital budget being increased to \$35,575,669 for 2018/2019.
- 

**REPORT:**

Each year when the Capital budget is constructed the source of funding is split between Council funds and External Grant funds. Grant funding often spans multiple years. When this happens it is necessary for the Grant funds not received to be reinstated for the new budget period so that it is possible to clearly show where carried forward capital funding will come from, the Council or External Grant funding. This agenda item addresses the issue.

The budget amendments are changes to the Statutory Estimates that require a Council decision. The changes relate to external grant revenue and transfers between Operations and Capital projects.

---

**20.2 Budget Amendments - 2018/2019 ...(Cont'd)**

	<b>Operations \$'000</b>	<b>Capital \$'000</b>
<b>Statutory Budget as at 1/07/2018</b>	1,181	20,695
Operations to Capital	-	-
Capital to Operations	-	-
External Funds	14,881	14,881
<b>Statutory Budget as at 31/07/2018</b>	<b>16,062</b>	<b>35,576</b>
Deduct Capital Grants and Contributions	(15,876)	
<b>Underlying Operating Budget Surplus</b>	<b>186</b>	

The table summarises all other budget agenda items and includes reconciliations of the budgeted operating result and capital expenditure. Details of the amendments are as follows:

**(1) The following items need to be reallocated between Operations and Capital.**

**(1a)The following items have been affected by external funding not received in 2017/2018 that are expected to be received in 2018/2019.**

<b>Project</b>	<b>Description</b>	<b>External Funds</b>
CP23400	LCH Brisbane Street Mall	\$3,190,000
CP23398	LCH St John Street Central North	\$1,155,000
CP23397	LCH St John Street Central South	\$1,155,000
CP23399	Civic Square	\$3,250,000
CP23791	Civic Square Public Amenity Building	\$500,000
CP21502	Macquarie House	\$2,837,705
CP21860	CCTV Network Expansion	\$10,000
CP23700	CCTV Network Launceston Flood Monitoring	\$10,000
CP23529	Churchill Parks Sports Centre Upgrade	\$160,000
CP20884	North Bank	\$875,000
CP23678	North Bank Pedestrian Bridge	\$1,200,000
CP23733	Play Space Strategy	\$16,319
CP23859	Duck Reach Improvements	\$51,000
CP23763	R2R Pecks Hill Road, St Patricks River Bridge 650	\$748
CP23540	R2R Cimitiere Street Road Reconstruction	\$234,000
CP23803	Charles Street, LCH Road/Pedestrian Improvements	\$207,000
CP23821	Solar Power Vehicle Investigation	\$5,804
<b>TOTAL</b>		<b>\$14,857,576</b>

**20.2 Budget Amendments - 2018/2019 ...(Cont'd)**

**(1b)The following items have been affected by external funding changes and affect both the Capital and Operations budgets (these are new changes that have been identified in July 2018).**

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP23925	Design Centre Kitchen Upgrade	\$50,000	-	\$23,841	\$73,841
G10010.12505	General - Capital Contribution	-	\$23,841	-	(\$23,841)
	<b>Totals</b>	<b>\$50,000</b>	<b>\$23,841</b>	<b>\$23,841</b>	<b>\$50,000</b>

**The project scope of works:**

During 2018/2019 work is to be undertaken to upgrade the kitchen at the Design Centre. A budget of \$50,000 has been allocated to the project with a contribution by Design Tasmania for additional funding required to undertake the works. This budget amendment is to recognise the funds to be contributed by Design Tasmania, which equates to the difference between the budget and the quote received from Tas City Building.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP23763	R2R Pecks Hill Road, St Patricks River Bridge 650	\$748	\$748	-	-
G10075.12160	Roads - Capital Grant Revenue	(\$441,748)	-	\$748	(\$441,000)
	<b>Totals</b>	<b>(\$441,000)</b>	<b>\$748</b>	<b>\$748</b>	<b>(\$441,000)</b>

**The project scope of works:**

This amendment relates to a project that was completed in 2017/2018 but we will receive a final grant amount in 2018/2019. This corrects the anomaly.

**Summary Table**

External Funding	Operations	Capital
Design Centre Kitchen Upgrade	(\$23,841)	\$23,841
R2R Pecks Hill Road, St Patricks River Bridge 650	\$748	(\$748)
<b>TOTAL</b>	<b>(\$23,093)</b>	<b>\$23,093</b>

**20.2 Budget Amendments - 2018/2019 ...(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 8 - A secure, accountable and responsive Organisation  
Ten Year Goal - To continue to ensure the long-term sustainability of our Organisation  
Key Direction -  
6. To maintain a financially sustainable organisation

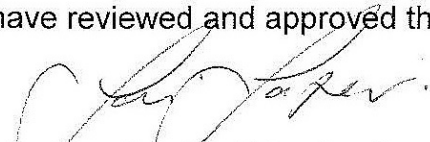
**BUDGET & FINANCIAL ASPECTS:**

As per the 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.



**Louise Foster: Director Corporate Services**



**21 GENERAL MANAGER'S DIRECTORATE ITEMS**

No Items have been identified as part of this Agenda

**22 URGENT BUSINESS**

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

**23 CLOSED COUNCIL**

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

**23.1 Confirmation of the Minutes****23.2 Remission of Development Fees****RECOMMENDATION:**

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

**23.1 Confirmation of the Minutes**

*Regulation 34(6)*

**23.2 Remission of Development Fees**

*Regulation 15(2)(j) the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.*

**24 MEETING CLOSURE**

---

**UNCLASSIFIED AGENDA ITEMS:**

---