



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 2 JULY 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 2 July 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: 2 July 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

22 June 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, 2 July 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

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

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

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 18 June 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.)

7.1.1 Public Questions on Notice - Mr Basil Fitch - Council Meeting - 18 June 2018

FILE NO: SF6381

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Louise Foster (Director Corporate Services)

QUESTION and RESPONSE:

The following question was asked by Mr Basil Fitch at the Council Meeting of 18 June 2018 and a response has been provided by Ms Louise Foster (Director Corporate Services).

Question:

1. Why do some retirement villages get a remission and some do not?

Response:

Independent living units owned by organisations operating for charitable purposes have, in the past, had their rates and fire levy charges remitted 100%, whereas non-charitable independent living units have been charged rates.

Earlier this year the Magistrates Court Tasmania handed down a decision concerning whether occupation and use of land owned and occupied "exclusively for charitable purposes" is exempt from general and separate rates under sections 88 or 97 of the Local Government Act 1993 (Tas).

The Court held that the independent living units owned by organisations operating for charitable purposes are not exempt from general and separate rates under sections 88 or 97 of the Local Government Act 1993 (Tas).

In the 2018/2019 Council budget, on the basis of fairness and equity, it has been decided to pass on the fire levy to these organisations.

In the coming year the Council also plans to discuss removing the 100% remission for rates and charges on the independent living units owned by organisations operating for charitable purposes so that all such properties are treated equally ensuring that other ratepayers are not unfairly subsidising the remission in future years.

7.1.2 Public Questions on Notice - Ms Glenda King - Council Meeting - 18 June 2018**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

QUESTION and RESPONSE:

The following questions were asked by Ms Glenda King at the Council Meeting of 18 June 2018 and have been answered by Ms Louise Foster (Director Corporate Services) and Mr Shane Eberhardt (Director Infrastructure Services)

Question:

1. What timeline does Council have in place for repairing and reinstating the Bennell Way footpath - is a timeline available?

Response:

Ms Louise Foster (Director Corporate Services)

The matter of the retaining wall failure at 1 York Street, and its subsequent impact on the Bennell Way footpath, is currently the subject of legal action. As such, Council is currently unable to determine a timeline for repair of the footpath.

Question:

2. What plans do you have for remediation of the other footpath leading from lower Wellman Street as currently the path is in a state of disrepair and the lighting is poor which could lead to accidents?

Response:

Mr Shane Eberhardt (Director Infrastructure Services)

The footpath condition and lighting will be inspected and necessary works scheduled in as appropriate. Work order 559477 has been generated to track this inspection.

7.1.3 Public Questions on Notice - Mr George Chandler - Council Meeting - 18 June 2018

FILE NO: SF6381

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Leanne Hurst (Director Development Services)

QUESTION and RESPONSE:

The following question was asked by Mr George Chandler at the Council Meeting of 18 June 2018 and has been answered by Mrs Leanne Hurst (Director Development Services).

Question:

1. What kinds of support can Council give active churches of heritage and tourism significance, such as St James, Franklin Village and St Matthias, Windermere?

Response:

Council is able to provide available information about the identified properties should church groups seek to include particular data in support of any submissions that they intend to make to the Anglican Diocesan Council for properties to be exempt from sale, otherwise elected members can and have assumed an advocacy role to ensure that issues are appropriately considered by all stakeholders.

7.1.4 Public Questions on Notice - Mr Paul Spencer - Council Meeting - 18 June 2018**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

QUESTION and RESPONSE:

The following question was asked by Mr Paul Spencer at the Council Meeting of 18 June 2018 and has been answered by Mr Shane Eberhardt (Director Infrastructure Services).

Question:

1. With regard to additional projects undertaken by Council, for example flood works at Invermay and Elphin, why do the contracts go over budget?

Response:

For 2017/2018 period, Council is forecasting that its capital works program will be delivered within budget. The flood levee works have been undertaken by the Launceston Flood Authority not the Council.

A minority of projects do go over budget for a variety of reasons, including unforeseen conditions such as more than expected wet weather, identification of utilities that were not on dial before you dig, encountering uncertain ground conditions and contractor availability. What is important is that the overall capital works program is within budget.

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 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct

FILE NO: DA0217/2018

AUTHOR: John Ayers (Consultant Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors
Property:	2-4 Invermay Road, Invermay
Zoning:	Particular Purpose 4 - Inveresk Site
Receipt Date:	18/04/2018
Validity Date:	22/05/2018
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	3/07/2018
Representations:	Four

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 Subdivision - altering the boundaries between two titles in the Inveresk Precinct at 2-4 Invermay Road, Invermay, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Proposed Subdivision, PDA Surveyors, Ref: 17206-P05, 22/05/2018; Document set ID 3806173, Version 1, 22/05/2018
-

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

2. LEGAL TITLE

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

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/00804-LCC, dated 22/05/2018 and attached to the permit.

4. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 5609, dated 19/06/2018 and attached to the permit.

5. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0217/2018. 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.

B. Restrictive Covenants

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

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

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

C. Appeal Provisions

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

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

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au

D. Permit Commencement

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

In accordance with the Council's policy the assessment of this development application was outsourced to an independent consultant Town Planner as it relates to Council owned land.

REPORT:**1. THE PROPOSAL**

The application by Launceston City Council proposes to adjust the boundaries of two existing titles within the Inveresk precinct enabling a transfer of proposed lot 1 to the University of Tasmania (UTAS). The transfer will enable further future development on the site and it includes existing buildings occupied by the UTAS.

The development application proposes the subdivision of a 2.748ha parcel of land from two sites comprised in Certificate of Title (CT) Volume 174633 Folio 2, and CT 169278/3. Both titles are owned by Launceston City Council.

The proposed new lot will consolidate two portions of CT174633/2 (2.28ha, and a 1003m² in area respectively) with all of CT 169278/3 (3638m²). The new lot will be 2.748ha in area, while the balance lot will be reduced in area by 9.7% from 24.5ha to 22.12ha.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

While it is intended that the new lot will be transferred to the UTAS for future developments, the current application is for the proposed subdivision only and does not include any alteration of the use of the subject site or to buildings on the site.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site comprises relatively flat land between Invermay Road, Forster Street and the North Esk River and is within the Inveresk/Invermay flood inundation area. The area consists of predominantly open space, interspersed with landscaped gardens and buildings serving residential, educational, recreational and cultural uses.

The site houses UTAS Stadium and Inveresk Campus, Queen Victoria Museum and Art Gallery (QVMAG) buildings, Invermay Bowls and Community Club, Elizabeth Gardens, the Inveresk Railway Turntable and Roundhouse and the Launceston Big Picture School. The site also houses three heritage places listed with the Tasmanian Heritage Register, including the York Park Entrance Gates, the Invermay Park Northern Stand and the Launceston Railway Station Complex.

The proposed subdivision will include a number of buildings forming part of the UTAS campus. These include the School of Visual and Performing Arts buildings, the School of Architecture and Design building, the Furniture Design building and parking lots accessed via the proposed Old Bike Track Lane. The new lot will also include half of a circular parking lot adjacent the QVMAG building and the Department of Education building adjacent the junction of Barnards Way and Invermay Road.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

35.0 Particular Purpose Zone 4 - Inveresk Site

<p>35.1.1 Zone Purpose Statements</p> <p>35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses.</p> <p>35.1.1.2 To provide for residential uses and developments associated with and supporting educational uses within the zone.</p> <p>35.1.1.3 To locate use and development appropriately within the precincts of the zone.</p>
<p>Consistent</p> <p>The proposed subdivision:</p> <p>35.1.1.1 Is intended to incorporate existing UTAS buildings and to provide space for future developments by the UTAS consistent with the current cultural, educational, recreation and public uses of the subject site.</p> <p>35.1.1.2 Not applicable. The application is for subdivision only.</p> <p>35.1.1.3 Not applicable. The application is for subdivision only.</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

35.1.2 Local Area Objectives

The area contains four local area precincts as shown on Figure 35.1.2 to this zone.

Open space precinct

To provide an open space and recreational use area linking the existing York Park and Invermay Park to the North Esk River. The area is to be retained as an area for public use and for events ranging from an agricultural show, outdoor exhibitions and displays, open air markets and general recreational activities.

Cultural and public purpose precinct

To ensure re-use of existing buildings for a range of cultural, educational and recreational activities. Principal users may be the UTAS and the QVMAG. Buildings are to be retained and redeveloped in accordance with their heritage values and status as outlined in the Launceston Railways Workshop Conservation Plan.

Recreational and leisure precinct

To provide a range of sporting and recreational facilities including the UTAS Stadium and Invermay Park.

Residential and commercial precinct

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

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

Consistent

The subject site presently includes land under each of the four precincts identified in Figure 35.1.2 and described in Clause 35.1.2 of the Scheme.

The proposed subdivision will create a new lot within the subject site that includes land within the Cultural and Public Purpose Precinct and the Residential and Commercial Precincts. The application is for a subdivision only and will not alter existing uses or introduce new uses within the new or balance lots.

35.1.3 Desired Future Character Statements

There are no desired future character statements

35.3 Use Standards

Comment

As the application is for a subdivision only Clauses 35.3.1-35.4.3 do not apply.

35.4 Development Standards

35.4.4 Lot size and dimensions

Objective:

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

Consistent

The proposed subdivision will reorganise the boundaries within the site to recognise existing and proposed development within the UTAS precincts. Both the new lot and balance lot will accommodate the existing uses on the site. A road lot is created for the purposes of site access.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a minimum area of no less than 500m² ; and (b) be able to contain a 15m diameter circle with the centre of the circle no more 15m from the frontage; or <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, an agency or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Complies with A1.1</p> <p>A1.1 Each lot in the proposed plan of subdivision:</p> <ul style="list-style-type: none"> (a) has an area in excess of 500m². The proposed new lot (Lot 1) will be 2.748ha while the balance lot will be 21.647ha; (b) can contain a 15m diameter circle with the centre of the circle no more 15m from the frontage; and, <p>A2.2 Not applicable</p> <p>A1.3 As per A1.1(b), each proposed lot will satisfy the relevant acceptable solutions for setbacks, being able to contain a 15m diameter circle no more than 15m from the frontage.</p>

35.4.5 Frontage and access

<p>Objective:</p> <p>To ensure that lots provide:</p> <ul style="list-style-type: none"> (a) appropriate frontage to a road; and (b) safe appropriate access suitable for the intended use of the new lot.
<p>Consistent</p> <ul style="list-style-type: none"> (a) Frontage to Invermay Road is largely unchanged for the balance lot, which will maintain primary frontage from the junction of Barnards Way and Invermay Road in the south, to the intersection of Forster Street and Invermay Road in the north. The balance lot will retain secondary frontage to Forster Street in the north. The new lot will have frontage to Barnard's Way which connects to Invermay Road south west of the new lot (1). The frontage exceeds the minimum requirement of 6m. (b) No alterations will be made to the nature or form of access to either the new or balance lot, which will maintain safe and suitable access for the continued use of the site.
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 6m.</p>
<p>Complies with A1</p> <p>The newly created lot will have frontage to Invermay Road of approximately 35m. The balance lot will have frontage to Invermay Road in excess of 600m. Invermay Road is maintained by the road authority.</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

A2 No acceptable solution.
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies with P2</p> <p>Each lot in the proposed subdivision will have vehicular access between internal parking areas and buildings, and Invermay Road. The new lot will be accessed via Barnards Way and proposed Old Bike Track Lane, which pass through the proposed balance lot.</p> <ul style="list-style-type: none"> (a) The site is flat and access points are easily identifiable; (b) The distance between Invermay Road and parking areas accessed by proposed Old Bike Track Lane, is 180m and 220m respectively. The Village Green parking lot accessed via Barnards Way is within 60m of Invermay Road. <p>As there are no alterations proposed to existing land uses or built form, there will be no changes to:</p> <ul style="list-style-type: none"> (c) the nature of the road and traffic; or (d) the character of the area. (e) Specific advice from the road authority has not been provided with the application on the basis that the existing access arrangements to the sites will not change.

35.4.6 Discharge of stormwater

<p>Objective:</p> <p>To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent</p> <p>Written advice provided by Launceston City Council demonstrates that the Council is satisfied that the proposed subdivision will not alter stormwater discharge at the site and therefore, will not inhibit the capacity of the existing stormwater system.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>
<p>Complies with A1</p> <p>The proposed subdivision will not alter existing, or create new roads, nor will it alter or create connections to the public stormwater system. Both parcels created by subdivision will maintain access to the existing stormwater network.</p>
<p>A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

Complies with A2

The development application includes written advice from Launceston City Council's Director of Infrastructure Services, confirming that, as no new roads will be created by the subdivision, there will be no change to stormwater discharge. Therefore, the existing public stormwater system will have the capacity to accommodate the proposed subdivision which will not generate additional stormwater flows.

35.4.7 Water and sewerage services

Objective:

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

Consistent

There will be no alteration or intensification of uses or built form on the subject site. As such, there will be no change to the demand for water or wastewater disposal.

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

Complies with A1

Both lots in the proposed subdivision will maintain connections to a reticulated water supply.

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

Complies with A2

Both lots in the proposed subdivision will maintain connections to a reticulated sewerage system.

E6.0 Parking and Sustainable Transport Code

Not applicable

While the Parking and Sustainable Transport Code applies to all use and development, the application is for subdivision only and will not alter the demand for access to, or parking available to uses at the subject site. As such, Clauses E6.5.1 to E6.7.1.3 do not apply to the proposal. It is considered that the Code does not apply to the development application.

E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (b) encourage and facilitate the continued use of these places;
- (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and
- (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

Consistent

The proposed development is for the subdivision of land within a lot containing buildings listed on the Tasmanian Heritage Register. All heritage registered buildings associated with the site will be retained within the balance lot. As such, the proposed development will:

- (a) protect historic cultural heritage significance of the site, as it will not alter the built form, existing uses of, or access to the heritage places associated with the site.
- (b) not alter the continued use of the site.
- (c) not affect the maintenance or retention of heritage buildings associated with the site.
- (d) have no effect on the historic cultural heritage significance of heritage places on the site.

E13.5 Use Standards

There are no use standards in this Code.

E13.6 Development Standards

E13.6.1 Demolition

Objective:

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

Not applicable

The development proposal does not include the demolition of any building or structure.

E13.6.2 Maintenance and repair

Objective:

To ensure that maintenance and repair of heritage buildings are constructed and undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places.

Not applicable

The development proposal does not include the maintenance or repair of any building or structure.

E13.6.3 Lot size and dimensions and frontage

Objective:

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

Consistent

The proposed subdivision will create a new lot within the existing lot comprised in CT174633/2. Three structures/buildings listed with the Tasmanian Heritage Register are associated with the site, which include the York Park Entrance Gates and Invermay Park Northern Stand (two locations) and the Launceston Railway Complex. All heritage registered buildings/structures will be retained in the balance lot, and the cultural heritage significance will not be affected by the proposed subdivision.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

A1 No acceptable solution.
<p>P1 Subdivision must not unreasonably impact on the historic cultural heritage significance of local heritage places or their settings, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the historic development pattern of the area; (c) the separation of buildings or structures from their original setting; (d) the lot sizes, dimensions, frontage, access and orientation; (e) the suitability of the proposed lots for their intended uses; and (f) the removal of vegetation, significant trees or garden settings.
<p>Complies with P1</p> <ul style="list-style-type: none"> (a) The proposed subdivision minimises impact on the cultural heritage values of the site by retaining all heritage registered buildings/structures on the balance lot. (b) The proposed subdivision will not alter the historic development pattern of the area. (c) The proposed subdivision will not separate buildings or structures from their original setting. (d) The proposed subdivision will create a new lot totalling 2.748ha in area. The dimensions of the new lot conform to existing features of the site, including the UTAS buildings and space between or adjacent to those buildings. Lot frontage will be to Invermay Road in the south-western extent of the proposed lot and access to the site will be via the existing road Barnards Way. (e) The proposed development will consolidate existing UTAS buildings within the site to a single lot. (f) The proposed subdivision will not involve the removal of vegetation, significant trees or garden settings.

E13.6.4 Site coverage

<p>Objective: To ensure that site coverage is compatible with the historic cultural heritage significance of local heritage places.</p>
<p>Consistent As no new buildings will be constructed, and no existing buildings will be demolished, the level of site coverage in the area will be unchanged. Site coverage within the newly created lot, which will contain existing buildings, will be broadly consistent with those of the existing site.</p>
A1 No acceptable solution.
<p>P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the cultural heritage values of the local heritage place and setting; (c) the site coverage of buildings on sites in the surrounding area; and (d) the pattern of development in the surrounding area.
<p>Complies with P1</p> <ul style="list-style-type: none"> (a) The topography of the site will be unchanged. (b) The new lot will not contain any building or structure listed within the Tasmanian

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>Heritage Register.</p> <p>(c) Site coverage throughout the area and within the new lot will be unchanged by the proposed subdivision.</p> <p>(d) The new lot will consolidate the majority of existing UTAS buildings without a change to the pattern of development.</p>
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E13.6.5 Height and bulk of buildings

<p>Objective: To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Not applicable The proposed development will have no effect on existing building height or bulk.</p>

E13.6.6 Site of buildings and structure

<p>Objective: To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposed development will not alter the siting of buildings or introduce new buildings.</p>
<p>A1 No acceptable solution.</p>
<p>P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the topography of the site; (c) the size, shape, and orientation of the lot; (d) the setbacks of other buildings in the surrounding area; (e) the historic cultural heritage significance of adjacent places; and (f) the streetscape.
<p>Complies with P1 New boundaries will align with the exterior and party walls of a number of buildings, and with the edge of carparks and pedestrian walkways within the site. These include the west-facing wall of the UTAS School of Architecture and Design buildings, and the party wall between the UTAS School of Visual and Performing Arts building and the QVMAG building. Otherwise, the boundary setbacks created by the subdivision will be broadly consistent with those of the existing site layout.</p> <p>The proposed subdivision and setbacks to the front side and rear boundaries will be compatible with the historic cultural heritage significance of the place and its setting, noting that the Tasmanian Heritage Council (THC) has issued a consent to the issue of a discretionary permit for the subdivision.</p> <p>The THC does so, on the basis that any works proposed to the new lots will require heritage approval pursuant to Part 6 of the <i>Historic Cultural Heritage Act 1995</i>. It is considered the subdivision is compatible in that the development:</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

- | |
|---|
| <ul style="list-style-type: none">(a) will not impact the cultural values of the place and its setting;(b) will remain consistent with topographic features of the site;(c) will result in new lots which are appropriate in terms of their size shape and orientation relative to the existing heritage elements;(d) will maintain setbacks from existing buildings consistent with the current surrounding buildings;(e) will have no impact in terms of the historic cultural significance of adjacent places;
and(f) will not alter the present relationship with the streetscape. |
|---|

E13.6.7 Fences**Objective:**

To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their setting.

Not applicable

The proposed development will not introduce new fences.

E13.6.8 Roof form and materials**Objective:**

To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

Not applicable

The proposed development will not alter roof form or materials on any building.

E13.6.9 Wall materials**Objective:**

To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

Not applicable

The proposed development will not alter wall materials of any building.

E13.6.10 Outbuildings and structures**Objective:**

To ensure that the siting of outbuildings and structures are compatible with the historic heritage significance of local heritage places and their settings.

Not applicable

The proposed development will not alter any outbuildings or structures.

E13.6.11 Driveways and parking**Objective:**

To ensure that driveways and parking are compatible with the historic heritage significance of local heritage places and their settings.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

Not applicable
The proposed development will not alter site access or parking.

E13.6.12 Tree and vegetation removal

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

Not applicable
The proposed development will not involve the removal of any vegetation.

E13.6.13 Signage

Objective:
To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.

Not applicable
The proposed development will not introduce new signage.

E16.0 Invermay/Inveresk Flood Inundation Area Code

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

Consistent
The proposed subdivision does not intensify use, or introduce new buildings or structures to the site and therefore:
(a) does not alter the risks or hazards from flooding on the site;
(b) will have no effect on the impact of potential flooding;
(c) will have no effect on emergency response capability to land subject to flood inundation.

E16.6 Use Standards

E16.6.1 Unacceptable uses

Objective:
To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.

Consistent
The proposed development, being for the subdivision of land only, will not establish education, occasional care, emergency services, hospital services, residential, community meeting, or entertainment uses in areas subject to, or isolated by flood inundation.

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>A1 Must not be:</p> <ul style="list-style-type: none"> (a) education and occasional care, except in the Inveresk Cultural precinct; (b) emergency services; or (c) hospital services.
<p>Complies with A1</p> <p>The proposed development is for the subdivision of land only, and will not include development of structures or buildings for:</p> <ul style="list-style-type: none"> (a) education or occasional care; (b) emergency services; or (c) hospital services.
<p>A2 Must not be Residential, unless:</p> <ul style="list-style-type: none"> (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts; (b) a multiple dwelling in the Invermay Residential Precinct; or (c) associated with and supporting the educational activities within the Inveresk Cultural precinct.
<p>Complies with A2</p> <p>The proposed development is not for a residential use.</p>
<p>A3 Must not be community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.</p>
<p>Complies with A3</p> <p>The proposed development is not for a community meeting or entertainment use.</p>

E16.7 Development Standards

E16.7.1 Intensification of residential development

<p>Objective:</p> <p>To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent</p> <p>The proposed development is for the subdivision of land only. It is intended that the newly created lot will be transferred to the UTAS in conjunction with the UTAS plans to develop the Inveresk Precinct Redevelopment Masterplan (IPRM). The IPRM does not propose to introduce new residential development to the site.</p>
<p>A1 Except within the Invermay Residential Precinct, new residential development or extensions of existing residential buildings:</p> <ul style="list-style-type: none"> (a) must not increase the gross floor area of individual dwellings or total gross floor area by 10% more than that existing or approved on the 1 January 2008; (b) must not result in more than 200m² of gross floor area on a single title; or (c) must be for residential uses associated with the educational activities within the Inveresk Cultural Precinct.
<p>Not applicable</p> <p>The proposed development is for the subdivision of land only.</p>
<p>A2 Subdivision or division of land by strata plan:</p> <ul style="list-style-type: none"> (a) must not create any additional lots capable for any future residential development; or (b) is to:

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>(i) separate existing dwelling units; or (ii) separate existing residential and non-residential buildings; that have been approved by Council on a single title.</p>
<p>Complies with A2 (a) The proposed subdivision will create a new lot to be transferred to the UTAS. The UTAS intends to implement the IPRM, which does not propose new residential development within the proposed new lot.</p>

E16.7.2 Flood Impact

<p>Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</p>
<p>Not applicable The proposed development will not introduce any new buildings or infrastructure, or modify existing buildings or infrastructure on the site.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	N/A
Environmental Health	N/A
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Consent provided with no conditions. TasWater has issued a Development Certificate of Consent TWDA2018/00804-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Consent provided with no conditions. The Tasmanian Heritage Council (THC) has issued a Notice of Heritage Decision consenting to a discretionary permit being granted for the application. The THC also advise that all heritage areas affected by the subdivision will be retained on the register, and that future works on the site will require heritage approval pursuant to Part 6 of the <i>Historic Cultural Heritage Act 1995</i> .
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 30 May to 14 June 2018. Four representations were received.

A number of concerns raised in the received representations address developments proposed in the Inveresk Precinct Redevelopment Masterplan (IPRM). However, the application is required to be determined on the basis of the details of the development contained in the application, as placed on public exhibition. As the application is for a subdivision altering the boundaries between two titles only and does not include the developments proposed in the IPRM, concerns raised relating to the IPRM cannot be considered relevant to the current application.

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

ISSUE	COMMENTS
<p>1. Stormwater and sewerage infrastructure is inadequate and will be adversely affected by development on the subject site.</p>	<p>Stormwater on the subject site is diverted to the municipal sewer system.</p> <p>The application was referred to TasWater who provided written advice determining that as no new roads will be created by the proposed subdivision, stormwater discharge from the site will not change and TasWater does not object to, or propose conditions for, the subdivision.</p> <p>Further, the Director of Infrastructure Services at Launceston City Council provided written advice to the applicant that the application satisfies Scheme requirements for stormwater drainage, with reference to the advice provided by TasWater.</p> <p>However, both TasWater and the Director of Infrastructure Services also noted that future development on the site will be separately considered and stormwater will need to be managed with regard to TasWater capacity limitations.</p> <p>It is considered that the proposed subdivision and application satisfy concerns raised in representations received.</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>2. Car parking will be reduced as a result of development on the subject site.</p>	<p>The western boundary of the proposed subdivision will transect the circular car park adjacent the QVMAG building, but will not alter the availability of, or access to car parking within any part of the car park. While the IPRM proposes to eliminate parking within the half of the circular car park that will form part of the proposed subdivision, this matter cannot be considered against the current application. It is considered that car parking will be unaffected by the proposed subdivision.</p>
<p>3. There is existing traffic congestion in the area, which will take years to fix.</p>	<p>Being for subdivision only, the proposed development will not intensify the use of the subject site or alter access between the site and surrounding road network. Future applications for development on the site will be required to address provisions of the Scheme related to potential impacts on traffic within the surrounding road network.</p>
<p>4. Proposed uses for university buildings and associated requirements (associated with the IPRM) will create an over use of the site.</p>	<p>Being for subdivision only, the proposed development will not intensify the use of the subject site.</p>
<p>5. The site is at risk of flooding, and is not suited to continued development.</p>	<p>While the subject site is within the Invermay/Inveresk Flood Inundation Area, being for the subdivision of land only, the application does not propose the construction or alteration of new or existing buildings or infrastructure. Future development in conjunction with the IPRM will be required to address Scheme provisions related to flood inundation risk.</p>
<p>6. Infrastructure maintenance costs associated with the development will require public funding, which is an unfair financial burden on the public.</p>	<p>Being for the subdivision of land only the proposed development will not introduce new, or intensify the use of existing infrastructure, and will not increase infrastructure maintenance costs for the community.</p>

8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries Between Two Titles in the Inveresk Precinct ...(Cont'd)

<p>7. There has been no community consultation on the proposed development.</p>	<p>Pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993</i>, the application for the proposed subdivision was publicly advertised for the purpose of community consultation over a 14 day period between 30 May and 14 June 2018. It is considered that the application process has satisfied requirements for community consultation.</p>
<p>8. By transferring ownership of public land to a private entity the proposed subdivision will make use of that land exclusive to that entity, and that these detrimental ramifications will be felt by generations to come.</p>	<p>The purpose of the proposed subdivision is to transfer ownership of the newly created lot to the University of Tasmania (UTAS), who intend to develop the land in conjunction with the IPRM. The use of the land will not be altered by the proposed subdivision, to which the current application applies, and is considered to satisfy the concern raised in the representation. The transfer to the UTAS and the intended development of the proposed new lot are separate matters from the current application.</p>
<p>9. Council Aldermen consistently ignore the concerns of ratepayers, residents and the wider public in relation to the Inveresk Precinct and the UTAS. The representation suggests that Council Aldermen inform the community of the various relationships between stakeholders involved with the development application, including the persons and institutions that will benefit from the application; and, that Aldermen carry out independent due consideration of all implications of the proposed development, and publicise the results prior to considering the development application.</p>	<p>Representations to this application will be reviewed by Council Aldermen in conjunction with the assessment of the development application.</p>

**8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries
Between Two Titles in the Inveresk Precinct ...(Cont'd)**

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

**8.1 2-4 Invermay Road, Invermay - Subdivision - Altering the Boundaries
Between Two Titles in the Inveresk Precinct ...(Cont'd)**

ATTACHMENTS:

1. Attachment 1 - Location plan (distributed electronically)
 2. Attachment 2 - Plans (distributed electronically)
 3. Attachment 3 - Tasmanian Heritage Commission decision (distributed electronically)
 4. Attachment 4 - TasWater SPAN (distributed electronically)
 5. Attachment 5 - Representations (distributed electronically)
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8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings**FILE NO:** DA0123/2018**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:	Prime Design
Property:	54 Mulgrave Street, South Launceston
Zoning:	General Residential
Receipt Date:	8/03/2018
Validity Date:	13/03/2018
Further Information Request:	19/03/2018
Further Information Received:	30/04/2018
Deemed Approval:	13/07/2018
Representations:	Five

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, Council refuses DA0123/2018 for Residential - Subdivide and adhere land; and construction of three additional dwellings at 54 Mulgrave Street, South Launceston on the following grounds:

1. The development application does not comply with Clause 10.4.2 P3 (a) (iv) of the Launceston Interim Planning Scheme 2015 on the basis that the proposed setback to the north-western boundary and the building height will result in an unreasonable loss of amenity through unacceptable visual impact in terms of scale, bulk and proportions when viewed from adjoining properties at 1 Eardley Street and 3 Eardley Street, South Launceston.
 2. The development application does not comply with Clause 10.4.2 P3 (a) (ii) of the Launceston Interim Planning Scheme 2015 on the basis that it will result in an unreasonable loss of amenity through overshadowing of the private open space of adjoining properties at 3 Eardley Street and 56 Mulgrave Street, South Launceston.
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8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

REPORT:

1. THE PROPOSAL

It is proposed to adjust the boundaries of the existing two lots from 513m² and 678m² to create two lots of 325m² and 866m² respectively. No additional lots will be created. The existing dwelling is to remain on the smaller lot, whilst the larger, internal, lot will be developed with the construction of three multiple dwellings.

Each of the new dwellings is proposed to be two-storey, with a double garage and two bedrooms on the ground floor and a third bedroom and living areas on the upper level.

The three dwellings will be built side by side, close to the eastern, northern and western boundaries, with vehicle access along the southern boundary.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is located in an old established residential area, west of Mulgrave Street and to the south of Eardley Street. It is surrounded by residential properties, predominately used as single dwellings. Immediately south of the site is a large shed, once used as a joinery and furniture manufacture and now forming part of the residential use of 56A Mulgrave Street.

Notwithstanding the historic development of the area for single dwellings, there are several multiple dwelling developments within the immediate area (ie. within 100m) and the broader surrounds.

Coronation Park is within 100m and the site is within walking distance of the Launceston General Hospital and the city centre. Public transport is available in Mulgrave Street and it is a short commute to Kings Meadows, the city and a number of surrounding schools.

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.

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

<p>10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</p> <p>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.</p>
<p>Consistent</p> <p>The proposed development of three, two storey, three bedroom dwellings on the internal lot at 54 Mulgrave Street introduces a modern style of dwellings at a suburban density, where full infrastructure services are available.</p> <p>The applicants assert that the density of the development is consistent with other development in the broader area and that the proposal respects the neighbourhood character.</p> <p>The proposed dwellings facilitate solar access and have access to existing public transport, walking and cycling networks.</p>

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

<p>Objective:</p> <p>To provide for suburban densities for multiple dwellings that:</p> <p>(a) make efficient use of suburban land for housing; and</p> <p>(b) optimise the use of infrastructure and community services.</p>
<p>Consistent</p> <p>The increased density proposed by these dwellings optimises the use of the existing infrastructure and is arguably the most efficient use of the suburban land for housing.</p>
<p>A1 Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m²; or</p> <p>(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.</p>
<p>Relies on Performance Criteria</p> <p>The land currently consists of two titles (CT148488/1 and 2) of 513m² and 678m² respectively. It is proposed to adjust the boundaries of the lots such that lot one is some 325m² and lot two 866m².</p> <p>Three multiple dwellings are proposed for lot two. Whilst the applicants assert this provides a site area per dwelling of 286m², it is noted that the scheme defines site area per dwelling as <i>the area of the site (excluding any access strip) divided by the number of dwellings</i>.</p>

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

The plans detail some 209m² of hot-mix driveway from Mulgrave Street to the rear of lot one, which meets the scheme definition of access strip as *land, the purpose of which is to provide access to a road*. Therefore, the site area per dwelling for lot 2 is 219m². The proposal relies upon performance criteria to satisfy the objective.

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

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

Complies

The proposal to construct three dwellings on lot two does not exceed the capacity of infrastructure services.

It is also necessary to demonstrate that the proposed development:

(a) *is compatible with the density of the surrounding area; or*

Representors have raised the density of the proposed development as a matter of concern and argue that the proposed density of one dwelling per 219m² is not compatible with the surrounding character, particularly as the proposed dwellings are two storey, with three bedrooms and double garages. This is in contrast to, rather than compatible with, other units in the area which are predominately single storey, with one or two bedrooms and single parking areas.

Conversely, the applicants assert that the standard deals with density (i.e. area per dwelling) and does not provide scope for single/double storey comparison. Further they illustrate that there are 13 multiple dwellings within 100m and 23 (ie a further ten) within 200m, all with individual site areas less than 325m².

The applicants also note there are two Housing Tasmania sites, within 100m, that provide 12 dwellings. It is clear that the area surrounding the subject site maintains varied housing types across a range of individual site densities, below and above that proposed. Given this, it is accepted that the proposed density is compatible.

(b) *provides for a significant social or community housing benefit*

The proposal is for three dwellings in the higher end of the market. There is no suggestion that these dwellings provide a significant social or community housing benefit, notwithstanding their proximity to public transport and commercial business.

Having complied with (a), there is no requirement to address (b).

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

10.4.2 Setbacks and building envelope for all dwellings

<p>Objective: To control the siting and scale of dwellings to:</p> <ul style="list-style-type: none"> (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.
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.
<p>Complies The site is an internal lot. Garages will be contained within the proposed dwelling footprints.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

<p>Relies on Performance Criteria</p> <p>The proposed development breaches the prescribed building envelope in that:</p> <p>(a)(i) setback from the rear boundary of lot 1 (being the lot with an adjoining frontage) is 0.9m rather than the prescribed 4.5m;</p> <p>(a)(ii) the dining rooms and deck screening on the north-western side of the proposed dwellings project beyond the building envelope. The setback to the rear boundary ranges between 3.0m and 3.4m, rather than the prescribed 4.0m.</p>
<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
<p>Does Not Comply</p> <p>It is relevant to note that the Tribunal has determined that the degree of non-compliance with the acceptable solution has no bearing on the assessment against the performance criteria. Similarly, the fact that it could be worse, should not be seen as a mitigating factor.</p> <p>The representors assert that the siting and scale of the proposed dwellings will cause unreasonable loss of amenity through:</p> <ul style="list-style-type: none"> • overshadowing, particularly of the private open space of 56 Mulgrave and 3 Eardley Streets; and • visual impact caused by the bulk, scale and proximity to boundaries. The proposed break-up of building materials and finishes does not adequately reduce this impact on adjoining residents. <p>The applicants assert:</p> <ul style="list-style-type: none"> • <i>the garden buffer to the north will provide softening to the northern boundary reducing the visual impacts;</i> • <i>the proposed dwellings have been designed to provide variable shapes and finishes when viewed from the neighbouring property. The break-up of materials and forms and no tall vertical walls to the boundary of a solid nature, reducing the scale of the dwelling to the neighbouring sites;</i> • <i>56 Mulgrave; with the positioning of the current dwelling on the site 'self' overshadowing throughout the morning occurs. This development starts to overshadow the Private Open Space (POS) from 11.00am with significant overshadowing not taking place until 2.00pm in the winter months.</i> • <i>3 Eardley Street; Overshadowing occurs to the rear of the site where it is considered their private open space in the worst case scenario and only occurs with a portion of the winter months.</i>

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At issue is the determination of whether or not these impacts may cause an unreasonable loss of amenity to the neighbours.

- (i) There will be no reduction in sunlight to habitable rooms;
- (ii) Overshadowing of the private open space of 3 Eardley Street in mid-winter will be significant in the early mornings and diminish throughout the day. The residents note that they often enjoy morning coffee in this area and this will be adversely impacted by overshadowing. It is noted that 3 Eardley Street also has a front verandah, which, although not 'private', is suited to take advantage of morning sun in winter, nevertheless the representors advise that they prefer to sit in the rear yard and this enjoyment will be diminished.

Overshadowing of the ground level private open space, including the children's sand pit, at 56 Mulgrave Street will start in the late morning and increase throughout the day to impact the upper deck by mid-afternoon. Whilst the applicants suggest that the overshadowing from the representor's own house throughout the morning is a mitigating factor, in reality it compounds the impact of shadowing from this development and demonstrates that a significant component of this POS is impacted at any point of the day. Effectively, at least half the rear yard will be shadowed nearly all day.

The scheme provides no specific guidance on what might constitute unreasonable. However, at clause 10.4.4(b), dealing with overshadowing of dwellings on the same lot, maintaining three hours of sunlight to 50% of the POS between 9.00am and 3.00pm meets the acceptable solution. Extrapolating from this, it is clear that some 50% of the POS at 56 Mulgrave Street receives more than three hours of sunlight. However, this is not a constant section of the yard and given that play equipment and outdoor furniture cannot reasonably be moved to follow the sun, the impact on amenity could be viewed as unreasonable.

- (iii) There is no adjoining vacant land;
- (iv) The visual impact of the bulk and scale of the proposed dwellings will be significant when viewed from the POS of 1 and 3 Eardley and from unit 3 at 52 Mulgrave Street. Perhaps the most significant impact will be on 1 Eardley Street, where the rear yard is clearly used as POS with an outlook over an undeveloped lot changing to a vertical slat balustrade screen rising 3m above and 1m beyond the rear fence, with the balance of the building a further 3m above the screen. The screen is proposed to be 25% transparent, and this is likely to result in all movement being noticeable and the users of the yard at 1 Eardley Street having no sense of privacy.

The bulk of the building is likely to be intrusive. A significant section of the screen wall and the building behind will protrude beyond the acceptable solution building envelope and the overall impact of the large slat screening, with additional bulk behind, is not considered to be minor. The representor's description of this as 'looming' and intruding on privacy is considered a reasonable assessment of the likely impact.

Replacing the visual bulk of the slat screening with a 'softer' screen of opaque glass or

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perhaps some louvre type screening against the windows may reduce that sense of 'looming'. This has been discussed with both the applicant and the representor. Whilst the applicant was keen to investigate such minor changes, the effect of these has not sufficiently reduced the likely adverse impact and sense of 'looming'.

The proposed buildings are considered to be too large and too close to the boundary for mitigating measures to adequately resolve the loss of amenity to the neighbours.

10.4.3 Site coverage and private open space for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; and (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is integrated with the living areas of the dwelling; and (d) private open space that has access to sunlight.
<p>Consistent The proposed dwellings provide for the likely outdoor needs of the residents, including gardens and private open space integrated with the living areas.</p>
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m 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.
<p>Relies on Performance Criteria</p> <ul style="list-style-type: none"> (a) The proposed dwellings have an apparent site coverage of 341m², which, on an 866m² lot, represents a site coverage of around 34%. However, the scheme defines site coverage to be the proportion of a site (excluding any access strip) covered by roofed buildings. Site coverage then becomes 52% and performance criteria are relied upon. (b) Dwellings one and two have 58.7m² and 48.7m² of POS respectively and rely upon performance criteria. (c) 26% of the site remains pervious.
<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (b) reasonable space for the planting of gardens and landscaping.

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<p>Complies All three dwellings are provided with two distinct outdoor areas for recreation, dining, clothes drying, gardens or storage. Whilst the 60m², required by the acceptable solution, is not provided for dwellings one and two, it is considered that appropriate space is provided to meet the likely expectations of residents. It is also noted that Coronation Park is less than 100m away to provide for any more active recreational activities.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 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.
<p>Relies on Performance Criteria Whilst the dwellings are provided with adequate POS, the area meeting the required 4m dimension is not directly accessible from a habitable room other than a bedroom.</p>
<p>P2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) conveniently located in relation to a living area of the dwelling; and (ii) orientated to take advantage of sunlight.
<p>Complies The dwellings all provide an upstairs deck capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. The decks are orientated to the north-west and take advantage of sunlight.</p>

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (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.
<p>Consistent The dwellings are orientated to take advantage of sunlight and do not unreasonably restrict sunlight to each other or to their private open space.</p>
<p>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).</p>
<p>Relies on Performance Criteria The dwellings are aligned to the boundary and do not fall within the prescribed range.</p>
<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>Complies The dwellings are aligned with the boundary and the decks and living room windows face north-west and allow direct sunlight to enter the living and dining rooms of each dwelling.</p>

10.4.6 Privacy for all dwellings

<p>Objective: To provide reasonable opportunity for privacy for dwellings.</p>
<p>Consistent The proposal has addressed privacy issues through the following acceptable solutions.</p>
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 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:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.

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<p>Complies It is proposed to install a 1.8m high fixed screen, with a uniform transparency of no more than 25%, around the decks of each dwelling that face the north western boundary</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): (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (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 (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. (b) The window or glazed door: <ul style="list-style-type: none"> (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 (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 (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%. </p>
<p>Complies In their response to the representations, the applicants advise that the windows on the first floor of the south west wall of dwelling three shall have fixed opaque glazing.</p>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level. </p>
<p>Complies Habitable rooms on the ground floor are located behind the internal garage.</p>

10.4.8 Waste storage for multiple dwellings

<p>Objective: To provide for the storage of waste and recycling bins for multiple dwellings.</p>
<p>Consistent Bin storage is proposed at the southern end of the driveway.</p>

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A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:

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

Complies

A communal storage area is proposed at the southern end of the driveway.

10.4.9 Site facilities for multiple dwellings

Objective:
To provide adequate site and storage facilities for multiple dwellings.

Consistent

Each dwelling is provided with storage within the garage.

A1 Each multiple dwelling must have access to 6 cubic metres of secure storage space not located between the primary frontage and the facade of a dwelling.

Complies

Each dwelling is provided with a minimum of 6m³ secure storage within the garage.

A2 Mailboxes must be provided at the frontage.

Complies

Mailboxes are proposed in a landscape area at the frontage.

10.4.10 Common property for multiple dwellings

Objective:
To ensure that common areas are easily identified.

Consistent

The common area is clearly identified.

A1 Site drawings must clearly delineate private and common areas, including:

- (a) driveways;
- (b) parking spaces, including visitor parking spaces;
- (c) landscaping and gardens;
- (d) mailboxes; and
- (e) storage for waste and recycling bins.

Complies

Revised plan number 01 shows the proposed visitor car park and plan number 05 delineates the proposed common area, including the visitor car park.

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10.4.11 Outbuildings, swimming pools and fences

Objective: To ensure that: (a) outbuildings, swimming pools and fences: (i) do not detract from the character of the surrounding area; and (ii) are appropriate to the site and respect the amenity of neighbouring lots; (b) dwellings remain the dominant built form.
Consistent No outbuildings or swimming pools are proposed. Boundary fencing will be conditioned. A3 Fences must be no higher than 2.1m on a side or rear boundary adjoining a public reserve.
Complies A standard condition regarding boundary fencing to 1.8m will be applied.

10.4.12 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 A site cut and fill plan, including retaining walls to the northern and eastern boundary and between dwellings one and two is provided.
A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must: (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
Relies on Performance Criteria The cut and fill plan indicates that there will be cut and retaining walls in excess of 1m located within 900mm of the side boundary. It is also apparent that the driveway will include fill in excess of 600mm at the southern side 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.

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Complies
 The proposed earth works will not have an adverse impact on the adjoining properties. Effectively the proposed cut and corresponding retaining walls will serve to lower the overall height of the proposed dwellings on the northern boundary of the site.

The proposed fill on the southern boundary will provide for a driveway at a reasonable slope and will have no significant impact on the adjoining dwelling.

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 proposed parking addresses the applicable acceptable solutions and performance criteria.

A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.

Complies
 There are no habitable room windows within 1.5m of the shared driveway or carpark.

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

Relies on Performance Criteria
 Following consideration of the representations, the applicants propose a visitor car parking space within the access strip, adjacent to the existing dwelling on lot 1.

P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to:

- (a) the visual impact of the car parking location viewed from the road;
- (b) access for users of the site;
- (c) pedestrian and vehicular traffic safety;
- (d) the nature and characteristics of the street;
- (e) the need for the location;
- (f) any landscaping of the car parking or turning area location; and
- (g) construction methods and pavement types.

Complies
 The proposed visitor car park in the access strip is set back behind the building line of the adjacent buildings and will have no visual impact to or from the street.

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10.4.15 Lot size and dimensions

Objective: To ensure the area and dimensions of lots are appropriate for the intended use of the lots.
Consistent The proposal is to adjust the boundaries of the two existing lots to provide for the proposed multiple residential development of lot 2. No additional titles are created.
A1.1 Each lot, or a lot proposed in a plan of subdivision, must: (a) have a minimum area of no less than 500m ² ; and (b) be able to contain a rectangle measuring 10m by 15m; or
A1.2 Each lot, or a lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and
A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.
Relies on Performance Criteria Proposed lot 1 is to be reduced from 513m ² to 325m ² .

10.4.16 Frontage and access

Objective: To ensure that lots provide: (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.
Consistent Lot frontage will not change.
A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.
Complies Each lot has in excess of 3.6m frontage.

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to: (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
Consistent The proposed development is exempt from the provisions of this code in accordance with clause E2.4.3 as a report by a suitably qualified person has confirmed that potentially contaminating activities did not impact the site.

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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

An appropriate level of car parking is provided, including the addition of a visitor parking space following review of the representations.

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

Each dwelling is provided with a double garage and a visitor car parking space is proposed in the access strip.

- 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 code requires two car parking spaces per dwelling and one visitor parking space. These are provided.

E6.6 Development Standards

E6.6.1 Construction of parking areas

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

Consistent

Parking areas are constructed to an appropriate standard in accordance with the relevant acceptable solutions.

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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
A formed, paved and drained driveway is proposed with a gradient of less than 10%.

E6.6.2 Design and layout of parking areas

Objective:
To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.

Consistent
The parking areas provide safe and efficient parking.

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

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

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

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

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

Complies
The internal garages, visitor parking, driveway and manoeuvring area provide safe, convenient and efficient parking in accordance with the acceptable solution.

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2018/00350-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 2 May to 16 May 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	COMMENT
Height of the proposed buildings, overlooking 56A Mulgrave Street.	The proposed dwellings are within the prescribed building envelope when measured from the southern boundary and are set back some seven metres. There is no capacity to consider this issue.
Increased traffic from additional dwellings.	Mulgrave Street is a significant collector road and a projected extra 27 daily movements from this site is well within the capacity of the road. Infrastructure Services did not require the provision of a Traffic Impact Assessment.

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ISSUE	COMMENT
Increased noise from the additional dwellings and the decks close to the adjoining boundary.	The dwellings are a residential use in a residential area. Normal residential noise is expected and considered reasonable in such a residential area.
Mulgrave Street is busy with on-street parking taken early in the day. There is no visitor parking provided on site.	Following consideration of the issues raised in the representations, the applicants propose a visitor car park be located in the access strip adjacent to lot 1. One visitor car parking space satisfies the relevant acceptable solution of the code.
The proposed density does not meet the scheme requirements and there are no comparable two storey examples in the area. May affect land values.	The applicants have relied upon the performance criteria and highlight that the density provisions deal with the site area and not whether the dwellings are single or double storey. They have demonstrated that there are many examples within the surrounding area of multiple dwelling developments requiring a relaxation of the density standard. They assert the proposal is a modern design at a density compatible with the area.
Two dwellings, rather than three, is still an increased return for the developer and could be more manageable.	Undoubtedly, two dwellings could be developed on the site with a lesser impact on the neighbours, however, the application is for three dwellings.
Privacy and setbacks. Dwellings 2 and 3 are too close to the boundary with decks being setback only some 0.6m. The adequacy of the proposed screening is a concern and some windows are not covered. Both decks overlook the Private Open Space at 1 Eardley Street.	Following consideration of the issues raised in the representations, the applicants propose to extend the 1.8m high screening (vertical slats with 25% transparency) the full width of each dwelling. This complies with the acceptable solution and meets one representor's request for dwelling 2 to be screened the same as dwelling 3. However, the bulk of this solution is likely to raise other concerns.

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

ISSUE	COMMENT
<p>Visual impact of dwellings 2 and 3. They are very close to the boundary and will loom over the rear boundary and garden of 1 Eardley Street. The proposition that the break-up of materials and forms will reduce the impact lacks credibility.</p>	<p>The proposed buildings are substantial and are located close to the representor's boundary. Whilst it appears that only a relatively small portion of the dining rooms and balustrades breach the building envelope, the potential impact remains substantial. Following consideration of the representations, the applicants proposed to increase the height and width of the screening. This solution increases the sense of bulk and impact on the adjoining property and unreasonably detracts from their residential amenity. Further discussion was held with the applicants and the representor to consider possible mitigation measures. However, no solution was reached to resolve the impact on the residential amenity of the adjoining neighbours.</p>
<p>Object to the removal of the magnificent mature walnut tree.</p>	<p>There is no specific capacity to prevent the removal of the tree incidental to another development.</p>
<p>Loss of amenity to the rear of 3 Eardley Street.</p>	<p>As discussed previously in the report, dwelling 3 will cast a morning shadow into the rear yard of 3 Eardley Street, where there is an existing outdoor dining area. The representor asserts that their enjoyment of morning coffee in that area will be unreasonably impacted by the loss of morning sunlight in winter. The overshadowing will have an impact on the resident's amenity, albeit only for early to mid-morning.</p>
<p>Loss of privacy due to the height and overlooking into the rear yard of 3 Eardley Street.</p>	<p>Potential overlooking from the windows on the western wall of dwelling 3 has been resolved by the proposal to affix opaque glass to the upper level windows on this wall.</p>

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

ISSUE	COMMENT
Overshadowing of backyard at 56 Mulgrave Street.	As discussed previously in the report, the overshadowing onto the rear yard of 56 Mulgrave Street will be significant. When considered in conjunction with the existing overshadowing from the dwelling on site, the result is that most of the yard is subjected to shadowing for half the day in mid-winter as the house shadow moves away and is later replaced by the shadow from the proposed dwellings. The impact on the children's play equipment, which cannot be readily moved, is considered by the residents to be unreasonable. Whilst application of similar standards may suggest that 50% of the yard receiving sunlight for not less than three hours is reasonable, the variable nature of the area receiving sunlight is considered by the representors to be an unreasonable impact.
Driveway earthworks - The land slopes towards 56 Mulgrave Street and there are no detailed plans addressing cut and fill or retaining walls adjacent to the boundary.	The proposal plans include a cut and fill drawing which suggests some fill along the southern boundary. Engineering plans will be required at the time of construction, if the proposal is approved, to ensure there is no off-site impact.
Boundary fence - the fence adjoining 52 Mulgrave Street should be replaced before the works commence to maintain privacy and minimise disruption. The palings should be on the northern side as is currently the case.	This can be addressed through an appropriate condition.

6. CONCLUSION

Subject to the proposed recommendation conditions, it is considered that the proposal be recommended for refusal.

ECONOMIC IMPACT:

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

8.2 54 Mulgrave Street, South Launceston - Subdivide and Adhere Land; and Construction of Three Additional Dwellings ...(Cont'd)

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Plan (distributed electronically)
 2. Advertised Plans (distributed electronically)
 3. Amended Plans and Response to Representations (distributed electronically)
 4. TasWater SPAN (distributed electronically)
 5. Representations (distributed electronically)
-

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Monday 18 June 2018

- Officiated at the 2018 AFL National Inclusion Carnival welcome function at UTAS Stadium

Tuesday 21 June 2018

- Attended the Pitch Night for the Australian-first WE CAN Self Employment Accelerator at St Giles Society

Friday 22 June 2018

- Attended the Propel Pitch and closing celebration at Cowork, Launceston

Saturday 23 June 2018

- Officiated at the 2019 Operation Christmas Child *Love in a Box* launch at Punchbowl Christian Centre
- Attended the President's Function and Hawthorn versus Gold Coast AFL match at UTAS Stadium

Sunday 24 June 2018

- Attended the Tamar Rowing Club official opening (of remodelled facilities) at the Tamar Rowing Club
- Officiated at the farewell for Pat Wellington from Launceston Horticultural at St Catherine's Hall

Tuesday 26 June 2018

- Attended the KBee launch celebrating 12 months at 275 Invermay Road, Invermay

Thursday 28 June 2018

- Officiated at the farewell function for Richard Mulvaney at Town Hall

Sunday 1 July 2018

- Attended the official launch of the 9.0m Naiad Rescue Vessel
-

10 ALDERMEN'S REPORTS

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

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

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Launceston Access Advisory Committee Report - 6 June 2018****FILE NO:** SF0025**AUTHOR:** Sarah McCormack (Community Development Project Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Launceston Access Advisory Committee Meeting held on 6 June 2018.

RECOMMENDATION:

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 6 June 2018.

REPORT:

The Launceston Access Advisory Committee held its regular Meeting on 6 June 2018.

The Committee was updated on the following:

- Committee members were consulted about the City of Launceston's On Street Dining Policy and Guidelines.
- The Liveable Communities Grants Program 2017/2018 Walkability Project. Stage 1 of the maps has been completed focusing on public seating, public toilets and location of services. Current work is being undertaken on Stage 2 of the project.
- Brent Phillips, Director, Language, Partnerships and Innovation Vicdeaf visited the City of Launceston and provided an update on the Auslan interpreting services.
- The City of Launceston will have a dedicated budget in 2018/2019 for improving bus stops and will be working with Metro to identify which stops need to be prioritised.
- The construction of the Civic Square, Brisbane Street Mall and the Launceston General Hospital pedestrian crossing.
- St Leonards Village Plan project.

ECONOMIC IMPACT:

Not considered relevant to this report.

12.1 Launceston Access Advisory Committee Report - 6 June 2018 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 3 - A city in touch with its region

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

Key Direction -

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

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities.

Greater Launceston Plan Direction

To develop a socially inclusive Launceston where people feel valued, their differences are respected and their basic needs are met so they can live with dignity.

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

12.2 Municipal Emergency Management Committee Meeting - 21 June 2018**FILE NO:** SF3177**AUTHOR:** Bev Allen (Municipal Emergency Management Coordinator)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

RECOMMENDATION:

That, Council receives the report from the Municipal Emergency Management Committee Meeting held on 21 June 2018.

REPORT:

The Meeting of the Municipal Emergency Management Committee held on 21 June 2018 discussed:

1. Member reports - Members provided a verbal update on their activities.
2. Flood Exercise - The State Emergency Service advised that a desktop flood exercise will be scheduled in the coming weeks with key agencies requested to participate.
3. Launceston General Hospital (LGH) and Ambulance Tasmania will be participating in the regional airport exercise 4 July 2018. Members will be invited to attend as observers at the LGH component of the exercise.
4. The Municipal Emergency Management Plan is currently with the State Commissioner for approval and sign off.
5. Presentation from Tracey Mallett, Social Recovery Coordinator on Victorian Bushfire experience.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**12.2 Municipal Emergency Management Committee Meeting - 21 June 2018
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

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

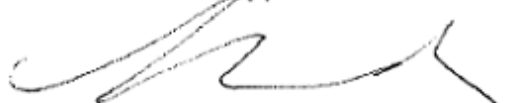
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 25 June 2018 were:

- Youth Engagement Framework Review
- Amalgamation/Resource Sharing
- Inveresk Master Planning
- Aldermens' Rooms Upgrade
- Queen Victoria Museum and Art Gallery Feasibility Study and Cultural Strategy
- General Manager's Update

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Concessional Entry to Council's Waste Disposal Facilities

FILE NO: SF0628

AUTHOR: Jess Nesbit (Waste and Environment Officer)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To determine the value of concessions to approved charitable organisations for waste disposal to the Launceston Waste Centre for the 2018/2019 financial year.

PREVIOUS COUNCIL CONSIDERATION:

Council - 26 June 2017 - Agenda 18.8 - Concessional Entry to Council's Waste Disposal Facilities - to determine the value of concessions for 2017/2018

RECOMMENDATION:

That Council, in respect of clause 4(e) of the *Concessional Entry to Council's Waste Disposal Facilities* policy (12-PI-014), approves the organisations and concessional entry values for the financial year 2018/2019, as shown below.

Organisation Name	2018/2019 Recommendation
Connections Op Shop Inc.	\$280.00
Door of Hope Christian Church	\$1,000.00
Launceston Benevolent Society Inc.	\$450.00
Launceston City Mission	\$14,300.00
Launceston Legacy Inc.	\$75.00
Lions Club of Kings Meadows	\$125.00
New Horizons Club Inc.	\$320.00
Northern Occupational Support Service - Bluegum	\$830.00
PCYC	\$50.00
RSPCA Tasmania (Launceston Branch)	\$260.00
Salvos Stores	\$600.00
Self-help Workplace	\$2,300.00

18.1 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Organisation Name	2018/2019 Recommendation
St Michaels Association	\$650.00
St Vincent de Paul Society	\$4,400.00
Veterans Support Group	\$480.00
Shekinah House Inc.	\$240.00
Student Works	\$640.00
TOTAL	\$27,000.00

REPORT:

Introduction

This is the ninth year that the Council has advertised and received applications for *Concessional Entry to Waste Disposal Facilities*. Advertisements were placed in *The Examiner* on the 28 April 2018, 5 May 2018, 12 May 2018 and 19 May 2018. Application forms were also forwarded to approved 2017/2018 concessional entry holders. The application period was open for four weeks.

The proposed budget amount for 2018/2019 is \$38,183 and has decreased from \$39,867 in 2017/2018.

Policy Details

The policy requires organisations to meet eligibility requirements in order to be deemed 'charitable' and to be considered for a subsidy to offset waste disposal charges at the Launceston Waste Centre by up to 80%. The charitable requirements can be satisfied in one of two ways - either by providing an ATO Exemption Certificate or by proving community and charitable benefit. Table 1 shows the applications received, together with their nominated subsidy. Each of the charities listed meets the charitable requirements required by the Council.

The assessment was completed by Waste Management Officers, Rachael Eberhardt and Jess Nesbit, and endorsed by the Community Grants Committee on 7 June 2018

Application Assessment

The first step in the assessment process was to confirm each organisation's 'charitable' status against the two eligibility requirements. The policy automatically accepts organisations where an ATO Exemption Certificate is provided. This certificate also needs to comply with the public benevolent institution classification.

18.1 Concessional Entry to Council's Waste Disposal Facilities ...(Cont'd)

Organisations claiming the alternative eligibility are required to provide proof of community good and community benefit. All organisations must be non-government. Additionally, the Australian Charities and Not-for-profits Commission (www.acnc.gov.au) was used to verify the status of several organisations.

The Committee considered the reasonableness of the claims for the financial year 2018/2019 based on the previous history of the organisation and the percentage of the approved claim used in 2017/2018. All applicants must have submitted a detailed waste reduction plan to be considered for a subsidy. In this section organisations were required to write a statement addressing what measures were already being used to prevent waste going into landfill and what was planned in the next 12 months for improvement. This criterion was assessed by two staff from waste management and given a rating out of 4. This rating helped determine the recommendation and identified which charities could be assisted with helping to reduce waste to landfill further. Seven organisations did not meet the requirements of section 4, question 3 of the application form. These organisations were contacted and asked to re-submit their waste management plan before the subsidy would be released to them, this has since been rectified.

The Council has also identified organisations that would benefit from a FOGO service. Those organisations will be contacted later in the year to apply for a waste minimisation grant funded by the Northern Tasmanian Waste Management Group to seek funding for a commercial FOGO service. New Horizons Club requested additional funds due to excess waste as a result of upcoming renovations. The committee recommends endorsing the higher amount this year but notes in their letter that next year their subsidy application will be based on 80% spend of 2017/2018 not 2018/2019.

Detailed data of the organisations historical usage of the concessional subsidy is outlined in Table 1. This year's budget was \$38,183.00, the total recommended subsidies for the 2018/2019 financial year is \$27,000.00 which leaves a surplus of \$11,183.00 in the remission's budget.

As approved at the 23 April 2018 Council Meeting, no charitable organisation will receive a subsidy any more than 80% of their annual waste management fees incurred during the previous 12 months. This is to encourage these organisations to further improve waste management practices. At the end of each financial year successful charities must provide a brief report on the effectiveness of their waste reduction activities.

Table 1: Applicant's Historical Usage of the Concessional Subsidy

Proposed Concessional Entry To LWC 2018/2019												
Organisation Name	Value Approved 15/16	Value Spent 15/16	% Spent	Value Approved 16/17	Value Spent 16/17	% Spent	Value Approved 17/18	Value Spent 17/18 (as of 31 May 18)	% Spent	Value Sought 18/19	Value Proposed (80% of 17/18 spend)	Committee Recommendations 18/19
Connections Op Shop Inc	\$350.00	\$520.41	148.69%	\$400.00	\$268.74	67.19%	\$300.00	\$346.38	115.46%	\$300.00	\$277.10	\$280.00
Door of Hope Christian Church	\$800.00	\$979.73	122.47%	\$800.00	\$1,620.28	202.54%	\$900.00	\$1,272.37	141.37%	\$1,000.00	\$1,017.90	\$1,000.00
Launceston Benevolent Society Inc	\$400.00	\$449.88	112.47%	\$400.00	\$662.00	165.50%	\$500.00	\$561.33	112.27%	\$700.00	\$449.06	\$450.00
Launceston City Mission	\$18,000.00	\$23,888.84	132.72%	\$19,000.00	\$19,482.63	102.54%	\$19,000.00	\$17,926.72	94.35%	\$24,000.00	\$14,341.38	\$14,300.00
Launceston Legacy Inc	\$75.00	\$133.42	177.89%	\$120.00	\$84.73	70.61%	\$120.00	\$93.77	78.14%	\$150.00	\$75.02	\$75.00
Lions Club of Kings Meadows	\$100.00	\$146.35	146.35%	\$150.00	\$55.02	36.68%	\$100.00	\$158.71	158.71%	\$150.00	\$126.97	\$125.00
New Horizons Club Inc	\$75.00	\$91.48	121.97%	\$110.00	\$44.20	40.18%	\$100.00	\$68.13	68.13%	\$400.00	\$54.50	\$320.00
Northern Occupational Support Service - Bluegum	\$2,000.00	\$1,965.63	98.28%	\$1,800.00	\$677.35	37.63%	\$1,000.00	\$1,036.46	103.65%	\$1,500.00	\$829.17	\$830.00
PCYC	\$150.00	\$186.54	124.36%	N/A	N/A	N/A	\$150.00	\$59.95	39.97%	\$200.00	\$47.96	\$50.00
RSPCA Tasmania (Launceston Branch)	\$1,100.00	\$335.01	30.46%	\$550.00	\$514.48	93.54%	\$700.00	\$323.07	46.15%	\$500.00	\$258.46	\$260.00
Salvos Store	\$2,800.00	\$1,220.09	43.57%	\$1,300.00	\$792.65	60.97%	\$1,000.00	\$755.51	75.55%	\$2,000.00	\$604.41	\$600.00
SelfHelp Workplace	\$4,000.00	\$5,847.87	146.20%	\$4,200.00	\$4,875.04	116.07%	\$4,500.00	\$2,826.81	62.82%	\$4,200.00	\$2,261.45	\$2,300.00
St Michaels Association	\$500.00	\$830.92	166.18%	\$900.00	\$855.16	95.02%	\$900.00	\$818.99	91.00%	\$2,000.00	\$655.19	\$650.00
St Vincent de Paul Society	\$4,000.00	\$4,173.74	104.34%	\$3,500.00	\$3,494.53	99.84%	\$3,500.00	\$5,423.18	154.95%	\$5,900.00	\$4,338.54	\$4,400.00
Veterans Support Group	\$500.00	\$581.76	116.35%	\$500.00	\$639.11	127.82%	\$500.00	\$601.26	120.25%	\$500.00	\$481.01	\$480.00
Shekinah House Inc	N/A	N/A	N/A	N/A	N/A	N/A	\$300.00	\$0.00	0.00%	\$500.00	\$240.00	\$240.00
Student Works	N/A	N/A	N/A	N/A	N/A	N/A	\$800.00	\$0.00	0.00%	\$1,000.00	\$640.00	\$640.00
TOTAL	\$34,850.00	\$41,351.67		\$33,730.00	\$34,065.92		\$34,370.00	\$32,272.64			\$26,698.11	\$27,000.00
BUDGET	\$36,697.00	\$36,697.00		\$36,880.00	\$36,880.00		\$39,867.00	\$36,867.00			\$38,183.00	\$38,183.00
SURPLUS	\$1,847.00	-\$4,654.67		\$3,150.00	\$2,814.08		\$5,497.00	\$4,594.36			\$11,484.89	\$11,183.00

ECONOMIC IMPACT:

Economic benefit to the organisations as less money is spent on waste fees allowing the organisations to use the money saved on tip fees to support community programs

ENVIRONMENTAL IMPACT:

By encouraging people to reduce their waste the Council is preventing harmful methane gas entering the atmosphere and the creation of leachate which is harmful to human health is minimised. The Council is also saving valuable resources such as precious metals from being lost to landfill.

SOCIAL IMPACT:

The policy treats concessions to charitable organisations as a Community Service Obligation. The fabric of the community is enhanced by the charitable and benevolent work of these organisations.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
3. To ensure decisions are made on the basis of accurate and relevant information

BUDGET & FINANCIAL ASPECTS:

The budget for 2018/2019 provides an allowance of \$38,183.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

18.2 North Bank Renaming**FILE NO:** SF6578**AUTHOR:** Megan Brown (Engagement Project Officer Infrastructure Services)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a name for the North Bank park space off Lindsay Street.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 18 June 2018 - North Bank Renaming

RECOMMENDATION:

That Council recommends to the Nomenclature Board of Tasmania, the name for the park off Lindsay Street, be Riverbend Park.

REPORT:**Background**

Under section 20D of the *Survey Co-ordination Act 1944*, a function of the Nomenclature Board of Tasmania is to assign a name to any place in the state of Tasmania. Under this legislation place includes other topographical feature, which means the allocation of any name for a park must be referred to the Nomenclature Board for approval.

To eliminate any confusion with the street name North Bank at Trevallyn, members of the public were invited to make submissions for an alternative name for the area unofficially known as North Bank.

Over 160 contributions to the online *Your Voice, Your Launceston* consultation - *Give North Bank a Name*, were received.

A working group of council officers considered the Nomenclature Boards *Rules for Place Names in Tasmania* in order to come up with a recommended priority list.

18.2 North Bank Renaming ...(Cont'd)

Three names were shortlisted which included:

1. River Bend

No supporting reason supplied, however, the Park is on a bend in the river and fits the criteria of the name providing a link with the location.

2. Three Rivers Park

No supporting reason supplied, however, the Park is close to where the water from three Rivers - the River Tamar, the North Esk and the South Esk meet and this may make it a suitable name by providing a link with location. Some people may suggest technically the River Tamar is an estuary and the park is only at the meeting point where water from three rivers meet in limited circumstance eg. flood conditions.

There were suggestions of Confluence Park but the internal Council committee preferred the Three Rivers Park suggestion.

3. Lettermairrener Park

The Queen Victoria Museum and Art Gallery Aboriginal Reference Group advised the general area was first occupied by the Lettermairrener people. Whilst the Lettermairrener clan lived in this area, the land the development is occurring on is actually reclaimed land.

In relation to the three names shortlisted for the Council's consideration, Julian Gill from Land Tasmania has provided the following comments with reference to the Nomenclature Board's *Rules for Place Names in Tasmania*.

River Bend

Similarities with Riverbend Drive and Riverbend Road in Devonport and Kingborough respectively. I would imagine Board preference would be for Riverbend to be one word to reduce chance of confusion. Otherwise I don't see any reason for the Board not to accept the name.

Three Rivers Park

Similarities with Three Rivers Creek in King Island and several unofficial Three Rivers names. Otherwise I don't see any reason for the Board not to accept the name.

Lettermairrener Park

I would expect the Board would require extensive consultation with the Aboriginal community and require evidence of support from the Aboriginal and greater community. Whether or not this fits under the Aboriginal and Dual Naming Policy that is under review would also need more thorough investigation and advice.

There are a number of areas that may cause issues in respect to Aboriginal naming without the full support of the Aboriginal communities.

18.2 North Bank Renaming ...(Cont'd)

It is also worth noting that the current Aboriginal and Dual Naming Policy is under review and as such any decision on Aboriginal naming is currently deferred by the Nomenclature Board until such time as a decision is made from the review process.

As I understand, the Aboriginal and Dual Naming Policy refers specifically to the naming of natural topographic features and the park you are attempting to name wouldn't come under this category, it is more a community facility name as I see it. Aboriginal names are preferred not to be assigned to man-made features.

Examples of other names suggested include:

<p>Errol Stewart Park Errol Court Stewart's Point Stewart Bank Stewart/Chromy Precinct Ricky Ponting Park</p>	<p>According to the Nomenclature Board Placenames Guidelines, names for geographic features commemorating a person should only be assigned posthumously. The person being commemorated should have had a direct and long-term association (over 10 years) with the location or have made a significant contribution to the area.</p>
<p>Ponrabel park Kanamaluka Park Bukmak Park Palawa Memorial Park Lakekeller Mangana Park Lakekeller Park Loongana park Panninher Park Malawa Park</p>	<p>The Queen Victoria Museum and Art Gallery Aboriginal Reference Group has advised that these Aboriginal naming suggestions are technically incorrect.</p>
<p>Silo Bend Silo Cove Silo Park Silo Point Silos Diversity</p>	<p>Too close to the name of the Silo Hotel private development next door.</p>
<p>Granary Park Grain Point</p>	<p>Too close to the name of the restaurant in the Silo Hotel private development next door.</p>
<p>Eskapade @ The Embankment Banky McBankface Parky McParkface</p>	<p>According to the Nomenclature Boards <i>Rules for Place Names in Tasmania</i>, things to avoid include, corrupted words of Australian English.</p>

A full list of the names submitted is provided in Attachment 2.

18.2 North Bank Renaming ...(Cont'd)

A working group of council officers reviewed the submissions and considered the Nomenclature Boards *Rules for Place Names in Tasmania*. A recommendation was referred to a pre-Council Workshop held on 18 June 2018. Aldermen present at the Workshop indicated a preference for the name Riverbend.

Given that officers of Land Tasmania have indicated the name Riverbend is used in two other locations, from an emergency management point of view, it is recommended that the generic park classification be included within the name. Therefore, the name recommended to be referred to the Nomenclature Board for approval is Riverbend Park.

ECONOMIC IMPACT:

A high quality public play space close to the CBD with links to major attractions is an essential part of attracting visitors and people to the Launceston region. It is important that the name chosen gives the park a clearly identifiable image that enhances the marketability of Launceston as a destination.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

The aim of this park is to deliver to the community Tasmania's best play space facility, offering a family friendly environment including all accessibility play items. It is important that the name chosen gives the park a clearly identifiable image that provides a sense of place for the local community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

Ten-year goal - To promote Launceston as a unique place to live, work, study and play

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
4. To promote Launceston's rich heritage and natural environment
6. To promote active and healthy lifestyles

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

18.2 North Bank Renaming ...(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.



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Map Showing the Location of Riverbend Park
 2. List of Names Submitted.
-

Attachment 1 - Map Showing the Location of Riverbend Park



Attachment 2 - List of Names Submitted

Proposed Name	Reason (if given)
Abel Park	
Aquatic Park	In the proximity of a long-established rowing, dragonboat and kayak/canoe clubhouse. Situated on the banks of the Tamar and North Esk rivers. Opposite a marina and close to the wharf.
At (@) The Embankment	
Bain Reve Bain	Means future Reve - as in means dream. So a future dream.
Bankside Recreational Park	
Banky McBankface	
Barnard Family Park	After Charles and Lance Barnard - long serving members for Bass.
Batman Garden	
Boyd's Boardwalk	
Bukmak Park	Aboriginal word for everybody.
Cataract Point	
Cityscape	
Confluence Park	Located at the confluence of the north and south Esk.
Conflux Point	
Coogan's Fields	The Coogan's furniture factory was on the North Bank for many years and produced some of the finest furniture (especially blackwood) ever made in Australia.
Errol Court	
Errol Stewart Park	
Errol Stewart Reserve	
Errol's Landing	
Esk Bank	
Esk Park	
Esk Point	
Esk Riverfront	
Esk Rivers	
Eskapade	A play on the words Esk and escapade.
Eskuary Park	
Eskview Park	
Generation Park	It will be enjoyed by many generations to come by many generations of locals and the developments there have generated jobs.
Goodwin Park	After Vanessa Goodwin

<i>Proposed Name</i>	<i>Reason (if given)</i>
Grain Point	
Granary Park	I have chosen this name after coming up with alternative thesaurus definitions for "silo". I just thought that it suited the proposed location.
Gravity Falls	This name is clever and innovative, bringing a quirky twist and a one of a kind 'theme park feel' to the area!
Green North Bank	
Headwater Park	
Inveresk Parklands	
Joseph Thomas Barry Park	He was my great grandfather who according to trove newspaper articles was a long term bootmaker in Launceston but also a probation officer with St Vincent De Paul. The reports say he worked with the poor and would often collect the shoes and take them to his home at 23, Quarry Road Cataract Launceston. He would be up all hours mending them for the poor and deal very them back. He did it for free. As a probation officer he would often go with the children from the boys home to support them at court attendances. Sometimes it would be nice to acknowledge our unsung heroes and of course how proud I would be.
Junction Point	It's close to where three bodies of water meet.
Junction Promenade	
Kanamaluka Corner	
Kanamaluka Park	The Palawa Kani word for the Tamar.
Kanamaluka Parklands	
Kanamaluka Point	
Kanamaluka Promenade	
Kings Promenade at North Bank	
Kings Wharf Park	
Lakekeller Mangana Park	This is the Aboriginal name for the North Esk River and would pay tribute to Tasmania's first people.
Lakekeller Park	The aboriginal placename for the North Esk River.
Lancetown	
Launceston Cove	
Launceston Little Ones	
Launceston Promenade	

<i>Proposed Name</i>	<i>Reason (if given)</i>
Lettermairrener Point	In acknowledgement of the traditional owners of the land on which we've built and removing any colonial association.
Levee Point	
Loongana Park	The Aboriginal word meaning of to be swift or fly and the SS Loongana which travelled between Launceston and Melbourne.
Lush Green North Bank	
Mallawa Park	Mallawa is an Aboriginal word meaning 'flat country'.
New Ogilvie Park	Because it replaces the old Ogilvie Park in North Launceston and continues the Ogilvie name, which has been somewhat lost as a result of the redevelopment of the original park site.
Newpark	Because it replaces the old Ogilvie Park in North Launceston and continues the Ogilvie name, which has been somewhat lost as a result of the redevelopment of the original park site.
No Smoking Promenade	Tasmania needs to take a step towards becoming the first no-smoking state in Australia so we can become known as more 'healthier'. Hopefully with a name like this, smokers will feel marginalised and give up their disgusting habit.
North Bank	
North Bank Gardens	
North Bank Leisure Park	
North Bank Leisure Zone	
North Bank Lifestyle Park	Because everyone knows this area as North Bank so keep that in the name and hopefully this is just the start of more developments for a better lifestyle in Launceston to get people out and about and enjoying what our city has the offer.
North Bank Park	
North Bank Parklands	
North Bank Recreational Grounds	
North Banky McBoat Face	
North Esk Adventure Park	
North Esk Esplanade	
North Esk Nature Park	

<i>Proposed Name</i>	<i>Reason (if given)</i>
North Esk Recreation	Combines it's location of North Bank and the North Esk river.
North Park Launceston	
North Point	
North Seaport Boulevard	
North Shore	In recognition that the Tamar and mouth of the North Esk are estuaries and very much part of our connection to the sea. It is only a few decades back that this shore was critical to the development and vibrant economy of Launceston. The port and wharfs were key to Launceston connection to not only the rest of Australia but the rest of the world. By naming it North Shore will play a major role in retaining the historical importance of the sea to Launceston.
North Side	
OC Park (Ogilvie Community Park / Precinct)	
Ogilvie Park	You could re-use the name Ogilvie Park and move and incorporate the stone structure from the original park to an appropriate entrance in the new park. Many members of the public would have memories of the area bearing that name so I think it would be well received. The original gate (still standing) could be moved to the new park.
Osborne Park	Mayor in charge during 1929 floods.
Palawa Memorial Park	
Palawa Park	Palawa park to pay homage to the first people of tasmania. Palawa means tasmanian aboriginals and I feel they should be celebrated in this new development. CHECK
Panninher Park	At my school assembly they referred to the native people of the land around Launceston. I did some research and found out that they were called the Panninher people. The Panninher people were a tribal group of Tasmanian Aboriginals who lived in the Tamar area over 40,000 years ago. They were the original caretakers of land around Launceston and I think it would be appropriate to recognise the original owners of the land on which this park sits. Panninher Park also sounds like a welcoming place.

<i>Proposed Name</i>	<i>Reason (if given)</i>
Panninher Point	This seems to fit well given the Panninher clan were the traditional owners/custodians of this area. It also ties into the contemporary names of nearby establishments, as the Panninher people were also known as the Penny Royal Creek Tribe to the colonial settlers of this area.
Parky McPark Face	
Pascoes Promenade	
Paterson Park	After Launceston's founder, Lt. Col. William Paterson.
Patersonia	Initially the settlement was called Patersonia; however, Paterson later changed the name to Launceston in honour of the New South Wales Governor Captain Philip Gidley King.
Patersonia Parkland	Patersonia was the original name of Launceston it would be noice to reflect this in an area such as this.
Pattersonia Commons or Patterson's Common	As tribute to the earliest history of Launceston City and the settlement of the area by the British garrison lead by Lieutenant Colonel William Patterson in 1806. Let this exciting addition to the city stand as a true reflection of the very origins of our fair city and an excellent starting point for the Historic story of our home for our youth, visitors and tourists alike.
Phoenix Park	A project that has arisen from a swamp, an industrial site, a site considered to be not worth enhancing, an eyesore or other derogatory term.
Ponrabbell Park	Ponrabbell is a Tasmanian Aboriginal name associated with the upper reaches of the kanamaluka / River Tamar, where "North Bank" is located. The name of a historical vessel associated with the area. (Seek permission for this from Aunty Patsy Cameron)
Progression Park	We are progressing to a new direction for family and visitors and this will highlight and promote that about Launceston

<i>Proposed Name</i>	<i>Reason (if given)</i>
Queens Park	
Queens Wharf	The original name for the dock area there. When it was a major shipping wharf.
Reibey Park	in honour of James and Thomas Reibey
Richings Park	Launceston's original name
Ricky Ponting Park	
River Bend	
River Edge	Simple and casual. A spot for locals. "Meet me at Rivers Edge"
River Esk	
Riverbank	
Riverflow Park	
Riverview Park	
Seaport North	
Seaport North Bank	
Serenity	
Silo Bend	
Silo Cove	
Silo Park	
Silo Point	
Silo Shores	
Silos Diversity	
Spirit of Progression Park	
Stewart Bank	
Stewart Sanctuary	Errol Stewart has done so much to move Launceston forward and we need to show him our appreciation
Stewart/Chromy Precinct	
Stewart's Point	Named after Errol Stewart as he has done a lot for the area, if not for his vision and hard work it would possibly still be an eyesore.
Synergy Park	The interaction of two or more to produce a combined effect greater than the sum of their separate effects. Bringing people together.
Tamar Confluence	
Tamar Estuary Confluence	
Tamar Ground	
Tamar Park	
Tamar Point	

<i>Proposed Name</i>	<i>Reason (if given)</i>
Tamar Recreation Park	
Tamar Waterfront Park	
Tamaresk Park	
Taroona Park	
Taroona Terrace	Being the name of the last Passenger ship (MV Taroona) to dock at the nearby Launceston wharf.
The Bend	
The Confluence	
The Conflux	
The Embankment	
The Esk	
The Esklanade	
The Esplanade	
The Gorge Shoreline	
The Launceston Esk Peoples Park	
The Northbank Soundgarden	The Northbank Soundgarden because of all the musical instruments included in the playground and the musical sounds of childrens laughter which will be heard everytime they play here.
The People's Park	
The Prom	
The Swamp Walk	
The Waterways	
The Wharries Walk	
Three Rivers Park	
Thylacine Park	Remembering a beautiful animal that is extinct due to our own actions, to serve as a reminder to appreciate what we have and protect all this beautiful state has to offer.
Van Demen Square	

<i>Proposed Name</i>	<i>Reason (if given)</i>
Walter Park	<p>He was my great grandfather who according to trove newspaper articles was a long term bootmaker in Launceston but also a probation officer with St Vincent De Paul. The reports say he worked with the poor and would often collect the shoes and take them to his home at 23, Quarry Road Cataract Launceston. Be up all hours mending them for the poor and deal very them back. He did it for free. He as a probation officer would often go with the children from the boy's home to support them at court attendances. Sometimes it would be nice to acknowledge our unsung heroes and of course how proud I would be.</p>
Walter Park	<p>Walter Park' in honour of Walter George Arthur. Walter was an indigenous boy born in 1820, taken away from his Ben Lomond tribe by labourers, but managed to escape to Launceston at age six. Walter soon became proficient in pickpocketing and general mischievousness and was nicknamed 'Friday'. Launceston's own Oliver Twist. Walter was eventually brought into a boy's orphan school where he was able to learn high level reading and writing skills. Walter took his education to Flinders Isle (Wybalenna tribe) and taught the aboriginal children on the island reading and writing skills. At age 16, Walter co-wrote Australia's first ever aboriginal publication, the Flinders Chronicle. Walters's writings preached for aboriginal rights, and the opportunity for all children to have access to the education that he was gifted. After spending time working in Victoria and South Australia on the stock route, Walter returned to Flinders Island to find that the Commandant was treating the Wybalenna peoples extremely poorly. This is when Walter made another piece of Australian history, Walter wrote a petition to Queen Victoria demanding the dismissal of the Flinders Island Commandant and he was successful. This was the first ever petition to a reigning monarch to come out of the Australian colonies, and it reached Queen Victoria. The Commandant was sacked. All of this from a Launceston boy who chose a life of education, over one of pickpocketing and petty crime. I think it would be very fitting to name the park in honour of Walter.</p>

<i>Proposed Name</i>	<i>Reason (if given)</i>
Watersmeet Park	
Waterway Park	Keeps in theme with the Tamar flowing alongside it.
Wharfside	
William Hart Recreation Ground	
Woolgrowers Park	
Woolshed Park	
Woolstore Park	

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

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 Aldermen's Leave of Absence****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 Aldermen's Leave of Absence

Regulation 15(2)(h) applications by councillors for a leave of absence.

24 MEETING CLOSURE
