



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 21 MAY 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 21 May 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: 21 May 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.

A handwritten signature in black ink, appearing to be 'Michael Stretton', written over a faint circular stamp or watermark.

Michael Stretton
General Manager

11 May 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, 21 May 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.)

No Declarations of Interest were identified as part of this Agenda

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 7 May 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 - 7 May 2018

FILE NO: SF6381

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question was asked at the Council Meeting on 7 May 2018 by Mr Basil Fitch and has been answered by Mr Bruce MacIsaac (Director Facilities Management).

Question:

1. With regard to the Tender Review Committee report included in today's Agenda concerning Macquarie House, there is a comment regarding the subsequent electrical works within the tender. How does the Tender Review Committee make a decision to remove such items from a contract, when there is more than one tenderer for the project?

Response:

The Tender Review Committee did not make a decision to remove scope from the contract. This was merely a question regarding the conditions set out in the construction content related to the treatment of overheads and profit if deductions are made during contract administration.

7.1.2 Public Questions on Notice - Mr Paul Spencer - Council Meeting - 7 May 2018**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following questions were asked at Council on 7 May 2018 by Mr Paul Spencer and have been answered by Mr Jonathan Downes (Manager Strategic Procurement) and Mr Dale Sinfield (Director Major Projects).

Questions:

1. Why does Council nominate its own contractors for electrical work in projects such as the Quadrant Mall and Brisbane Street Mall projects, as this restricts other local providers from the opportunity?

Response:

Mr Jonathan Downes (Manager Strategic Procurement)

The Council did not specify that any particular electrical contractor be used in the Quadrant Mall, Civic Square and Brisbane Street Mall works. The successful principal contractors for the respective projects use whomever they deem appropriate, providing they meet all the obligatory Workplace Health and Safety and Legal requirements for the work. It is on very rare occasions that the Council may stipulate a specific contractor due to specialist requirements or historical work.

2. Contractors and wholesalers installing the ground signage at UTAS Stadium were not Tasmanian based and some wholesalers have indicated not ever having seen the relevant tender documents. Ultimately, a Victorian company was awarded the contract and has supposedly used products not approved for use in Australia. Why were Tasmanian contractors and wholesalers not given an opportunity to quote on the works and why did the successful contractor use unapproved product?

Response:

Mr Jonathan Downes (Manager Strategic Procurement)

An expression of interest document was publicly advertised in *The Examiner* on 15 April 2017. From among the submissions received, the General Manager at the time, acted within the provisions of the *Local Government (General) Regulations 2015* and approved the procurement and installation.

**7.1.2 Public Questions on Notice - Mr Paul Spencer - Council Meeting - 7 May 2018
...(Cont'd)**

A local Launceston communications business was contracted to oversee the supply and final installation with a local Tasmanian electrical company engaged for the electrical installation. No contracts were awarded to any Victorian company. Electrical components were purchased from China along with the LED panels with some minor adjustments to meet Australian standards.

The decision for the Council to proceed as above was considered and planned. A significant amount of money was saved for the Council, with a high quality result that would have otherwise been beyond the approved budget.

3. Council works in the Quadrant Mall, Civic Square and Brisbane Street Malls used pavers from a company based in Western Australia. A Tasmanian company quoted on works and the quote was cheaper. Why was the Tasmanian company overlooked and the supply awarded to an interstate company?

Response:

Mr Dale Sinfield (Director Major Projects)

It is correct that the pavers selected to date have been provided by a Western Australian company. In the case of the Quadrant Mall, the pavers were procured directly by Council and the chosen product was recommended to the Tender Review Committee based on a number of technical and financial considerations that determined the overall best product.

With regard to Civic Square and the Brisbane Street Mall, the actual paver supplier was selected by the successful tenderer as just one item in a range of products and services that formed the basis of the tenderer's submission and overall pricing considerations. In this instance, the Western Australian product was not specifically selected by Council as the paving product but as Council already had experience with the product and its performance it was happy to accept the product that the eventual contractor had selected and included as part of its contract submission and overall price.

In the case of the Brisbane Street Mall redevelopment, the City of Launceston accepted the lowest bid for the project, which was from Northern Tasmanian company The Baker Group. This bid included the West Australian produced paver. Accordingly, it is not accurate to say that the Council overlooked a cheaper tender price by a Tasmanian company in favour of the mainland provider.

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 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade)

FILE NO: DA0055/2018

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:	JMC Automotive & Property Development Group Errol Stewart
Property:	29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston
Zoning:	Urban Mixed Use
Receipt Date:	8/02/2018
Validity Date:	15/03/2018
Further Information Request:	09/02/2018
Further Information Received:	23/03/2018
Deemed Approval:	21/05/2018
Representations:	11

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

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 DA0055/2018 Bulky Goods Sales - motor vehicle sales and service; demolition of hotel and listed building fronting the Esplanade retaining the facade; Subdivision and adhesion of land - no extra lots created; construction of a building (two new vehicle showrooms), construction of extensions to a heritage listed building, construction of alterations to existing showroom, installation of associated signage and works in the Charles Street road reserve for vehicle display at 29-31 Charles Street, 43 Charles Street and 58 - 60 William Street, Launceston, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Demolition Plan, prepared by Artas Architects, drawing no. A0001-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018 AMENDED PLAN REQUIRED
 - b. Site Plan, prepared by Artas Architects, drawing no. A0002-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - c. Site Plan - 43 Charles Street, prepared by Artas Architects, drawing no. A0003-Sk01, JMC Launceston Dealership Redevelopment, revision 1, dated 13/02/2018
 - d. Kia, Isuzu and Suzuki Ground Floor Plan, prepared by Artas Architects, drawing no. A1400-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - e. Kia, Isuzu and Suzuki Ground Floor Plan, prepared by Artas Architects, drawing no. A1400-Sk04, JMC Launceston Dealership Redevelopment, revision 4, dated 16/01/2018
 - f. VW Showroom & Service, prepared by Artas Architects, drawing no. A1401-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - g. Ford Showroom - Overall, prepared by Artas Architects, drawing no. A1402-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - h. Ford Showroom - Showroom, prepared by Artas Architects, drawing no. A1403-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - i. Ford Showroom Service, prepared by Artas Architects, drawing no. A1404-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - j. Kia, Isuzu and Suzuki External Elevations, prepared by Artas Architects, drawing no. A2100-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - k. Kia, Isuzu and Suzuki External Elevations, prepared by Artas Architects, drawing no. A2101-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
 - l. VW External Elevations, prepared by Artas Architects, drawing no. A2102-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
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8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

- m. Ford External Elevations, prepared by Artas Architects, drawing no. A2103-DA1, JMC Launceston Dealership Redevelopment, revision 1, dated 8/03/2018
- n. Transport Impact Assessment, prepared by GHD, JMC Automotive Group Pty Ltd 43 Lower Charles Street, Launceston, dated February 2018
- o. Contamination Management Plan, prepared by Jemrok, Redevelopment of JMC Launceston Dealership, revision B, dated 9/03/2018
- p. Notice of Heritage Decision, THC Works Ref. 5548, dated 20 April 2018

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work and/or use, amended plans must be submitted to the satisfaction of the Manager City Development to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

- (a) Provision of two additional accessible car parking spaces;
- (b) Provision of six secure bicycle parking spaces;
- (c) Provision of four motorcycle spaces; and
- (d) Provision of a minimum of one shower facility, to comply with clause E6.6 of the Parking and Sustainable Transport Code.

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00180-LCC) (attached).

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. 5548, endorsed as part of this permit.

5. ARCHAEOLOGICAL ASSESSMENT - DEMOLITION OF THE RIVERVIEW HOTEL BUILDING

That in the event that archaeological features and/or deposits are revealed during ground disturbance:

- (i) Work in the vicinity must stop immediately and advice provided to the Manager City Development; and
 - (ii) A suitably qualified archaeologist must be engaged and given access to the site for the purpose of inspection; and
 - (iii) If the suitably qualified archaeologist determines that the features and deposits are significant, undertake archaeological recording and recovery of artefacts, if appropriate and this must be completed to the satisfaction of the Manager City Development prior to works in that area recommencing; and
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8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

(iv) A copy of any archaeological report or findings is to be given to the Council, as soon as practicable upon its completion.

6. FAILURE TO PURCHASE ROAD RESERVE LAND

In the event that the purchase of part of the road reserve fails, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the permit. The amended plans must show the proposed VW showroom located wholly within the subject title.

7. LEGAL TITLE

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

8. SCREENING OF ROOF TOP PLANT

All roof top plant and machinery must be screened from public view from 1.5m above ground level.

9. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans and in accordance with clause E6.6.1 A1.

10. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

11. CONCRETE PLINTH OR SUITABLE BARRIER

A concrete plinth or other suitable barrier is to be installed at the back of the relocated footpath to prevent vehicle encroachment into the road reserve from the outdoor vehicle display area.

12. DAMAGE TO COUNCIL INFRASTRUCTURE

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

- 8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)**
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13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Technical Services is required prior to undertaking works where the works:

- (a) require a road or lane closure;
- (b) require occupation of the road reserve for more than one week at a particular location;
- (c) are in nominated high traffic locations; or
- (d) involve opening or breaking trafficable surfaces.

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

14. VEHICULAR CROSSINGS

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

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

All redundant crossovers and driveways must be removed prior to the occupation of the development.

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

15. SOIL AND WATER MANAGEMENT PLAN

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

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant. The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

16. SUBMISSION AND APPROVAL OF PLANS - RELOCATED FOOTPATH AND DRIVEWAY ALTERATIONS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

- (a) Include all infrastructure works required by the permit or shown in the endorsed plans and specifications.
- (b) be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- (c) be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- (d) be accompanied by:
 - (i) an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - (ii) a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

17. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services. The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- (a) Footpath Relocation:
 - (i) Provision of a new 2300mm wide asphalt footpath constructed on a suitable base located along the property boundary of the Charles Street frontage of the VW showroom,
 - (ii) Reinstatement of the nature strip where the existing footpath is to be removed to match the existing adjacent standard.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- (a) Construction requirements,
 - (b) Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
-

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

- (c) Construction Audit inspections,
- (d) Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

18. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- (a) An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- (c) Compaction and soil test results for all earthworks or pavement works.
- (d) An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

19. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Director Infrastructure Services:

- (a) The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.
- (b) The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- (c) The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

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

20. COMPLETION OF WORKS

All works must be carried out to Council standards and to the satisfaction of the Director Infrastructure Services and under the direct supervision of a civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

21. AS CONSTRUCTED PLANS

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

- 8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)**
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22. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

23. STORMWATER MANAGEMENT PLAN

A Stormwater Management Plan is to be provided to the City of Launceston, within one month of the use commencing. The Plan is to include, but not be limited to, management of spills, staff training, reporting of incidents, site plan and regular reviews of the plan.

24. DEMOLITION

The Developer must:

- (a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- (b) not undertake any burning of waste materials on site;
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site;
- (d) dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania *'How to Safely Remove Asbestos' Code of Practice 2012* or any subsequent versions of the document.

25. CAR WASH AREA

The car wash area must:

- (a) be bunded and graded to direct waste water to sewer;
- (b) have all plant and machinery associated with the car wash located, enclosed or otherwise attenuated to prevent noise emission from affecting occupiers of other premises; and
- (c) provide some form of barrier to prevent spray drift from leaving the designated wash area.

26. SPILL COLLECTION BUND

All environmentally hazardous materials including all chemicals, fuels and oils, held on the land must be stored and handled within a spill collection bund or spill trays which are designed to contain at least 110% of the volume of the largest storage vessel. The spill containment system must be constructed with materials that will prevent contamination of ground water and soil.

27. CAR WASHING

All car and vehicle washing must be carried out within the washing bay provided for this purpose.

- 8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)**
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28. REPAIRS OF VEHICLES

- (a) Any servicing, detailing and repairs of vehicles or vehicle parts must be conducted in a covered, bunded area.
- (b) No repairs of any sort may be carried out in the car parking or common areas.

29. STORMWATER

No liquids other than unpolluted rain water are to be allowed to discharge or drain to the public stormwater system or receiving water bodies or watercourses.

30. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to adjoining sensitive uses. Precautions must be taken to avoid nuisance to neighbouring residential areas, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

31. SPILL KITS

Spill kits, appropriate for the types and volumes of materials handled on the land must be kept in appropriate locations and be appropriately maintained to assist with the containment of any spill of environmentally hazardous materials.

32. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report prepared by Jemrok dated 09/03/2018 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.

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B. Occupancy Permit Required

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

C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

D. General

This permit was issued based on the proposal documents submitted for DA0055/2018. 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.

E. Restrictive Covenants

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

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

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F. Appeal Provisions

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

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

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

G. Permit Commencement

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

REPORT:

1. THE PROPOSAL

It is proposed to expand and redevelop the existing JMC motor vehicle sales and service yard at Lower Charles Street, the Esplanade and William Street as follows:

- (a) subdivide and adhere land to incorporate the Riverview Hotel site and the display area on the road reserve and a portion of the adjoining Glasgow Engineering site facing the Esplanade, with the title for 29-31 Charles Street (CT155119/1);
 - (b) demolish the Embankment Office building, retaining the facade;
 - (c) construct a new Kia showroom and service centre incorporating the Embankment Office facade and linking via a covered driveway to the existing VW and Suzuki showroom and service centre.
 - (d) demolish the existing Riverview Hotel;
 - (e) construct a new VW showroom and service centre generally on that site;
 - (f) refurbish the Ford showroom and develop two tool stores at the southern end of the Ford service centre;
 - (g) reposition the existing pylon signs along the street frontage;
 - (h) close an existing access to the proposed VW display area and construct a new showroom access to William Street and widen an existing William Street access;
 - (i) construct a 9.3m x 39.6m signage structure at the front of the existing Ford showroom awning; and
 - (j) install corporate signage on the relevant building.
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2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is located at the lower end of Charles Street, between the Esplanade and William Street. It has extensive street frontage running from the Esplanade entrance to Glasgow Engineering, around Charles Street to the William Street Glasgow Engineering frontage,

Opposite the site is the river and levee to the north, the Seaport complex to the west and Harvey Norman to the south. Beyond Glasgow Engineering, to the east are Customs House and Paterson Barracks.

The site is within walking distance of the CBD and to Invermay and the Inveresk site via the Charles and Tamar Street bridges. Notwithstanding the good pedestrian and public transport links, the site is adjacent to the main arterial highway linking the north and south of Launceston.

The neighbourhood character is not straight forward. The site has historic significance stemming from its listed buildings, as well as others near-by, and their sense of place and relationship to the maritime history of Launceston. Notwithstanding this, the strong commercial character of the site, combined with significant past changes, such as the levee banks and the adjoining four lane highway to the Charles Street Bridge, has diminished that sense of place and maritime connectivity. The site unequivocally presents as a large car yard, amongst other large commercial enterprises and hotels in the broader area on the northern edge of the CBD.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that supports the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

(a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and

(b) appropriate provision for car parking, pedestrian access and traffic circulation.

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Consistent
 The proposed redevelopment of the JMC site is consistent with the zone purpose in so far as the expansion and consolidation of the car sales and service in this location is surrounded by other retail and residential activities (eg. Harvey Norman, Seaport, Sebel Hotel and Patterson Barracks), with pedestrian links to Seaport and Royal Park, Invermay, the river bank walkways and the CBD.

The improved and expanded display of motor vehicles, both new and used, provides for activity at a pedestrian level, offering interest and engagement to shoppers who have visual access for the length of the frontage and multiple points to access the site for closer inspection. Appropriate provision is made for customer car parking and traffic circulation.

15.3 Use Standards

15.3.1 Hours of operation

Objective:
 To ensure that non-residential uses do not cause unreasonable loss of amenity to nearby sensitive uses.

Consistent
 Nearby sensitive uses include the Seaport and Sebel Hotels and dwellings at Seaport and over the river, in Lindsay Street. The consolidated use of this site for motor vehicle sales and service will have no significant impact on the amenity of those nearby sensitive uses.

A1 Commercial vehicles must only operate between 6.00am and 10.00pm.

Complies
 The operation of the site is largely limited to business hours and this is not proposed to change as a result of this proposal.

15.3.2 Mechanical plant and equipment

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

Consistent
 The proposal is consistent with the objective through compliance with the acceptable solution.

A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.

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Complies

Whilst there are no immediately opposite sensitive uses that could be impacted by any emissions from plant, machinery or the new service bays included within this proposal, no such off-site emissions are anticipated

15.3.3 Light spill and illumination

Objective:

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

Consistent

The site is currently well illuminated without off-site spill causing loss of amenity to sensitive uses. The proposed new showrooms and signage arrangement will not result in loss of amenity to sensitive uses.

A1 The use must:

- (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, and Low Density Residential zones; and
- (b) contain direct light from external light sources within the boundaries of the site.

Complies

The site does not adjoin any General Residential, Inner Residential or Low Density Residential land. Any additional lighting provided for this development will be contained within the boundaries of the site.

15.3.4 Noise level

Objective:

To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.

Consistent

The site does not generate significant levels of noise as all service bays are within buildings and the only other likely noise generator is the movement of motor vehicles. Being adjacent to a busy section of Wellington Street, it will be difficult to distinguish any noise generated by this site.

A1 Noise generated by a use on the site must:

- (a) not exceed a time average A-weighted sound pressure level (L_{aeq}) of 5dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or
- (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environmental protection notice issued by the Director of the Environment Protection Authority.

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Complies
 Noise at the boundary of the site will be significantly outweighed by traffic noise from Wellington Street and therefore will not exceed 5dB(A) above the background. The only immediately opposite or adjoining sensitive use is the Seaport Hotel, separated from the site by Lower Charles Street.

15.3.5 Retail impact

<p>Objective: To ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the activity centre hierarchy.</p>
<p>Consistent The consolidation and continued use of the site for vehicle sales is consistent with the activity centre hierarchy. The subject site is on the outer edge of the north-west CBD supporting precinct discussed in the 2011 Launceston Retail Audit and Activity Centres Strategy.</p>
<p>A1 If for no permit required or permitted use class.</p>
<p>Relies on Performance Criteria Bulky Goods Sales is permitted if: (a) a single tenancy with a gross floor area of less than 3,500m² or (b) more than one tenancy with a minimum of 75% of gross floor area allocated to bulky goods sales within tenancies of over 1000m².</p> <p>Once redeveloped, the gross floor area of the site will be in excess of 5000m². Ford and VW will each have tenancies of over 1000m², however, this will only represent some 65% of the total gross floor area.</p>
<p>P1 Uses must have acceptable impacts on the viability of the activity centre hierarchy, having regard to the extent that the proposed use: (a) improves and broadens the commercial or retail choice within the area; (b) improves the urban design outcome for an activity centre including its amenity; (c) contributes to an attractive environment for pedestrians; (d) contributes to loss of investment, blight or disinvestment for a particular centre; (e) includes environmentally sustainable design principles; and (f) is accessible by public transport.</p>
<p>Complies The proposal will not adversely impact on the activity centre hierarchy, as it intensifies an existing use that does not compete with CBD uses. The proposal provides for the upgrade of existing buildings and the creation of new buildings addressing the street and providing ample opportunity for pedestrian interaction. The site is close to the Transit Centre and other public transport and is a short walk to the CBD.</p>

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15.4 Development Standards

15.4.1 Building height, setback and siting

<p>Objective: To ensure that building bulk and form, and siting:</p> <ul style="list-style-type: none"> (a) is compatible with the streetscape and character of the surrounding area; (b) protects the amenity of adjoining lots; and (c) promotes and maintains high levels of public interaction and amenity.
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 Building height must be no greater than:</p> <ul style="list-style-type: none"> (a) 12m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
<p>Complies The existing Ford showroom is the tallest building on site currently, at some 10.6m. The proposed new signage structure in front of this building will be 9.3m, whilst the proposed VW and Kia showrooms are lower again at around 7m.</p>
<p>A2 Setback from a frontage:</p> <ul style="list-style-type: none"> (a) must be built to the frontage at ground level; or (b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.
<p>Complies The JMC site is currently on several titles and contains a mix of buildings, some built to the boundary and others with setbacks up to 24m. The redeveloped Embankment building, incorporating the Kia showroom, will maintain the existing facade built to the boundary, with the showroom area set back some 5m. The proposed VW building is reliant upon a subdivision to consolidate a portion of Crown land and will then be setback some 3-6m from the realigned corner boundary. All proposed setbacks are between the minimum and maximum setbacks on adjoining lots.</p>
<p>A3 Setback from a side boundary:</p> <ul style="list-style-type: none"> (a) must be built to the side boundaries at ground level; or (b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.
<p>Complies The site currently contains a number of buildings with a wide range of setbacks to the eastern boundary, which represents the only side boundary on the site. The proposed buildings are all setback more than the minimum and less than the maximum setbacks of the existing buildings.</p>

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15.4.2 Location of car parking

<p>Objective: To ensure that car parking:</p> <ul style="list-style-type: none"> (a) does not detract from the streetscape; and (b) provides for vehicle and pedestrian safety.
<p>Consistent</p>
<p>A1 Car parking must be located:</p> <ul style="list-style-type: none"> (a) within the building structure; or (b) behind the building.
<p>Relies on Performance Criteria</p> <p>The majority of vehicles on site are good for sale. Customer car parking for the proposed Kia showroom is in front of the building, although behind other vehicles displayed for sale.</p>
<p>P1 Car parking must be located to minimise its visibility from a road, mall, laneway or arcade, having regard to:</p> <ul style="list-style-type: none"> (a) the existing streetscape; (b) the location of the car parking; (c) vehicle and pedestrian traffic safety; (d) measures to screen parking; and (e) any landscaping proposed.
<p>Complies</p> <p>Given that the site is used as a car yard, the location of some customer car parking within the site, but in front of a building, will have only minimal visibility from a road or other vantage point. From any viewpoint, the site will present with many vehicles and the ability to distinguish, from a distance, between customer vehicles and display vehicles will be very limited.</p>

15.4.3 Active ground floors

<p>Objective: To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>Consistent</p> <p>The proposed use of the site for vehicle sales and service is designed and intended to promote opportunities for pedestrian movement throughout the site and showrooms to view the vehicles on display. In effect, the whole of the frontage is open to pedestrian interaction</p>
<p>A1 New buildings with non-residential uses on ground floors must:</p> <ul style="list-style-type: none"> (a) have clear glazing, display windows or glass doorways for a minimum of 80% of all ground floor facades to, roads, malls, laneways or arcades; (b) not have security grilles or screens that obscure the ground floor facades to roads, malls, laneways or arcades; (c) not have mechanical plant or equipment, such as air conditioning units or heat

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<p>pumps located on the facade; and (d) not have blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.</p>
<p>Relies on Performance Criteria The proposed showrooms will not meet the acceptable solution of 80% clear glazing to the ground floor.</p>
<p>P1 New buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:</p> <ul style="list-style-type: none"> (a) an adequate level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades; (b) the potential for security grills or screens to reduce the amenity of the building or reduce levels of interaction with the public; (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so they are not recognisable or visible from ground level public view points; and (d) minimising the area of all blank walls, signage panels or blocked out windows on ground floor facades to roads, malls, laneways or arcades
<p>Complies A number of new buildings are proposed with frontages to the Esplanade, Charles Street and William Street.</p> <p>Some, will have large glass walls (eg. VW showroom frontage to Charles Street) whilst others will incorporate a higher percentage of solid walls and signage (eg. Kia showroom frontage to the Esplanade). As vehicle showrooms, they are designed specifically to maximise interaction between pedestrians and the use of the buildings.</p> <p>A condition will be imposed to require screening of roof top mechanical plant and equipment.</p>
<p>A2 Alterations to ground floor facades of non-residential buildings must not:</p> <ul style="list-style-type: none"> (a) reduce the level of glazing on a facade to a road, mall, laneway or arcade that is present prior to alterations; (b) have security grilles or screens that obscure the ground floor facade; (c) introduce new or additional mechanical plant or equipment such as air-conditioning units or heat pumps located on the facade; and (d) increase blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.
<p>Complies The only ground floor façade to a road, to be altered, is the retained façade from the Embankment Office building. This alteration does not alter glazing or introduce security, grills, blank walls, plant or equipment or the like.</p>

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<p>A3 The building must:</p> <ul style="list-style-type: none"> (a) provide a direct access for pedestrians from the road or publicly accessible areas; and (b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.
<p>Complies</p> <p>All of the showroom and service centre buildings are oriented towards a road and provide for direct access by pedestrians.</p>
<p>A4 The total width of the door or doors on a garage facing a frontage must be no wider than 6m.</p>
<p>Complies</p> <p>The proposal includes multiple showrooms and service bays with a range of vehicle access doorways facing the frontages. However, these are to showrooms rather than garages and are consistent with the frontage designs without dominating the streetscape.</p> <p>The VW showroom building frontage to William Street includes an access to the service bays that could be viewed as a garage, however, this door is less than 6m wide.</p>

15.4.10 Lot size and dimensions

<p>Objective:</p> <p>To ensure:</p> <ul style="list-style-type: none"> (a) the area and dimensions of lots are appropriate for the zone; and (b) adjoining land, especially residential zones, is protected from adverse impacts on amenity.
<p>Consistent</p> <p>The site is currently represented in multiple titles, although in practice it is used as a single site - other than the Hotel (CT36670/1). The proposal will incorporate the existing titles with the Hotel title and land to be purchased from the Crown with the main property title (CT155119/1).</p> <p>Additionally, the boundaries between the Ford dealership site (155119/1) and Glasgow Engineering (131568/2) will be adjusted at the Esplanade end to transfer some 500m², currently used as a wash area and parking, from the Glasgow site to the Ford site to reflect current usage.</p>
<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 100m²; and (b) be able to contain 5m diameter circle with the centre of the circle no more than 5m 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

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<p>(b) be required for the provision of public utilities; or (c) 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.</p>
<p>Complies The area and circle requirement is satisfied.</p>
<p>A2 Subdivision must not be located on the boundary of the General Residential or Inner Residential zones.</p>
<p>Complies The site does not adjoin the General or Inner Residential zones.</p>

15.4.11 Frontage and access

<p>Objective: To ensure that lots: (a) provide appropriate frontage to a road; and (b) maintain laneway and rear access patterns; and (c) provide safe and appropriate access suitable for the intended use.</p>
<p>Consistent The lot maintains appropriate frontage, existing access patterns and safe and appropriate access for the intended use.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 5m.</p>
<p>Complies The lot has substantial frontage.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.</p>
<p>Complies The lot has appropriate and reasonable access from the boundary to the proposed building areas.</p>

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15.4.12 Discharge of stormwater

Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.
Consistent No additional lots are created.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
Complies The site is currently almost completely impervious and is connected to the Council stormwater system.
A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.
Complies Such advice has been provided.

15.4.13 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent TasWater has issued their conditional approval which will be attached to the permit.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies

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 consistent with the purpose of the Code through compliance with the standards below.

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E2.5 Use Standards

Objective: To ensure that potentially contaminated land is suitable for the intended use.
Consistent The proposal is consistent with the objective through compliance with the acceptable solution.
A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.
Complies A Contamination Management Plan, prepared by a suitably qualified person (approved by the Director) has been provided to manage contamination and associated risk to human health or the environment to ensure the land is suitable for the intended use.

E2.6 Development Standards

E2.6.1 Subdivision

Objective: To ensure that subdivision of potentially contaminated land does not adversely impact on human health or the environment and is suitable for its intended use.
Consistent The proposal is consistent with the objective through compliance with the acceptable solution.
A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.
Complies A Contamination Management Plan, prepared by a suitably qualified person (approved by the Director) has been provided to manage contamination and associated risk to human health or the environment to ensure the land is suitable for the intended use.

E2.6.2 Excavation

Objective: To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 No acceptable solution.

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<p>Relies on Performance Criteria</p> <p>P1 Excavation does not adversely impact on health and the environment, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: <ul style="list-style-type: none"> (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.
<p>Complies</p> <p>A Contamination Management Plan, prepared by a suitably qualified person (approved by the Director) has been provided to manage contamination and associated risk to human health or the environment to ensure the land is suitable for the intended use.</p>

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent</p> <p>The proposal documents include a Traffic Impact Assessment prepared by GHD which supports the proposal on traffic and transport grounds subject to:</p> <ul style="list-style-type: none"> - preventing public vehicular access to the parking display area in front of the VW showroom; - provision of two accessible parking spaces in accordance with the relevant standard; - provision of secure parking for up to six bicycles; and - provision of four motor cycle parking spaces.

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E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

The proposal is consistent with the objective through compliance with the standards.

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.

Relies on Performance Criteria

The Table requires the provision of 63 car parking spaces, plus one per employee across the whole of the site. With approximately 70 employees, 133 car parking spaces are required. The report advises that 291 spaces are provided across the whole of the site which exceeds the requirements of the Table by more than 5%.

P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (f) an assessment of the actual car parking demand determined in light of the nature of the use and development;
- (g) the effect on streetscape; and
- (h) the recommendations of any traffic impact assessment prepared for the proposal; or

P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and

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<p>(c) the pattern of parking in the locality; or P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>
<p>Complies The TIA, prepared by GHD, argues that the proposed development does not significantly alter the existing parking arrangement on site, which provides a relatively fluid parking arrangement for customers, staff and display and storage of new cars and is suitable for the proposed use.</p> <p>This arrangement currently meets the needs of the use without adversely impacting on the surrounding amenity and the limited opportunity for on-street parking and the proposed redevelopment of the site is consistent with this.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies The TIA has recommended two additional accessible spaces be provided to satisfy the code and an amended site plan detailing these will be required.</p>

E6.5.2 Bicycle parking numbers

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>
<p>Relies on Performance Criteria The Table requires one bicycle parking space per 50m² of gross floor area. This would require the provision of twelve spaces and these are not provided.</p>
<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the likely number and characteristics of users of the site and their opportunities and likely need to travel by bicycle; (b) the location of the site and the likely distance a cyclist needs to travel to reach the site; and (c) the availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

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Complies
 To address this standard, the TIA has recommended that provision be made for the secure parking of six bicycles, which they believe more appropriately meets the requirements of the employees. An amended site plan, detailing these, will be required.

E6.5.3 Taxi spaces

Objective: To ensure that access for taxis is provided to meet the needs of the use.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.
Relies on Performance Criteria The TIA submits that, given the size of the site and the number of parking spaces available, there is no need to provide two dedicated taxi parking areas.
P1 Taxi parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the availability and accessibility of taxi spaces on the road or in the vicinity; and (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.
Complies The submission of the TIA is supported. Given the nature of the motor vehicles sales use, the size of the site and its proximity to the CBD, taxi ranks and bus stops, there is no practical need for dedicated taxi spaces on site. The lack of such dedicated parking spaces will have no impact on access for taxis to meet the needs of the use.

E6.5.4 Motorcycle parking

Objective: To ensure that motorcycle parking is provided to meet the needs of the use.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.

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<p>Relies on Performance Criteria Based on a requirement for 133 car parking spaces, seven motorcycle spaces would be required to meet the acceptable solution.</p>
<p>P1 Motorcycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the proposed use and development; (b) the availability and accessibility of motorcycle parking spaces on the road or in the vicinity; and (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.
<p>Complies The TIA recommends the provision of four motorcycle parking spaces and this view is supported. An appropriate amendment to the site plan is required. It is noted that there are many parking spaces throughout the site and that motorcycles may be parked in these as well as the dedicated spaces.</p>

E6.5.5 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection, and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 A loading bay must be provided for uses with a gross floor area greater than 1,000m² in a single occupancy.</p>
<p>Relies on Performance Criteria Given the nature of the use, conventional loading bays are not considered practicable or necessary.</p>
<p>P1 Adequate space for loading and unloading must be provided, having regard to:</p> <ul style="list-style-type: none"> (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

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Complies
 Deliveries to the site are currently in small delivery vehicles or large car transporters and this practice will continue. Small vehicles are expected to park and unload at the appropriate service area and the large transporters will continue to enter the site via the Esplanade, unload in the storage area on the east of the site and leave the site via William Street.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies The site is currently a functioning motor vehicle sales and service centre. All traffic and parking areas are satisfactorily constructed. Any new such areas, created by the redevelopment will be required by condition to be similarly constructed and comply with the acceptable solution.

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than 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

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<p>spaces; and</p> <p>(e) have a vertical clearance of not less than 2.1m above the parking surface level.</p> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Relies on Performance Criteria</p> <p>The TIA notes that the customer parking and traffic areas comply with the acceptable solution, however, other areas, such as storage and display parking may not.</p>
<p>P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) vehicle and pedestrian traffic safety;</p> <p>(d) the nature and use of the development;</p> <p>(e) the expected number and type of vehicles;</p> <p>(f) the nature of traffic in the surrounding area; and</p> <p>(g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies</p> <p>The TIA asserts <i>other areas on the site, including service parking, car storage and car display, may not comply with the Planning Scheme requirements, however, these areas are not considered to require full access and are therefore considered sufficient for the purpose.</i> It is relevant that the vehicles in these storage and display areas are manoeuvred by staff and not by customers.</p>

E6.6.3 Pedestrian access

<p>Objective:</p> <p>To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent</p> <p>The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1.1 Uses that require 10 or more parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p>

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<p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p>Complies Footpaths are provided adjacent to the main showrooms and are assessed by the TIA as meeting the acceptable solution.</p>

E6.6.4 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>
<p>Relies on Performance Criteria Specific loading bays are not provided.</p>
<p>P1 Loading bays must have area and dimensions suitable for the use, having regard to:</p> <ul style="list-style-type: none"> (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; and (e) the location of the site and nature of traffic.
<p>Complies The TIA advises that the current heavy vehicle access and loading and unloading will not change.</p>
<p>A2 It must be demonstrated that the type of vehicles likely to use the site can enter, park and exit the site in a forward direction, without impact or conflicting with areas set aside for parking or landscaping, in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies The size of the site and the number of accesses available ensures the capacity for all vehicles to enter and leave the site in a forward direction.</p>

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E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate facilities.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 Uses that require five or more bicycle spaces by Table E6.1 must provide one shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.
Relies on Performance Criteria No shower facilities are shown on the proposal plans.
P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to: (a) the location of the proposed use; (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) whether there are facilities on the site for other reasons that could be used by cyclists; and (g) the opportunity for sharing bicycle facilities on nearby sites.
Complies Approximately seventy people are employed on site across administration, sales and service functions and cycle access to the site is compatible with cycle access to other sites within the City. It is reasonable to expect that some employees may wish to cycle to work and appropriate facilities should therefore be provided. A condition requiring amended plans showing at least one shower facility is included.

E6.6.6 Bicycle parking and storage facilities

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must: (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

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<p>Complies Amended plans showing the provision of bicycle parking for not less than six bicycles are required.</p>
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>Complies The required amended plan will show bicycle parking compliant with the acceptable solution.</p>

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area
E13.0 Local Historic Cultural Heritage Code

<p>E13.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (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.
<p>Consistent The proposal is consistent with the purpose of the Code through compliance with the standards below.</p> <p>It is relevant to note that the Riverview Hotel site is not listed at either the local or State level. The former Salisbury Foundry building and the former Embankment Office building are both on the State list, administered by the Tasmanian Heritage Council and, along with the rest of the site, are also on the local heritage listed, administered through the planning scheme.</p>

E13.6 Development Standards

E13.6.1 Demolition

<p>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.</p>

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<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p> <p>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</p> <ul style="list-style-type: none"> (a) the physical condition of the local heritage place; (b) the extent and rate of deterioration of the building or structure; (c) the safety of the building or structure; (d) the streetscape or setting in which the building or structure is located; (e) the cultural heritage values of the local heritage place; (f) the need for the development; (g) any options to reduce or mitigate deterioration; (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and (i) any overriding economic considerations.
<p>Complies</p> <p>The proposal includes the demolition of two buildings. Namely, the Riverview Hotel (not a heritage listed building) and the Embankment Office building, which is a heritage listed building.</p> <p>In regard to the latter, it is proposed to retain the historic facade of the Embankment Office building and to demolish the rest to facilitate the development of a new Kia showroom and service centre, integrated with the retained facade and with a western extension set back 5m from the frontage. It is relevant that the Tasmanian Heritage Council (THC) have approved the demolition without condition.</p> <p>Council's Heritage Planner has advised that, notwithstanding the lack of justification, it is evident, upon inspection <i>that the rear of the building has been highly modified, especially since the use was changed from offices to vehicle sales and service uses in recent years and that the bulk of the remaining original fabric (ie. the façade) is to be retained.</i></p> <p>With regard to the former, the Riverview Hotel, it is acknowledged that the Hotel and its site are not heritage listed at either State or local level. Nevertheless, substantial concern and comment has been raised about the history and significance of the Hotel and the remains of the ship (the Kains) known to lie beneath it.</p>

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The THC, Council's Heritage Planner and representors, have all asked that consideration be given to the retention of the earliest part of the Hotel and that appropriate archaeological investigation be undertaken. These concerns have been raised with the applicant, who has advised that retention of parts of the Hotel is not compatible with the design and requirements of the proposed redevelopment for motor vehicle sales and service.

Further, the applicant advises that he believes the Kains is deeper than any proposed excavation for the development, however, he is fully supportive of conditions requiring the cessation of works to enable appropriate archaeological investigation should any remnants or artefacts be uncovered.

Given the lack of specific heritage listing, it would not be sustainable for Council to require retention of the hotel building on heritage grounds.

E13.6.3 Lot size and dimensions and frontage

<p>Objective: To ensure that subdivision does not impact on the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Subdivision must not unreasonably impact on the historic cultural heritage significance of local heritage places or their settings, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the historic development pattern of the area; (c) the separation of buildings or structures from their original setting; (d) the lot sizes, dimensions, frontage, access and orientation; (e) the suitability of the proposed lots for their intended uses; and (f) the removal of vegetation, significant trees or garden settings.</p>
<p>Complies The proposed subdivision increases the size of the principal site by including the Riverview Hotel site, a portion of the Crown road reserve in front of the Hotel and a section of the Glasgow Engineering site accessing the Esplanade. The increased lot size is not disproportional to the existing and will not impact adversely on the setting of the historic buildings.</p>

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>
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<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to: (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>
<p>Complies The proposed subdivision and associated demolition and construction will not significantly alter the existing site coverage. The subdivision, similarly, will not alter the heritage values of the listed buildings and their setting. It is noted that this is not raised as a concern by the THC or by Council's Heritage Planner.</p>

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>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; (d) the historic cultural heritage significance of adjacent places; and (e) the streetscape.</p>
<p>Complies The height and bulk of the proposed buildings is compatible with the existing buildings on site and does not detract from the character and appearance of the existing heritage listed buildings or place. The proposed VW showroom, at 6m high, is set between the single and double storey heights of the existing hotel building that it is intended to replace. Its bulk is significantly less than the adjoining heritage building housing the Ford showroom and service centre.</p>

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Similarly, the proposed Kia showroom, at 7.2m high, is set within the range of heights presented by the retained facade of the Embankment Office building. The bulk of this building is much greater than the building it is replacing, however, it adjoins the existing Suzuki showroom building and presents a compatible bulk and scale.

Council's Heritage Planner has raised concern with the proposed colour scheme of this new building, particularly the bright red and bold curves presented on the Esplanade frontage, and argues that this is not sympathetic with the form of the retained facade. The THC has made no comment in regard to the proposed colour scheme or graphic style.

The applicant has advised that the proposed colour scheme for the new Kia showroom is that required by Kia. It is noted that Kia commenced a world-wide rebranding in 2010, acknowledging that it could take some years to fully implement the new corporate image across the globe. With the redevelopment of the Kia showroom in Launceston comes the obligation on the dealer to conform with the corporate image.

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 proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</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 No issues have been raised by the THC or by Council's Heritage Planner in regard to the proposed building setbacks and the proposal is considered to be compatible with the historic cultural heritage significance of the place and its setting having regard to the relevant matters.</p>

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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.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 No acceptable solution.
Relies on Performance Criteria
P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.
Complies No concerns have been raised by the THC or Council's Heritage Planner in regard to the proposed roof form and materials of the proposed new buildings. Having regard to the relevant matters, the roof form and materials are considered to be compatible with the historic cultural heritage significance of the place and its setting.

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.
Consistent The proposal is consistent with the objective through compliance with the standards.
A1 No acceptable solution.
Relies on Performance Criteria
P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant wall materials in the setting; and (d) the streetscape.
Complies No concerns have been raised by the THC or Council's Heritage Planner in regard to the proposed wall materials of the proposed new buildings. Having regard to the relevant matters, the wall materials are considered to be compatible with the historic cultural heritage significance of the place and its setting.

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

E13.6.11 Driveways and parking

<p>Objective: To ensure that driveways and parking are compatible with the historic heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 Car parking areas for non-residential purposes must be located behind the primary buildings on the site.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Driveways and car parking areas for non-residential purposes 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 loss of any building fabric; (c) the removal of gardens or vegetated areas; (d) parking availability in the surrounding area; (e) vehicle and pedestrian traffic safety; and (f) the streetscape.
<p>Complies The existing site has multiple car parking areas and driveways. Most of the customer parking is located in front of the main buildings, consistent with most large commercial enterprises in the broader area. The proposed redevelopment of the site, including the construction of new buildings will not alter this.</p> <p>Car parking will not result in the loss of building fabric or gardens and will not impact upon the availability of parking in the surrounding area or on vehicle or pedestrian safety. On the advice of Council's Infrastructure Liaison Officer, parking on William adjacent to the showroom will be limited to display vehicles only.</p> <p>The streetscape will remain relatively consistent in regard to car parking and display of vehicles. The THC and Council's Heritage Planner have raised no concerns with driveways and car parking and these are considered to be compatible with the historic cultural heritage significance of the place and its setting.</p>

E13.6.13 Signage

<p>Objective: To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 No more than one sign, not greater than 0.2m², identifying the use, heritage significance, and the name and occupation of the owners of the property.</p>

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

<p>Relies on Performance Criteria</p> <p>P1 New signs must be compatible with the historic cultural heritage of the 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 size and location of the proposed sign; (c) the area and location of existing signage on the site; (d) the period details, windows, doors and other architectural details of the building; (e) any destruction, removal or concealment of heritage fabric through attaching signage; and (f) the streetscape.
<p>Complies</p> <p>The existing site is used for the purposes of motor vehicles sales and service and, consistent with many such car yard facilities, it includes substantial signage including seven pylon signs, multiple banner signs and various wall and fascia signs promoting both the parent company and the five vehicle makes available. Significantly, this is a large site with extensive frontage over three streets.</p> <p>Whilst some of the buildings are listed by the THC and most of the site is on the local heritage list. The THC and Council's Heritage Planner have raised concerns only with the size and scale of the proposed signage structure proposed to be erected in front of the existing Ford showroom building. This signage structure is proposed to be 9.6m high and 39.8m wide, running above the existing awning for the length of the showroom - not including the service centre.</p> <p>The sign structure is effectively a 2.4m x 39.8m fascia board, brought forward of the main building some 5m to be held above the front of the awning by a 2.3m wide tower on the northern end, a 4.5m wide structure to the awning roof on the southern end and a 6.3m wide entry portal in the centre. The structure will support three signs (1 x Jackson Ford and 2 x Ford). The existing signs in the front of the building, above the awning, will be removed.</p> <p>The THC encourages the applicant to consider <i>reducing the size of the blade signage proposed to the sales showroom and administration building to reduce its dominance over that building.</i></p> <p>Council's Heritage Planner is concerned that, <i>due to its size and location it will conceal period details, windows, doors and other architectural details of the building the scale of the proposed sign is considered to be excessive, covering a relatively large area of the large building facade with a bold form which is obviously intended to stand out and dominate this facade.</i></p>

8.1 29-31 Charles Street, 43 Charles Street and 58-60 William Street, Launceston - Bulky Goods Sales - Redevelopment of JMC Launceston Dealership Site; Demolition of Hotel and Historic Building (Retain Esplanade Facade) ... (Cont'd)

Concerns with the proposed sign structure, its size and location were raised with the applicant, who advised that this was a similar situation as with the Kia signage, in that it forms part of the Ford Australia branding package that dealers are expected to implement as sites are redeveloped.

Whilst the sign structure is clearly very large and imposing on the existing building, it is located in front of the largest building on site and set well back from the street frontage. As motorists and pedestrians move around the site, their perspective will change, as will the potential impact of the sign. There will be many view points from which the structure will detract from appreciation of the existing building, however, there will also be many view points from which it will have minimal impact. Similarly, to appreciate many of the period and architectural details of the building, many people will seek to view the building from close up or inside.

At issue is a consideration of the extent to which the proposed sign may dominate the existing building within this site and whether alternative signage may be possible. In regard to the former, it is relevant to note that the Ford showroom building, whilst being the largest building on site, is not of itself heritage listed. The THC have listed the Embankment Office building, which is to be largely demolished, and the red brick foundry building on the site frontage. The site remains on the local heritage list.

As stated previously, much of the sense of place and historic setting has been significantly diminished through successive change, such as the levee bank; the four lane highway; demolition of past residential and commercial buildings linked to maritime workers and industry; and the conversion of the site to its current use as a car yard.

What exists on site, today, is an intensive, multi coloured and extensively signed (multiple illuminated pylons, flag banners and illuminated wall and fascia signs) commercial retail activity. It is designed to attract attention to the vehicles and draw customers into the site. Whilst the applicant has gone to considerable length to maintain the historic foundry building, the façade of the Embankment Office and scale, form and many of the internal features of the current unlisted Ford showroom, the site is a car yard and as such, there is an expectation that corporate signage will be displayed.

With regard to the latter, the proposed sign structure is a corporate solution and the possibility of alternatives was discussed with the applicant, who, having considered the THC request, advised that there was not an acceptable alternative that would reduce the perceived dominance of the proposed corporate sign.

Therefore, notwithstanding the subjectivity of assessment and given the current circumstances of the site and the lack of viable alternative signage options, it is considered that this large sign structure, to be located in front of a larger building,

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centrally located within the site, is consistent with the use of the site and does not destroy, remove or conceal (from all view points) the heritage fabric or period details and can be seen to be compatible with the historic cultural heritage of the place and its setting.

E18.0 Signs Code

E18.1 The purpose of this provision is to:

- (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and
- (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

Consistent

The proposal is consistent with the objective through compliance with the standards.

Objectively, the new Ford sign structure is large, however it is considered that this is acceptable given the size of the site, the setback to viewpoints and the size of the building. The sign will also only be seen fully by certain viewpoints. From the key viewpoints of the levee, the Esplanade, Charles Street and the William Street corner, the sign will be seen obliquely and behind existing and proposed buildings which will mitigate its impact.

E18.5 Development Standards

E18.5.1 Unacceptable signage

Objective:

To prevent unacceptable signage.

Consistent

The proposal is consistent with the objective through compliance with the standards.

A1 Signage must not be for the following sign types:

- (a) an above awning sign;
- (b) bunting (flag and decorative elements);
- (c) a flashing lights sign;
- (d) a roof sign;
- (e) a sky sign; or
- (f) a third party sign.

Complies

None of the above are proposed.

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E18.5.2 Design and siting of signage

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and (b) ensure that the design and siting of signs achieves the purpose of this code.
<p>Consistent The proposal is consistent with the objective through compliance with the standards.</p>
<p>A1 A sign must:</p> <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
<p>Complies It is noted that the majority if the signage is existing on the heritage listed site and, notwithstanding the rearrangement of the pylon signs, is exempt from the provisions of this code. Only the signage proposed for the VW showroom and service centre are subject to this code and they satisfy the acceptable solution.</p>
<p>A3 A building or tenancy must have:</p> <ul style="list-style-type: none"> (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
<p>Relies on Performance Criteria The VW showroom and service centre includes two relocated pylon signs in the display area at the south-west frontage of the building. That building frontage is also to have two fascia signs. Other, more directional, signs are also proposed for this building.</p>
<p>A4 A sign must not be illuminated.</p>
<p>Relies on Performance Criteria</p>
<p>P4 A sign must not result in unreasonable loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the sign; (b) the intensity of the lighting; (c) the hours of operation of the sign; (d) whether the sign is visible from the road; and (e) the character of the surrounding area.
<p>Complies All the signage proposed for the site is consistent with the existing signage (notwithstanding earlier discussion surrounding the proposed sign structure at the Ford showroom). Whilst the location of a number of signs has changed, they are essentially the same and consist of illuminated signs along the site boundaries and illuminated fascia signs on the buildings. The signage will not result in unreasonable loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles.</p>

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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	Standard notes recommended.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice TWDA 2018/00180-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Permit issued, see attachment two.
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 28 March to 16 April 2018. Ten representations were received within time and one late representation was received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Prior to receipt of the late representation, representors were invited to a meeting to discuss and clarify their issues. Six representors attended the meeting and discussed their concerns, which were primarily in regard to traffic congestion and the historic value of the Riverview Hotel and the remains of the Kains underneath it.

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Table of representors issues:

Issue	Comment
No objection to the proposal	N/A
Archaeological consideration required for the Kains	The applicant is happy to engage a qualified archaeological assessment of any artefacts or remnants of the Kains unearthed. A suitable condition will be imposed.
The rear of the Riverview Hotel building is some 140 years old and although not listed, should be saved and could be incorporated into the proposed building.	The applicant has considered this option and advises that it is not practicable for his needs. The scheme provides for heritage consideration of listed buildings and sites only.
Archaeological consideration required for the Kains.	The applicant is happy to engage a qualified archaeological assessment of any artefacts or remnants of the Kains unearthed. A suitable condition will be imposed.
Land on the Charles Street frontage may be required for future road widening and should not be sold. There is no justification for a site this large to require use of the road for vehicle display. The site should be tested for the presence of hazardous materials and appropriate action taken.	Council's Infrastructure Department has considered the proposal and are satisfied that it is not inconsistent with long term traffic management planning for the area. There are no plans to widen this section of the roadway and the planning scheme does not provide for hypothetical considerations.
Consideration should be delayed until the road closure issue is resolved. This piece of highway may be needed for future traffic management. No need for its sale has been demonstrated.	The possible sale of part of the road reserve is not a matter addressed by the planning scheme. If the land is not purchased, the proposed building will have to be relocated eastwards.
Demolition of the Riverview Hotel is inconsistent with aims to enliven the CBD and attract visitors. Replacement of the hotel with an enlarged car yard further degrades the heritage of the area.	The site is outside the area encompassed by the City Heart project and appropriate archaeological investigation will be undertaken if any artefacts are located. It could also be argued that use of the land as a car yard effectively holds it in readiness to respond to higher order opportunities.

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Issue	Comment
This will have a detrimental impact on what is a seriously constricted traffic congestion point in Launceston. A ground level car yard is not an appropriate use of such limited urban land.	This is not supported by the TIA and there are no plans to widen this section of road to ease congestion. It could also be argued that use of the land as a car yard effectively holds it in readiness to respond to higher order opportunities.
Archaeological consideration required for the Kains.	The applicant is happy to engage a qualified archaeological assessment of any artefacts or remnants of the Kains unearthed. A suitable condition will be imposed.
Archaeological consideration required for the Kains.	The applicant is happy to engage a qualified archaeological assessment of any artefacts or remnants of the Kains unearthed. A suitable condition will be imposed.
Concerns regarding potential impact on the operation of Harvey Norman during the construction period.	Whilst some minor inconvenience is to be expected from development of adjoining sites, standard conditions are imposed to minimise this.

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.

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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 Map (distributed electronically)
 2. Endorsed Plans (distributed electronically)
 3. TasWater SPAN (distributed electronically)
 4. Representations (distributed electronically)
-

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling**FILE NO:** DA0134/2018**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Honed Architecture + Design
Property:	217 St John Street, Launceston
Zoning:	Inner Residential
Receipt Date:	15/03/2018
Validity Date:	27/03/2018
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	21/05/2018
Representations:	13

PREVIOUS COUNCIL CONSIDERATION:

Council - 24 April 2017 - DA0096/2017 for a single dwelling was refused

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 DA0134/2018 - Residential - single dwelling: demolition of existing dwelling and construction of new dwelling at 217 St John Street, Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- (a) Demolition site plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-02 A, dated January 2017;
-

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

- (b) Residence - Level 1 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-08 A, dated January 2017;
- (c) Residence - Level 1 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-09 A, dated January 2017;
- (d) Residence - Level 2 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-10 A, dated January 2017;
- (e) Residence - Level 2 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-11 A, dated January 2017;
- (f) Residence - Level 3 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-12 A, dated January 2017;
- (g) Residence - Level 3 Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-13 A, dated January 2017;
- (h) Residence - Roof Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-14 A, dated January 2017;
- (i) Residence - Roof Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-15 A, dated January 2017;
- (j) Northern Elevation, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-16 A, dated January 2017;
- (k) Eastern Elevation, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-17 A, dated January 2017;
- (l) Southern Elevation, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-18 A, dated January 2017;
- (m) Western Elevation, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-19 A, dated January 2017;
- (n) Proposed Amended Vehicle Parking, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-32 A, dated January 2017;
- (o) Proposed Landscape Plan, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-33 A, dated January 2017;
- (p) Proposed Landscape Northern & Eastern Elevations, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-34 A, dated January 2017; and
- (q) Proposed Landscape Southern & Western Elevations, prepared by Honed Architecture and Design, Project No. 1720, Drawing No. A-DA-35 A, dated January 2017.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00391-LCC) (attached).

3. SITE LANDSCAPING

The landscaping must be:

- (a) Installed in accordance with the endorsed plan; and
 - (b) Completed prior to the use commencing, or a further period as agreed with the Manager City Development; and
 - (c) Maintained as part of residential development. It must not be removed, destroyed or lopped without the written consent of the Manager City Development.
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8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

4. PRIVACY SCREEN

A 1.8m high privacy screen must be erected along the southern side of the deck along the southern elevation as noted on the Level 2 plans and the southern elevation to ensure reasonable privacy for the adjoining property.

5. WINDOWS ANNOTATED AS WHITE GLASS

Windows, annotated as to be glazed in white glass, as a means of providing privacy between properties, must be installed in accordance with the endorsed plans and elevations.

6. LEGAL TITLE

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

7. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

8. PARKING ALTERATIONS IN ST JOHN STREET FOR NEW DRIVEWAY

Prior to lodging a driveway crossing application for the St John Street crossing, the applicant will be required to produce a fully dimensioned drawing showing the changes to the on street restricted parking to facilitate the new double crossover, including the relocation of the existing signs.

No work to alter the line marking is to be undertaken until the approval of the Parking Control Report and any work undertaken by the applicant or their agent is to comply with the approved plan and Council's standard drawings. All line marking and signage work undertaken by a third party must be inspected by a representative of Council's Built Environment Department.

Council's operational staff may be engaged to undertake the works to re-line mark the parking bays and relocate the signage, with the cost recouped from the applicant.

9. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Technical Services is required prior to undertaking works where the works:

- (a) require a road or lane closure;
- (b) require occupation of the road reserve for more than one week at a particular location;
- (c) are in nominated high traffic locations; or
- (d) involve opening or breaking trafficable surfaces.

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

11. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with Council standards. All costs associated with these contractors are to be borne by the applicant.

12. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

13. VEHICULAR CROSSINGS

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

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

All redundant crossovers and driveways must be removed prior to the occupation of the development.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

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

14. SOIL AND WATER MANAGEMENT PLAN

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

15. OCCUPATION OF ROAD RESERVE

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the Director Infrastructure Services is required. Application for the occupation of St John Street and/or Thomas Street must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- (a) The nature, dates and duration of the occupation and/or works;
- (b) The contractors name and registration number;
- (c) The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
- (d) Any alternative pedestrian routes to be provided where the existing footpath in St John Street and/or Thomas Street is unavailable for use due to the delivery of materials such as the precast concrete panels; and
- (e) Any temporary works required to maintain the serviceability of the road or footpath.

A permit issued for any occupation and/or works may be subject to conditions specifying or limiting:

- (a) The nature, dates and duration of the occupation and/or works;
 - (b) The traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles;
 - (c) Any alternative pedestrian routes to be provided where the existing footpath in St John Street is unavailable for use due to the delivery of materials such as the precast concrete panels;
 - (d) Any temporary works required to maintain the serviceability of the road or footpath; and
 - (e) All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.
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8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

16. AMENITY

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

17. DEMOLITION

The Developer must:

- (a) protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- (b) not undertake any burning of waste materials on site;
- (c) remove all rubbish from the site for disposal at a licensed refuse disposal site; and
- (d) dispose of any asbestos found during demolition in accordance with the Worksafe Tasmania 'How to Safely Remove Asbestos' Code of Practice 2012 or any subsequent versions of the document.

Notes

A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.

B. Occupancy Permit Required

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

C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

D. General

This permit was issued based on the proposal documents submitted for DA0134/2018. 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.

E. Restrictive Covenants

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

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

F. Appeal Provisions

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

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

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

G. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

REPORT:**1. THE PROPOSAL**

It is proposed to demolish an existing dwelling and construct a new 4 bedroom, 2 storey level dwelling at 217 St John Street, Launceston. It is also proposed to construct retaining walls as a response to the slope of the site and design of the building and include landscaping. The St John Street frontage, being 35.6m in length is the primary frontage. The dwelling will be setback:

St John Street: 1.5m
Thomas Street: 1.5m
Northern Side: 700mm
Southern Side: 1.1m

Existing access is off Thomas Street and an additional new access is proposed off St John Street.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located six street blocks south of the central city mall, between Balfour and Frankland Streets and on the eastern and higher side of the street. The immediate surrounding area primarily contains single dwellings constructed in the late 1800 and early 1900s in a variety of styles, sizes and materials, with a number having heritage significance. Other uses in the general area include food premises along Charles Street to the west, a church at the southern end of the street block in St John Street.

The site is rectangular in shape with an area of 455m². It falls to the west from the Thomas Street to the St John Street frontage by approximately 3m and is fully connected to reticulated services. Both frontages will provide vehicular access to the site.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

Consistency with the zone purpose has been achieved as the proposal is for a residential use in a residential zone.

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

Objective:

To ensure that the setback from frontages:

- (a) assist in the establishment of the streetscape character;
- (b) enhance residential amenity;
- (c) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and
- (d) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise.

Consistent

Consistency with the objective has been achieved as the proposal will enhance the residential amenity of the site and area in general.

A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions) must have a setback from a frontage that is:

- (a) no less than 4.5m from a primary frontage; and
- (b) no less than 3m to a frontage other than a primary frontage; or
- (c) a distance which is no more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or
- (d) no less than the existing dwelling setback if less than 4.5m.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

<p>Complies The application demonstrates compliance with A1(c) as follows:</p> <p><u>St John Street Frontage:</u> The southern adjoining lot contains a single dwelling setback 2.1m from the frontage whilst the northern lot contains a dwelling setback 1.2m from the frontage. As the proposed dwelling is setback 1.5m it is compliant with A1(c).</p> <p><u>Thomas Street Frontage:</u> The southern adjoining lot contains a single dwelling setback 1.5m from the frontage and the northern adjoining lot contains a dwelling that is built to the front boundary. As the proposed dwelling is setback 1.5m it is compliant with A1(c).</p>
--

11.4.2 Site coverage and rear setback for single dwellings

<p>Objective: To ensure that the location and extent of building site coverage:</p> <ul style="list-style-type: none"> (a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; (b) assists with the management of stormwater; (c) provides for setback from the rear boundary; and (d) has regard to streetscape qualities.
<p>Consistent Consistency with the objective has been achieved as the proposal ensures the development is designed to allow for private open space.</p>
<p>A1 A site coverage of no more than 50% excluding building eaves and access strips where less than 7.5m wide.</p>
<p>Relies on Performance Criteria The development will result in a total site coverage of 58%. As this is unable to meet the requirements of the Acceptable Solution the proposal is reliant on the Performance Criteria.</p>
<p>P1 Site coverage must:</p> <ul style="list-style-type: none"> (a) provide for useful areas of open space for gardens and outdoor recreation purposes; (b) allow areas to be retained for the absorption of rainwater into the ground; and (c) have regard to streetscape qualities.
<p>Complies An assessment against the Performance Criteria is as follows:</p> <p>Site coverage must:</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

(a) Provide for useful areas of open space for gardens and outdoor recreation purposes:

It should be noted that there is no minimum requirement for the provision of private open space for single dwellings in the Inner Residential zone, taking account that it allows for increased residential densities. By contrast, the General Residential zone (which applies to suburban densities) requires private open space for single dwellings to include a minimum continuous area of 24m² and dimension of 4 m. The proposal includes a courtyard as the following image illustrates:

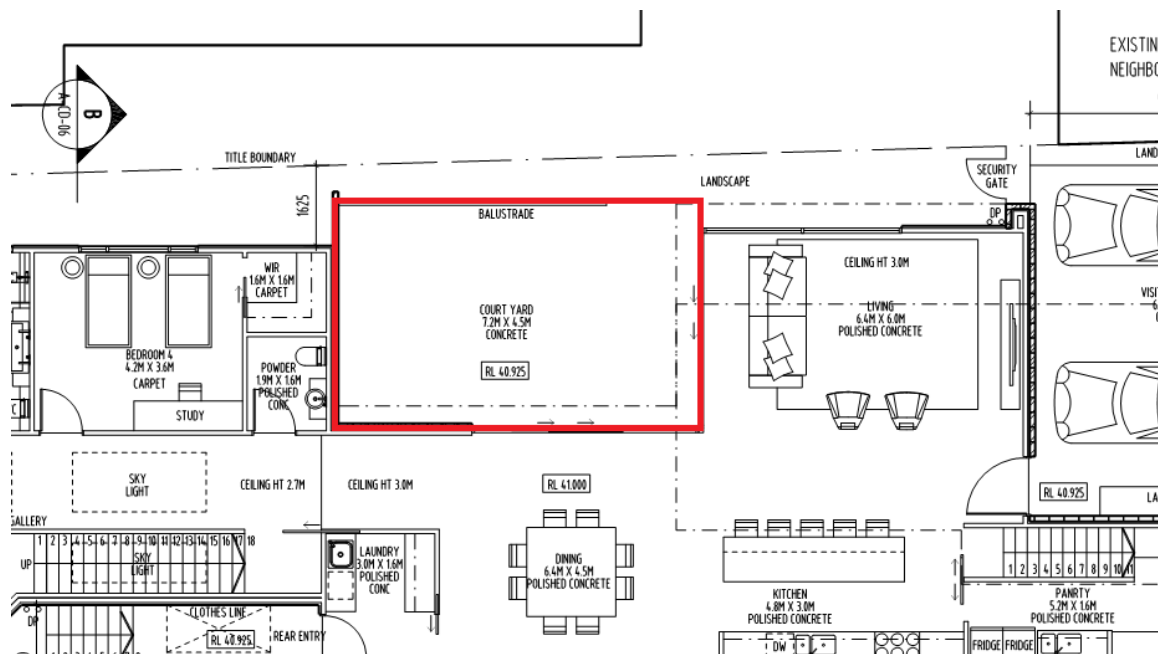


Figure 1 - Courtyard Private Open Space

This courtyard provides an area of 32.4m² with a minimum dimension of 4.5 m. A further 120m² of private open space will be provided outside the building envelope within the side setbacks and partly within the frontage setbacks and will be suitable for landscaped gardens.

As such it is considered the proposal has provided useful areas of private open space and areas appropriate for residential gardens, complying with (a).

(b) Allow areas to be retained for the absorption of rainwater into the ground:

The proposed garden areas will enable the absorption of rainwater into the ground. Their combined area represents 33% of the site which will be free of impervious surface. As such the proposal has demonstrated the design has allowed for the retention and absorption of rainwater into the ground, complying with (b); and

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

(c) Have regard to streetscape qualities:

It has been argued that the proposed site coverage has been determined in part by the frontage setbacks. The dwelling will be setback in close proximity to St John and Thomas Street, and will extend between the two frontages. The proposed frontage setback is consistent with the buildings on the adjoining lots and the streetscape, as demonstrated in the following image:



Figure 2 - Consistency with Streetscape

Further, there are several other dwellings in the street which have a site coverage greater than 50%, being:

- 190 St John Street;
- 192 St John Street;
- 194 St John Street;
- 196 St John Street;
- 204 St John Street; and
- 210 St John Street.

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As such the proposed site coverage is not out of character with the streetscape and has had regard to streetscape qualities, complying with (c).

As the above has demonstrated, the proposal, whilst covering more than 50% of the site, has provided useful areas of open space, allows for the retention of rainwater into the ground, and has had regard to streetscape qualities. Accordingly the proposal complies with the Performance Criteria.

11.4.3 Building envelope for single dwellings

Objective:
 To ensure that the siting and scale of single dwellings:

- (a) allows for flexibility in design to meet contemporary dwelling requirements;
- (b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and
- (c) has regard to streetscape qualities.

Consistent
 Consistency with the objective has been achieved as the proposal has been designed to protect the amenity of neighbours.

11.0 Inner Residential Zone

A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:

- (a) determined by a setback of no less than 3m from side boundaries and no less than 4m from the rear boundary and a building height of no more than 5.5m; or
- (b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to a building height of no more than 8.5m above natural ground level (see Figures 11.4.3 A and 11.4.3 B); and walls are setback:
 - (i) no less than 1.5m from a side boundary; or
 - (ii) less than 1.5m, provided the wall is built against an existing boundary wall or the wall or walls have a total length of no greater than 9m or one third of the boundary with the adjacent property, whichever is the lesser.

Relies on Performance Criteria
 As parts of the building are outside of the allowable building envelope, the proposal is unable to comply with the Acceptable Solutions and is reliant on the Performance Criteria.

P1 The siting and scale of single dwellings must be designed to:

- (a) ensure there is no unreasonable loss of amenity on adjoining lots by:
 - (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above;
 - (ii) overlooking and loss of privacy; and
 - (iii) visual impacts when viewed from adjoining lots: and

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

- (b) take into account steep slopes and other topographical constraints; and
- (c) have regard to streetscape qualities.

Complies

As stated by the applicant:

"The building envelope is illustrated on the elevations and sections which accompany the application. The St John Street (western) and Thomas Street (eastern) elevations represent a worst-case scenario. In the case of the St John Street elevation, this is largely because of the slope which rises towards Thomas Street. The extent to which the dwelling lies outside the sides of the envelope reduces as the slope rises and the building height above natural ground level lowers accordingly"

A detailed assessment of the Performance Criteria is outlined below:

The siting and scale of single dwellings must be designed to:

- (a) Ensure there is no unreasonable loss of amenity on adjoining lots by:**
- (i) Overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above;**

The detailed assessment below looks at the 21 June, being the shortest day of the year, and therefore the absolute worst case scenario.

Northern Property:

There will be no overshadowing impact to the northern adjoining property.

Southern Property:

It is noted that the windows of habitable rooms and private open space areas along the northern side of the adjoining lot to the south are already overshadowed across the entire day on 21 June by buildings and vegetation within the adjoining lot itself, the side fence on the shared boundary and the existing dwelling within the subject site. The following images illustrate the proposed overshadowing effect at 9.00am, 12.00pm and 3.00pm, on 21 June.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

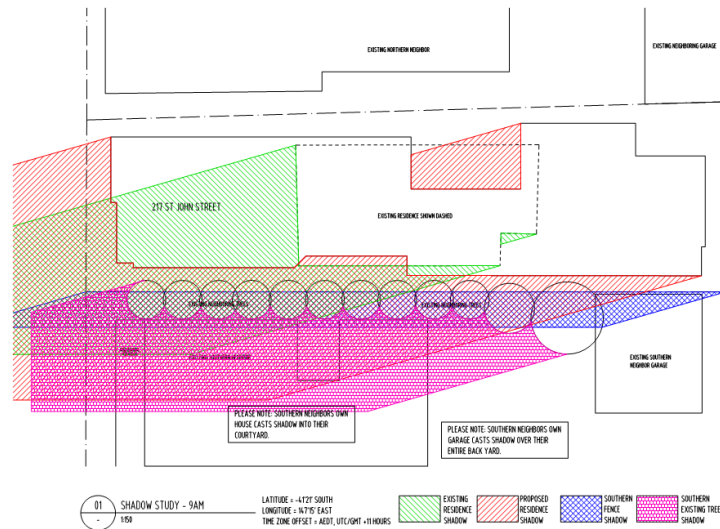


Figure 3 - 9.00am

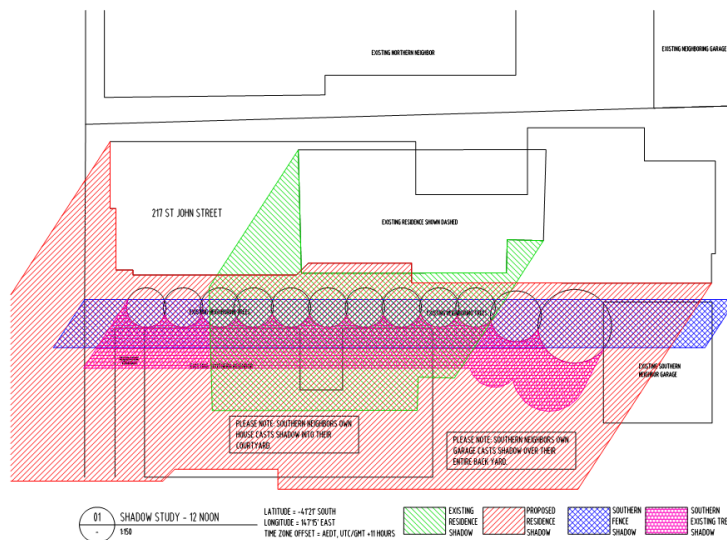


Figure 4 - 12.00pm

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

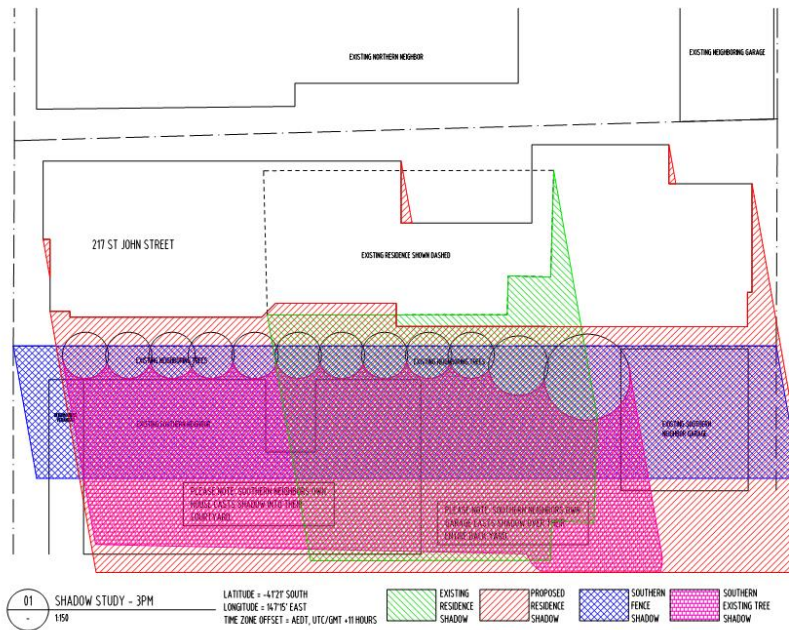


Figure 5 - 3.00pm

The above images illustrate the existing shadow, proposed shadow, fence line shadow, and vegetation shadows. The images also make it clear that the proposed dwelling will increase the overshadowing, however, the degree of increase is not considered unreasonable having regard to the orientation of the lots and the allowable building envelope.

It should be noted that the applicant has argued the proposed impact is lesser than what is possible under the acceptable solutions, a recent tribunal decision has determined that this justification holds no bearing and an application should be determined on what is proposed, not what could potentially occur.

The Performance Criteria is required to ensure no unreasonable loss of amenity by way of overshadowing as the application is proposed. The applicant provided detailed shadow diagrams on the 21 June (the worst case scenario) from sunrise to sunset and included existing shadows, and should be viewed in conjunction with this assessment. A breakdown from the hours between 9.00am and 5.00pm is detailed below:

9.00am

Existing: Overshadows more than 50% of adjoining dwelling northern wall including habitable rooms.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 50% of northern wall and some private open space.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Proposed: Overshadows entirety of adjoining dwelling northern wall, approximately 25% of northern wall and some private open space.

Conclusion: The proposed dwelling will not result in an increase in overshadowing taking into account the existing situation

10.00am

Existing: Overshadows approximately 90% of adjoining dwelling northern wall including habitable rooms.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 20% of northern wall and some private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, approximately 80% of northern wall and some private open space.

Conclusion: There will be an increase in overshadowing of private open space but nothing that would be considered unreasonable.

11.00am

Existing: Overshadows approximately 90% of adjoining dwelling northern wall including habitable rooms.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 20% of northern wall and some private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, approximately 80% of eastern wall and some private open space.

Conclusion: There will be an increase in overshadowing of private open space.

12.00pm

Existing: Overshadowing approximately 70% of adjoining dwelling northern wall and some private open space.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 20% of northern wall, and some private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, approximately 80% of eastern wall and some private open space.

Conclusion: There will be an increase in overshadowing of private open space.

1.00pm

Existing: Overshadowing of approximately 60% of adjoining dwelling northern wall and increase to overshadowing of private open space.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 20% of northern wall and a larger portion private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, all of the eastern wall and increase of coverage to private open space.

Conclusion: There will be an increase in overshadowing of private open space in conjunction with the increase in coverage by existing building and vegetation.

2.00pm

Existing: Overshadowing of approximately 50% of adjoining dwelling northern wall and increase to overshadowing of private open space.

Fence: Overshadows entirety of adjoining dwelling northern wall and some private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall, approximately 20% of northern wall and a larger portion private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, all of the eastern wall and almost the entirety of private open space.

Conclusion: There will be an increase in overshadowing of private open space in conjunction with the increase in coverage by existing building and vegetation.

3.00pm

Existing: Overshadowing of approximately 40% of adjoining dwelling northern wall and more than half of the private open space.

Fence: Overshadows entirety of adjoining dwelling northern wall and increase to the coverage of private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall and increase to the coverage of private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, all of the eastern wall and almost the entirety of private open space.

Conclusion: There will be an increase in overshadowing of private open space in conjunction with the increase in coverage by existing building and vegetation.

4.00pm - 5.00pm

Existing: Overshadowing of approximately 50% of adjoining dwelling northern wall and increase to overshadowing of private open space.

Fence: Overshadows entirety of adjoining dwelling northern wall and entirety of their private open space.

Vegetation: Overshadows entirety of adjoining dwelling northern wall and almost all of their private open space.

Proposed: Overshadows entirety of adjoining dwelling northern wall, all of the eastern wall and almost the entirety of private open space.

Conclusion: There will be an increase in overshadowing of private open space in conjunction with the increase in coverage by existing building and vegetation.

As the above suggests, the most significant impact of the new dwelling will be the

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

overshadowing of private open space on the adjoining southern lot. However, due to the existing vegetation onsite, and existing adjoining shed, the overshadowing is not considered unreasonable. It is also noted that the majority of adjoining private open space still receives sunlight between 9.00am and 12.00pm. The proposal complies with (a)(i).

Again, the above was assessed on the worst case scenario of the shortest day of the year where it has been considered the impact is marginal. It is important to understand that overshadowing decreases outside of the mid-winter period.

(ii) Overlooking and loss of privacy; and

The sides of the proposed dwelling include windows which extend partly outside the permissible envelope and at Level 2 are within 1.5m of the side boundaries. Several windows will either be associated with non-habitable rooms or other internal areas with a floor level less than 1m and therefore, are not subject to (ii) as they are compliant with the Acceptable Solutions. The other side facing windows will either be setback more than 3m from the boundaries, offset from windows of habitable rooms in the adjoining lots or will contain white translucent glazing.

The proposed dwelling will also include two balconies and a deck. Their floor levels will be contained within the permissible envelope and they will be adequately separated or screened from habitable rooms and outdoor spaces including private open space within the adjoining lots.

The proposal meets (a)(ii).

(iii) Visual impacts when viewed from adjoining lots

It is noted that the visual impact associated with the permissible building envelope would be greater than the proposed dwelling, given that the building height would be greater. Notwithstanding, whilst the new dwelling will clearly be seen when viewed from adjoining lots, it is not considered unreasonable. Similar to other lots within the immediate vicinity of the subject site, the lot is constrained due to its slope and narrow dimensions. It is evident that the character of this area of Launceston is for dwellings to be constructed closer to the boundary than what may be allowed by the current acceptable solutions. This is due to the higher density entitlements the Inner Residential Zone permits and historic subdivision patterns resulting in narrow lots. As such the visual bulk would be no different to any other development occurring on site. It is considered the proposal complies with (a)(iii).

(b) Take into account steep slopes and other topographical constraints; and

The proposal has been designed as a response to the slope on site. Level 2 of the proposed dwelling will be constructed close to ground level at the Thomas Street frontage and will extend over the slope towards the St John Street frontage. Level 1 will be constructed under and partly into the slope, whilst Level 3 will be constructed in the

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

higher portion of the site adjacent to Thomas Street. The heights associated with the building envelope relate to natural ground level. The proposed dwelling does not occupy the upper part of the envelope and has therefore been designed having regard to the slope of the site. The slope and width of the site create some challenges in terms of retaining development within the 45° sides of the building envelope. However, as identified in the assessment above, the resulting impacts on solar access, privacy and visual amenity associated with adjoining lots will be assessed as being acceptable.

(c) Have regard to streetscape qualities
 The setback and height of the proposed dwelling is compatible with surrounding residential development and therefore it has been designed having regard to the streetscape qualities.

As the above has demonstrated, the proposal, whilst protruding outside of the building envelope in discrete areas, has been designed to ensure there is no unreasonable loss of amenity to adjoining lots and has regard to the streetscape qualities and positively responded to the visual bulk provisions. Therefore, the proposal is assessed as complying with the Performance Criteria.

11.4.4 Frontage setback and width of garages and carports for single dwellings

<p>Objective: To ensure that the location and size of garages or carports:</p> <ul style="list-style-type: none"> (a) do not dominate the facade of the dwelling or dominate the streetscape; (b) do not restrict mutual passive surveillance of the road and dwelling; and (c) provides for safe vehicular access to and egress from the site.
<p>Consistent Consistency with the objective has been achieved as the proposal ensures the proposed garage does not dominate the streetscape.</p>
<p>A1 Garages or carports within 12m of the frontage whether free-standing or part of the dwelling:</p> <ul style="list-style-type: none"> (a) must have a total width of openings facing the primary frontage of no greater than 6m or half the width of the frontage, whichever is the lesser; and (b) must have: <ul style="list-style-type: none"> (i) a setback from frontage measured to the door, post or supporting column no less than required for a single dwelling in 11.4.1 A1; or (ii) a setback from the primary frontage no less than 0.5m if the ground slopes up or down for 10m from the frontage at more than 1:5.
<p>Complies The garage facing St John Street is setback 6.0m from the frontage, and has an opening of 5.2m. Therefore, it meets the setback required for a single dwelling with an opening less than half the width of the frontage, complying with the Acceptable Solution.</p>

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11.4.5 Privacy for single dwellings

<p>Objective: To ensure that the location and design of windows of habitable rooms, balconies, decks, roof gardens, parking spaces and carports maintain residential amenity by minimising the potential for overlooking between neighbours.</p>
<p>Consistent Consistency with the objective has been achieved as the design of the dwelling maintains residential amenity.</p>
<p>A1 Balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) that have a finished surface or floor level greater than 1m above natural ground level must have a side setback of no less than 3m and a rear setback of no less than 4m.</p>
<p>Relies on Performance Criteria The front balcony will have a floor level 2.8m above natural ground level and will be setback 1.5m from the southern side boundary. The clothes-line deck will be 1.7m above natural ground level and will be setback 1.1m from the southern side boundary. The balcony adjacent to the internal living/dining area will be 1.5m above natural ground level and will be setback between 700mm and 900mm from the northern side boundary. As such assessment of these areas is reliant on the Performance Criteria.</p>
<p>P1 The potential for direct overlooking from balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) with a finished surface or floor level more than 1m above natural ground level on one lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or offset or by use of solid or translucent screening.</p>
<p>Complies The Performance Criteria requires that the potential for overlooking must be avoided or minimised through separation offset or screening.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

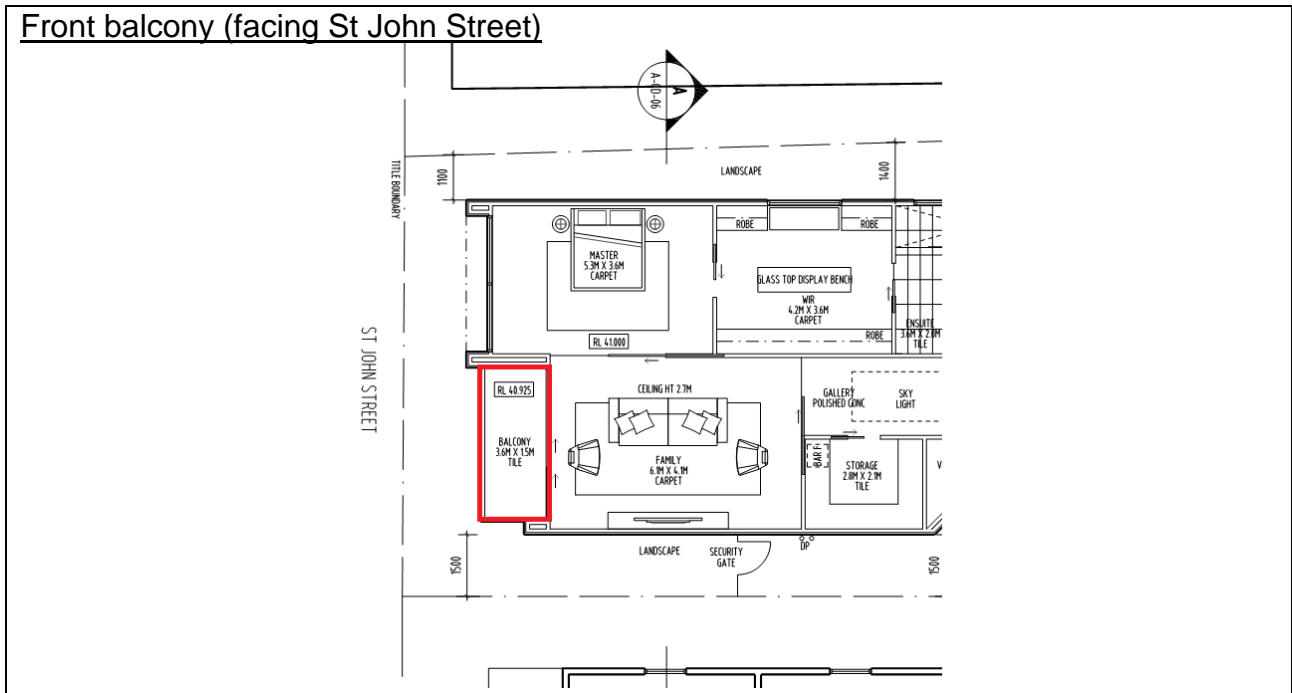


Figure 6 - Front Balcony

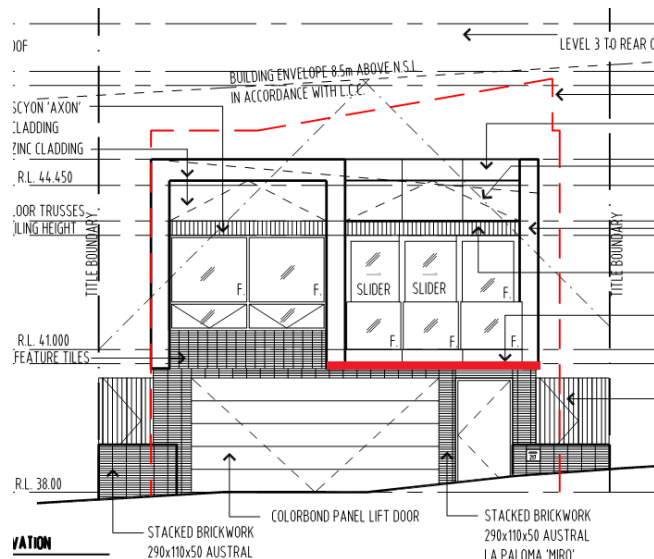


Figure 7 - Front Balcony Elevation

The front balcony has maintained alignment with the verandah at the front of the adjoining dwelling to the south. The separation between both areas will be 3.6m, with the proposed balcony having a section of the dwellings southern wall extending across 37% of the balcony. There is also an existing tree on the adjoining lot offering more privacy. It is also proposed to plant in the front boundary and between the balcony and southern property, with the chosen vegetation to grow beyond the balustrade of the

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ... (Cont'd)

balcony offering further screening.

Clothes-Line Deck

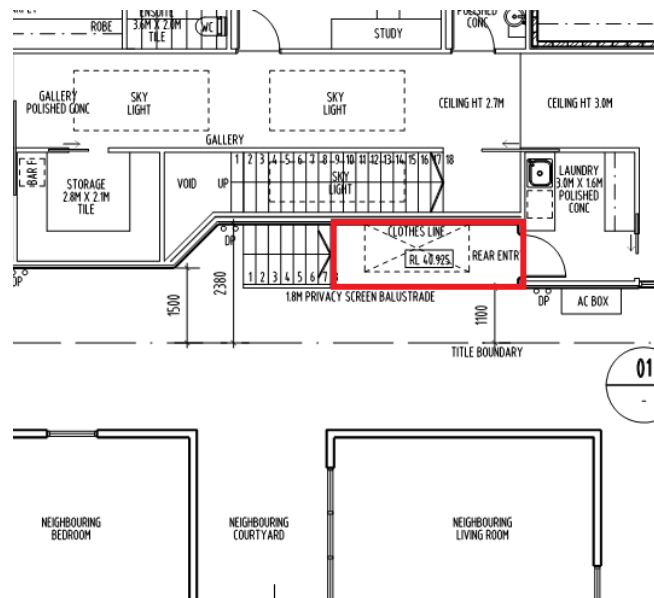


Figure 8 - Clothes Line Deck

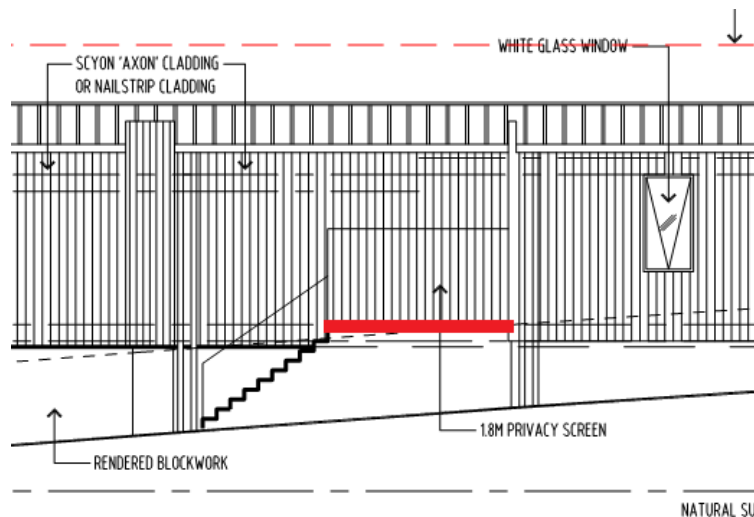


Figure 9 - Clothes Line Deck Elevation

The clothes line deck proposes a 1.8m high privacy screen along the southern side, avoiding any privacy issues.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Internal Courtyard

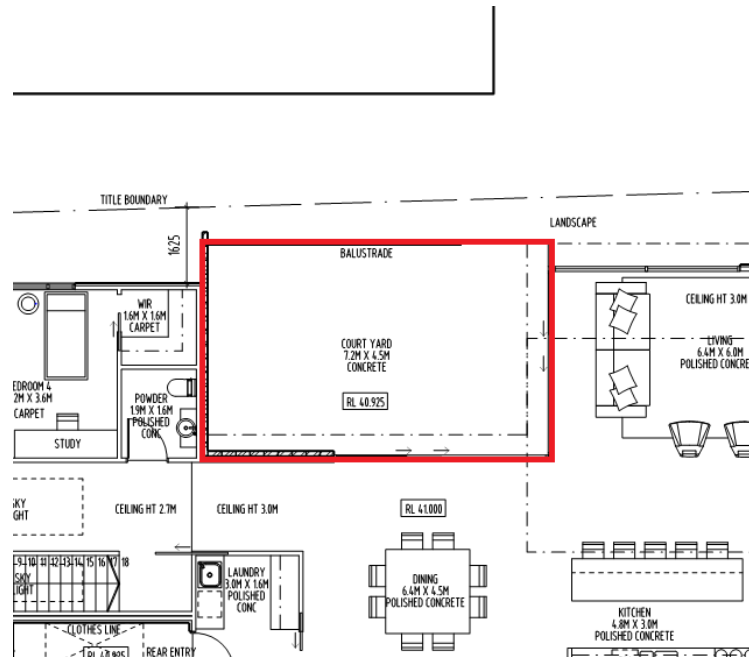


Figure 10 - Internal Courtyard

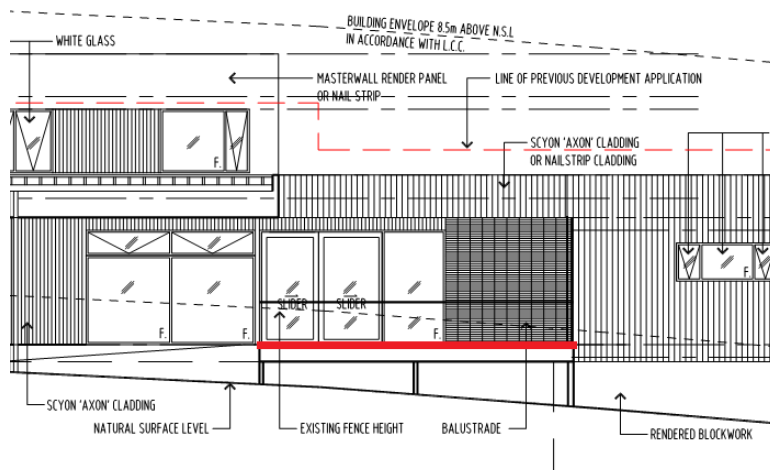


Figure 11 - Internal Courtyard Elevation

The courtyard is generally aligned with a window in the upper level of the dwelling on the northern adjoining property with a separation of 4m. The courtyard is not located on a second storey but is slightly elevated off the ground. Due to the retaining wall running along the northern boundary, the adjoining property's private open space is below the courtyard, at an angle that will not be visible when viewed from the courtyard.

The proposal complies with the Performance Criteria.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

<p>A2 Windows of habitable rooms which have a floor level greater than 1m above natural ground level must:</p> <ul style="list-style-type: none"> (a) have a side setback of no less than 3m; or (b) be offset no less than 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or (c) have a window sill height of no less than 1.7m.
<p>Relies on Performance Criteria</p> <p>The windows to the walk in robe and ensuite to the master bedroom, as well as the windows to bedroom 4, are to rooms with a floor level which is more than 1m above natural ground level and are located within 3m of the side boundary. As such reliance on the Performance Criteria is sought.</p>
<p>P2 The potential for direct overlooking from windows of habitable rooms with a finished surface or floor level more than 1m above natural ground level on one lot to the windows of habitable rooms, balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation and offset or by use of solid or translucent screening.</p>
<p>Complies</p> <p>All windows that are unable to comply with the Acceptable Solution will contain a white translucent glazing, as shown on the endorsed plans, which will ensure that the potential or direct overlooking into the adjoining lot to the north is avoided.</p>

11.4.6 Frontage fences for single dwellings

<p>Objective:</p> <p>To ensure that the height and design of frontage fences:</p> <ul style="list-style-type: none"> (a) provides adequate privacy and security for residents while allowing for mutual passive surveillance of the road and dwelling; and (b) enhances streetscapes.
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal will ensure all fencing will maintain privacy whilst enhancing the streetscape.</p>
<p>A1 The building height of fences on and within 4.5m of a frontage must be no greater than:</p> <ul style="list-style-type: none"> (a) 1.2m if solid; or (b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency.
<p>Complies</p> <p>The security gate to the south of the proposed dwelling adjacent to the Thomas Street frontage will be setback 2.9 m from the frontage. It will have a height of 1.8m and the entire gate will be constructed of powder coated aluminium with 50% transparency, complying with the Acceptable Solution.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

11.4.22 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal ensures all earthworks proposed are of an appropriate standard and will not affect the amenity of adjoining lots.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
<p>Relies on Performance Criteria As retaining walls and earthworks requiring cut and fill more than 600mm above and below the existing ground level is proposed, reliance on the Performance Criteria is sought.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots. The site slopes from Thomas Street (39m AHD) downwards to St John Street (37m AHJD). The proposed earthworks and retaining walls are a response to this topography.</p> <p>The retaining wall will be located mostly within the St John side of the lot. The walls and works will work seamlessly with the design and not be apparent when viewed from a public place or adjoining lot.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Whilst contributing to the overall height of the dwelling and as such the overshadowing, it has demonstrated the impact on the streetscape and the overshadowing of adjoining lots is reasonable. As stated above, due to the topography of the site the earthworks are required to construct the dwelling. It is noted that any development over the site would require earthworks.

During construction it will be necessary to manage works efficiently that minimise impacts on the neighbours. This is through construction standards at the building stage. At the planning assessment stage it has been determined that retaining walls and earthworks will have no impact on adjoining structures.

The proposal has been reviewed by Council's Infrastructure Department. It has been considered that the development, including retaining walls, is able to direct stormwater into the reticulated system.

The proposal complies with the Performance Criteria.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:
 (a) protect the safety and efficiency of the road and railway networks; and
 (b) reduce conflicts between sensitive uses and major roads and the rail network.

Consistent
 Consistency with the code purpose has been achieved as the proposed new access will maintain efficiency of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

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

Consistent
 Consistency with the objective has been achieved as the proposal maintains the efficiency of the road network.

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

Complies
 The existing access off Thomas Street will not increase by more than 40 vehicle movements per day.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
Consistent Consistency with the objective has been achieved as the proposal ensures that the safety and efficiency of road is maintained.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Relies on Performance Criteria The proposed new access will result in two access points into the property. As they will not be connected to provide separate entry and exit reliance on the Performance Criteria is required.
P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
Complies The application received Road Authority consent on 1 April. The proposed residential crossover on St John Street will remove one car park from the street. Whilst the development will result in the removal of 1 on street car park, it will allow for a total of four off street car parks available for the subject site through the new St John Street access. Therefore, this will create more spaces on the street by providing resident and visitor parking for 217 St John Street. The subdivision layout for lots within the area has resulted in lots containing two frontages. The subject site would not be the only lot within the street that would contain vehicle access from both frontages. It is not considered unreasonable for a residential use to access a site from both frontages.

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent Consistency with the objective has been achieved as the proposal ensures there is sufficient sight distance for the new access.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Complies Adequate sight distances are available for the new crossover.</p>

E6.0 Parking and Sustainable Transport Code

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

E6.5 Use Standards

E6.5.1 Car parking numbers

<p>Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal provides sufficient car parking numbers.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than 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.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

Complies

A four bedroom dwelling in the Inner Residential Zone requires one space per bedroom or two spaces per three bedrooms, for four spaces total. The development proposes a double lockup garage accessible via St John Street, and two open car parking spaces accessible via Thomas Street. As such the proposal complies with the Acceptable Solution.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal ensures that parking areas are constructed to an appropriate standard.

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

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

Complies

All parking, access ways, manoeuvring and circulation spaces have a gradient of less than 10%, formed and paved, and able to drain to a public stormwater system

E6.6.2 Design and layout of parking areas

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal ensures that parking areas are designed and laid out to provide convenient, safe and efficient parking.

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

- (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than 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.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

<p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Relies on Performance Criteria</p> <p>All car parks, access ways and circulation spaces will be compliant with the applicable Australian Standard, be paved and formed and have a gradient of less than 10%. However, as the development is proposing more than four car parking spaces, where entering and existing the property in a forward direction is not possible, the application is reliant on the Performance Criteria.</p>
<p>P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) vehicle and pedestrian traffic safety; (d) the nature and use of the development; (e) the expected number and type of vehicles; (f) the nature of traffic in the surrounding area; and (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.
<p>Complies</p> <p>As previously discussed, the site is narrow and contains two frontages. The construction of a driveway to run through the site would severely constrain development. The proposed car parks will be required to either reverse in and drive out in a forward direction, or drive in and reserve out. This is not an uncommon way to enter a residential property, and being on a residential street with a speed limit of 50kph, will not cause a safety issues. It is also noted that whilst more than four car parking spaces are proposed, the dwelling will contain four bedrooms where it is envisaged generally two cars will be utilised. The excess car parking spaces will allow for visitors to enter the site and not utilise on street parking. The proposal complies with the Performance Criteria.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	<p>The current application does not represent a significant change with the application having access shown from both streets and requiring changes to the existing parking controls situated in St John Street. These changes are shown on the submitted plans and in the event the application is approved - the changes will be at the cost of the applicant. A specific condition has been included in relation to this.</p> <p>The secondary frontage is to the narrow Thomas Street where it is proposed to remove the existing crossover and replace it with a new access on the northern end of the frontage. There is no footpath along Thomas Street</p> <p>The driveway required in Thomas Street will not look like a standard driveway given that there is no road verge with the road seal coming right to the property boundary. It will be necessary to liaise directly with the Investigations Team when the driveway crossing application is made to understand the site specific constraints.</p> <p>The proposal represents a significant development of the site and it will be necessary to manage the works in a way that minimises the impact on the neighbours and the users of the road (pedestrians and vehicles). Conditions are imposed in relation to this also.</p>
Environmental Health	Conditional consent provided with standard conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Standard conditions recommended.

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a submission to Planning Authority Notice TWDA 2018/00391-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 31 March to 16 April 2018. Thirteen representations were received. A representor meeting was held on 24 April 2018 at the Council Chambers with seven representors attending. It is also noted that the applicant provided a written response to the issues raised in the representations. This response was sent to the submitters to help alleviate concern and is attached as Attachment 5 to this report.

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 in Attachment 4.

<p>Issue #1: The removal of two car parking spaces to allow for the additional crossover on St John Street. This will impact the availability of on-street car parking for surrounding residents and visitors. It was also questioned why the site needed so many car parks.</p>
<p>Response: It is noted that only one car park is proposed to be removed from St John Street, not two. Further, whilst the development will result in the removal of one on street car park, it will allow for a total of four off street car parks available for the subject site through the new St John Street access. Therefore, this will create more spaces on the street by providing resident and visitor parking for 217 St John Street.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

<p>Issue #2: The dwelling will overlook surrounding and adjoining properties. Privacy issues. The second storey courtyard will overlook.</p>
<p>Response: A response to overlooking and privacy issues has been discussed within the report. The dwelling has been designed to minimise any overlooking through white glass staining on windows that have the potential to cause issues. The courtyard is not located on a second storey but is slightly elevated off the ground. Due to the retaining wall running along the northern boundary, the adjoining property's private open space is below the courtyard, at an angle that will not be visible when viewed from the courtyard.</p>
<p>Issue #3: The design is too modern and along with its size and bulk, does not fit in with the streetscape. No consideration has been given regarding the character of the street. It is an overdevelopment, proven by its site coverage exceeding 50%.</p>
<p>Response: A response to streetscape qualities as well as bulk and size has been discussed within the report. The character of the area is a mix of large dwellings on relatively smaller lots. The proposed development is keeping within this character of development. There are examples of dwellings within the street that cover more than 50% of the site, and therefore the proposal is not out of character. Whilst protruding outside of the building envelope, has been designed to ensure there is no unreasonable loss of amenity to adjoining lots</p>
<p>Issue #4: Concerns regarding stormwater drainage. Too many impervious areas.</p>
<p>Response: Stormwater is able to be drained into the reticulated stormwater system.</p>
<p>Issue #5: Visual bulk when viewed from adjoining properties.</p>
<p>Response: As previously discussed, the buildings bulk is compatible with buildings on adjoining lots and within the area.</p>
<p>Impact #6: Overshadowing of adjoining properties habitable rooms, courtyards, and private open space. Shadow diagrams were confusing.</p>
<p>Response: A response to overshadowing has been discussed in detail within the report and it has been considered. Development on the site will always cause some overshadowing due to its narrow shape and slope. Through detailed assessment, that overshadowing will not cause an unreasonable loss of amenity.</p>
<p>Issue #7: The impact the dwelling will have on the bluestone wall along the northern boundary. An independent geo report states it is already unsafe and potential development may cause it to collapse.</p>
<p>Response: It is noted that the bluestone wall along the northern boundary has been ongoing issue for a number of years. The wall is in disrepair and requires urgent attention. Construction standards are applicable in all development and will be required to be adhered to during the construction phase so as not to put any further stress on the wall. However, at the planning stage it is generally not a consideration that can be given.</p>
<p>Issue #8 Not enough green space or gardens on site. This will affect the stormwater flows and is not keeping with the character of the area.</p>
<p>Response: The design has included a detailed landscaping plan that is considered appropriate. Landscaping is not strictly controlled under the planning scheme, however, the proposed landscaping is considered consistent with surrounding development.</p>

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

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

8.2 217 St John Street, Launceston - Residential - Single Dwelling: Demolition of Existing Dwelling and Construction of New Dwelling ...(Cont'd)

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Endorsed Plans (distributed electronically)
 3. TasWater SPAN (distributed electronically)
 4. Representations (distributed electronically)
-

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective)

FILE NO: DA0644/2017

AUTHOR: Marilyn Burns (Urban Design 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:	S Group
Property:	20 Floreat Crescent, Trevallyn
Zoning:	General Residential
Receipt Date:	29/11/2017
Validity Date:	4/12/2017
Further Information Request:	05/12/2017
Further Information Received:	05/02/2018
Deemed Approval:	23/05/2018
Representations:	Three

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 DA0644/2017 - Residential - multiple dwellings; construction and use of two dwellings, removal of trees, relocation of crossover (partially retrospective) at 20 Floreat Crescent, Trevallyn, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Letter, prepared by S Group, Proposed Townhouse Development, Page No 1-5, dated 10/05/2018.
 - b. Tree Report, prepared by Tas Tree Specialists, Page No 01, dated 29/11/2017.
 - c. Cover Page, prepared by S Group, Drawing No. A0-000, Proposed Townhouse Development, Rev D, dated 05/04/2018.
-

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ... (Cont'd)

- d. Site Plan, prepared by S Group, Drawing No. A1-001, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- e. Floor Plan Upper, prepared by S Group, Drawing No. A2-001, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- f. Floor Plan Lower, prepared by S Group, Drawing No. A2-002, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- g. Elevations, prepared by S Group, Drawing No. A3-001, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- h. Elevations, prepared by S Group, Drawing No. A3-002, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- i. Elevations, prepared by S Group, Drawing No. A3-003, Proposed Townhouse Development, Rev D, dated 05/04/2018.
- j. Planning Diagram, prepared by S Group, Drawing No. A4-001, Proposed Townhouse Development, Rev D, 05/04/2018.
- k. Shadow Diagram, prepared by S Group, Drawing No. A4-002, Proposed Townhouse Development, Rev D, 05/04/2018.

2. DRIVEWAY AND TURNING AREA

The proposal must provide rain gardens for water quality improvements at the rear of the property. The turning area at the end of the driveway is to have a gradient of 10% or less, with a 1m high barrier designed to the satisfaction of the Manager City Development at the eastern end of the turning area.

3. NON REFLECTIVE EXTERIOR FINISH

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

4. SCHEDULE OF MATERIALS/COLOURS

Prior to the commencement of the works, a printed sample and schedule of external building materials, finishes and colours, including details of cladding and roofing materials, must be submitted for approval by the Manager City Development. Once approved, the schedule will be endorsed to form part of the planning permit.

5. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01901-LCC) (attached).

6. SITE LANDSCAPING

The landscaping must be:

- a. Installed in accordance with the endorsed plan and conditions;
 - b. Completed prior to the use commencing or a further period as agreed by the Manager City Development; and
-

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ...(Cont'd)

- c. Maintained as part of the development. It must not be removed, destroyed or lopped without the written consent of the Manager City Development.

7. NO FURTHER VEGETATION REMOVAL

Tree and vegetation removal must be limited to those specifically notated on the approved plan(s) as "*tree to be removed*".

No other tree or vegetation is to be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Manager City Development.

8. SCREEN PLANTING

A dense screen of trees or shrubs must be planted:

- a. Along the front boundary of the site and be composed of species with a minimum mature height of 1.5m;
- b. Along the eastern boundary of the site and be composed of species with a minimum mature height of 5m; and
- c. To the south of the proposed dwellings and be composed of species with a minimum mature height of 3m.

9. FENCING

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

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

10. LEGAL TITLE

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

11. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

12. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ...(Cont'd)

liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Technical Services is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

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

14. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

15. VEHICULAR CROSSINGS

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

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

All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non

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trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg. TasWater, Telstra and TasNetworks, etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

16. SOIL AND WATER MANAGEMENT WORKS

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

17. AMENITY

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

18. NO BURNING OF WASTE

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

Notes**A. All plumbing work is to comply with the Building Act 2016 and the National Construction Code**

Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

B. Occupancy Permit Required

Prior to the occupation of the premises, in the case where building work is not required, the applicant is required to attain an Occupancy Permit for the use of the building pursuant to the Building Act 2016 section 55.

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C. Strata Title Approval

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

D. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.

E. General

This permit was issued based on the proposal documents submitted for DA0644/2017. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

F. Restrictive Covenants

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

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

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G. Appeal Provisions

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

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

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

H. Permit Commencement

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

I. Street addresses for Multiple Dwellings

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

<i>Dwelling No</i>	<i>Strata Lot Number</i>	<i>Street Address</i>
<i>1</i>	<i>1</i>	<i>1/20 Floreat Crescent</i>
<i>2</i>	<i>2</i>	<i>2/20 Floreat Crescent</i>

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

REPORT:

1. THE PROPOSAL

The proposal is for the construction and use of two dwellings on a vacant title. The dwellings are two storey and have parapet roofs. The first dwelling is to the west of the site and closest to the frontage. It has a total floor area of 225m². On the ground floor there are two bedrooms, a bathroom, a living room and a deck. On the first floor there is a master bedroom with walk-in wardrobe and ensuite, an open plan living, a dining and kitchen area, a pantry, a study, a wash closet, a double garage and two decks.

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The second dwelling is to the east of the site and located behind the first dwelling. It has a total floor area of 187m². The ground floor contains a double garage and a laundry. On the first floor there are three bedrooms including a master bedroom with ensuite, an open plan living, a dining and kitchen area, a bathroom and a deck.

Four trees are proposed to be removed, a large eucalyptus tree near the front boundary and three smaller trees to the north. Two other trees to the south have already been removed. The proposal includes landscaping to provide screening.

A new crossover is to be constructed towards the northern end of the lot to replace the existing crossover.

The proposal has gone through several iterations based on discussions between the applicant and City Development. This has resulted in the current proposal being significantly lower with reduced visual impact compared to the original concept.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the eastern and lower side of Floreat Crescent between Ridge Grove and Osborne Avenue. The neighbouring properties are primarily developed with single dwellings in the form of two and three storey buildings with brick or weatherboard cladding and gable roofs.

Site Description

The site is rectangular with an area of 1,229m². There are not any uses in the area that may cause environmental harm.

Location of existing access to the site

Access to the site is directly off the street.

Slope

The land falls approximately 14m across the site from the west to the east. The site is not known to be within a landslip area.

Vegetation

The site is lightly treed. The site is not within 100m of bushfire prone vegetation.

Location of any existing buildings on the site and surrounding area

Currently the site is undeveloped. There are residences on adjoining properties and across the road.

Site Services

The street is sealed and drained to Council standard.

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

There are no watercourses within 50m of the site.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposal is for the construction and use of two dwellings. Therefore, it suits the purpose of the zone.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

Objective:

To provide for suburban densities for multiple dwellings that:

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solutions in this clause.

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

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

Complies

The site has a total area of 1,228m². There are two dwellings proposed; therefore the site area per dwelling is 614m².

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10.4.2 Setbacks and building envelope for all dwellings

Objective:

To control the siting and scale of dwellings to:

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

Consistent

It is considered that the overall size and scale of the dwellings provides reasonable separation between dwellings on adjacent sites and is consistent with the scale of dwellings in the area.

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

- (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or
- (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or
- (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
- (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.

Complies

The dwellings have a minimum setback of 11.5m from the primary frontage.

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

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

Complies

The garage to dwelling one is setback a minimum of 11.5m from the primary frontage.

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<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).
<p>Relies on Performance Criteria</p> <p>Dwelling one is setback 1.7m from the southern title boundary at which point the maximum building height is 6.5m. The effect of this is that part of the master bedroom extends outside of the building envelope. Dwelling one is setback 4m from the northern title boundary and the maximum height on the northern elevation is 7.7m.</p> <p>The second dwelling has a setback of 2.149m from the southern side boundary, with a maximum height of 7.29m in the south-eastern corner. It has a minimum setback of 4.10m from the northern side boundary, with a maximum height of 7.09m on the northern elevation. The dwelling also has a setback in excess of 7.714m from the rear boundary. The parapet does not fit within the building envelope.</p>
<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

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Complies

The proposal will overshadow the dwelling and private open space of 18 Floreat Crescent, particularly during the winter months. While overshadowing is limited in the morning, parts of the site are overshadowed from 2.00pm onwards, although it is noted that the overshadowing would still largely occur even if the dwellings fit within the prescribed building envelope.

Whilst the dwellings will be visually prominent, particularly from 18 Floreat Crescent, their overall height is within the maximum permissible height and the highest point of dwelling one is setback 5m from the southern boundary.

The proposed southern boundary setback is consistent with the prevailing side boundary setbacks along Floreat Crescent and the overall scale of the two dwellings on the site is not inconsistent with the massing of single dwellings within the immediate locale. The materials used and the staggering of the forms will also reduce the overall visual impact.

10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

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

Consistent

The proposal provides a variety of open space options such as decks and backyards.

A1 Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and
- (b) for multiple dwellings, a total area of private open space of not less than 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.

Complies

The dwellings have a site coverage of 30.7%. The first dwelling has 150m² of private open space and the second dwelling has 165m² of private open space. At least 46% of the site is free from impervious surfaces.

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

- (a) is in one location and is at least:
 - (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:

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

Relies on Performance Criteria

The first dwelling has a deck that is attached to the open plan kitchen, living and dining area that is 25.6m², has a minimum horizontal dimension of 3.55m and is located to the east of the dwelling. Some of the finished floor level for dwelling one is less than 1.8m above ground level. The private open space for dwelling one, therefore does not comply with the minimum horizontal dimension.

The second dwelling has a deck that is attached to the open plan kitchen, living and dining area that is 25.2m², has a minimum horizontal dimension of 3.9m and is located to the north of the dwelling. Again, the FFL for dwelling two is not entirely above 1.8m so the private open space does not comply with the minimum horizontal dimension.

P2 A dwelling must have private open space that:

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

Complies

The first dwelling has three decks: one to the north-west and two to the east. They all connect to one of the two living areas. They have a minimum horizontal dimension that is only slightly less than the 4m minimum required for the acceptable solution. This will not greatly impact on the usability of the spaces. There is also well over 70m² of lawn that is to the east of the dwelling which contributes to the private open space area for outdoor relaxation, dining, entertaining and children's play.

The second dwelling has one deck located to the north of the dwelling which falls only just short of the minimum 4m horizontal dimension required for the acceptable solution. This will not impact on the useability of the space. There is also a 150m² area of lawn to the west of the dwelling that contributes to the open space area.

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10.4.4 Sunlight and overshadowing for all dwellings

Objective: To provide: (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
Consistent The proposal is consistent with the objective through compliance with the acceptable solution in this standard.
A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).
Complies Both dwellings have windows to their respective living areas that face 8 degrees west of north.

10.4.5 Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.
Consistent The proposal is consistent with the objective through compliance with the acceptable solutions in this clause.
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).
Complies The garage to dwelling one is 11.5m from the primary frontage, however, the opening faces north and therefore compliance is achieved.

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent There is reasonable opportunity for privacy.
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has

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<p>a setback of at least 3m from the side boundary; and</p> <p>(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</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>
<p>Relies on Performance Criteria</p> <p>Both dwellings have decks that have finished floor levels that are more than 1m above natural ground level. They have a minimum setback of 4.195m from any boundary. The two east facing decks on the first dwelling are only 5.6m from a bedroom window of the second dwelling.</p>
<p>P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining lot or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space; or</p> <p>(c) an adjoining vacant residential lot.</p>
<p>Complies</p> <p>The bedroom window for the second dwelling is situated below the finished floor level of either of the two east facing decks of the first dwelling. While the first floor deck has a glass balustrade, it is 3.5m above the top edge of the bedroom window. The ground floor deck is smaller and has timber vertical screening forming part of the balustrade. The decks are also only 400mm within the setback allowed under the acceptable solution.</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4m from a rear boundary; and</p> <p>(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</p> <p>(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.</p> <p>(b) The window or glazed door:</p> <p>(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</p> <p>(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</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or</p>

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<p>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 All habitable rooms on the upper floor of dwelling one have a floor level more than 1m above ground level. For the first dwelling, all the windows for the living area and bedrooms meet the setback requirements of (a). For the second dwelling, all the windows except those on the southern elevation meet the setback requirements of (a). The bathroom, bedroom and living area are setback only 2.149m from the southern side boundary. The window in the living area is offset in the horizontal plane at least 8m from the edge of a window to a habitable room of another dwelling, and therefore meets the requirements of (b)(i). The bathroom and bedroom windows both have a sill height of 1.7m, and therefore meets the requirements of (b)(ii). The two dwellings are separated by a distance of 9m and therefore comply with (a) (iii). The height difference between the two dwellings means that (a)(iv) is also met.</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: (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>Relies on Performance Criteria The first dwelling has a window for the first floor living area that is flush with the edge of the shared driveway.</p>
<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p>Complies The northern window of the first floor living area of dwelling one is a minimum of 2.3m above the shared driveway. Furthermore, the driveway only services the second dwelling on the site. It is unlikely there will be any significant issues in terms of vehicle noise or light intrusion.</p>

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10.4.8 Waste storage for multiple dwellings

Objective: To provide for the storage of waste and recycling bins for multiple dwellings.
Consistent Storage space for waste and recycling bins is provided.
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m ² 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.
Relies on Performance Criteria Each dwelling has separate storage areas for their bins. The bins for the first dwelling will be stored in front of the dwelling. The bins for the second dwelling will be stored in at the rear.
P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is: (a) capable of storing the number of bins required for the site; and (b) screened from the frontage and dwellings; and (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.
Complies The bins for the first dwelling are situated at the front boundary near to the collection point for ease of access. No screening is shown on the plans and given the location immediately adjacent to the frontage it is appropriate that a permit condition requires screening via landscaping or a physical screen.

10.4.9 Site facilities for multiple dwellings

Objective: To provide adequate site and storage facilities for multiple dwellings.
Consistent The proposal is consistent with the objective through compliance with the acceptable solution in this standard.
A1 Each multiple dwelling must have access to 6m ³ of secure storage space not located between the primary frontage and the facade of a dwelling.
Complies Both dwellings have 6m ³ of secure storage space in the garages.
A2 Mailboxes must be provided at the frontage.

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ...(Cont'd)

Complies
There are mailboxes provided at the front of the site.

10.4.10 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
Consistent The proposal is consistent with the objective through compliance with the acceptable solutions in this clause.
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 Site drawings clearly show driveways, parking spaces, landscaping, gardens, mailboxes and storage for bins.

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 The earthworks and retaining walls are appropriate to the site.
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 There are three retaining walls that are 1m high. The first is in the along the western edge of the turning area for the first dwelling. It is approximately 6.9m from any boundary. The second is built along the northern edge of the proposed driveway and is 500mm from the northern side boundary. The third is built along the southern edge of the proposed driveway and is at least 3.5m from the side boundary.

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<p>There is also a significant amount of fill proposed. Any fill that is greater than 600mm above existing ground level and not related to the retaining walls, will be at least 1m from any lot boundary or easement, will not be higher than 1m above existing ground level and will not concentrate the flow of water onto an adjoining lot.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies</p> <p>The only retaining wall that does not meet the acceptable solution of clause 10.4.12 A1 is the second one located to the north of the proposed driveway. It is considered that the location and extent of fill and retaining walls is appropriate and will not unreasonably impact the amenity of adjoining lots. The topography of the site is such that the use of cut/fill and retaining walls is necessary to enable building to occur.</p> <p>During the internal referral process, Technical Services advised that to ensure that the concentrated flow down the driveway is controlled and does not create a nuisance for the downstream properties, the use of rain gardens for water quality improvements is recommended. A permit condition to this effect has been recommended. Conditions to reduce the potential for soil erosion are also proposed.</p>

10.4.13 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> (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.
<p>Consistent</p> <p>The proposal protects residents from vehicular noise and lights.</p>
<p>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.</p>
<p>Relies on Performance Criteria</p> <p>The first dwelling has a window for the first floor living area that is flush with the edge of the shared driveway.</p>
<p>P1 Shared driveways or car parking spaces (other than for single dwellings) must be located to not unreasonably impact on the amenity of the adjoining habitable rooms, having regard to:</p>

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

Complies

The northern window of first floor living area of the first dwelling is at least 2.2m above the shared driveway. The driveway is approximately 3m wide and only services the second dwelling on the site. The site is currently vacant. It is unlikely there will be any significant issues in terms of vehicle noise or light intrusion.

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

A2.2 Turning areas for vehicles must not be located within the primary front setback.

Complies

The parking spaces and turning areas are set back at least 4.5m from the frontage.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

Consistent

The location of the new crossover will not impact on the safety or efficiency of the road network.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

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

Consistent

The creation of a new access and removal of existing access will not reduce the safety and efficiency of the road.

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

Complies

A single crossover will provide both entry and exit to the site.

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

Objective:

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

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<p>Consistent The proposed sight distance is considered sufficient.</p>
<p>A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>
<p>Complies In accordance with E4.6.4 a safe intersection sight distance of 80m is required and is provided.</p>

E6.0 Parking and Sustainable Transport Code

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

E6.5 Use Standards

E6.5.1 Car parking numbers

<p>Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent The proposal is consistent with the objective through compliance with the acceptable solution in this standard.</p>
<p>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.</p>

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Complies
 Table E6.1 requires that dwellings with two or more bedrooms in the General Residential zone have two car parking spaces per dwelling. Multiple dwellings in the General Residential zone are required to have one dedicated visitor car parking space per four dwellings. There are two dwellings proposed. Each has three bedrooms and a double garage. There are also two visitor parking spaces; one in tandem in front of each garage.

E6.6 Development Standards

E6.6.1 Construction of parking areas

<p>Objective: To ensure that parking areas are constructed to an appropriate standard.</p>
<p>Consistent Conditions are proposed to ensure the driveway and turning areas are constructed to an appropriate standard.</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
<p>Relies on Performance Criteria The parking and access ways are formed and paved and will be drained to the public stormwater system. The driveway along the northern boundary has a gradient of 25%.</p>
<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.

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Complies

The proposed development results in approximately 54% of the site being impervious. While this is not an excessive percentage the concern is the steepness of the slope and ensuring that the concentrated flow down the driveway is controlled and does not create a nuisance for the downstream properties. It is not proposed that onsite detention be provided, however, Technical Services has recommended the use of rain gardens for water quality improvements.

Technical Services also states that the transition between the longitudinal grade and the parking areas will be important to manage for the second dwelling, including the turning area below the garage. They state it would be beneficial to have the retaining wall higher at the bottom of the driveway to create a flatter area and have the wall extend around the end of the driveway. A barrier at the end of the driveway is also recommended.

E6.6.2 Design and layout of parking areas

Objective:

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

Consistent

The proposal is consistent with the objective through compliance with the acceptable solution in this standard.

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.

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Complies

There are six car parking spaces provided. Due to the two turning areas proposed, all cars can enter and exit the site in a forward direction. The parking spaces are 2.6m wide and 5.4m long, which meets the requirements of Table E6.2. The internal shared driveway serves three car parking spaces and has a minimum width of 3m, which meets the requirements of Table E6.3. The garages have a minimum vertical clearance of 2.1m above parking surface level.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:

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

Consistent

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

E7.6 Development Standards

E7.6.2 Scenic management areas

Objective:

The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.

Consistent

There are conditions proposed to ensure that the development fits in with the existing character of the area.

A1 No acceptable solution.

Relies on Performance Criteria

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

P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the impact on skylines, ridgelines and prominent locations;
- (c) the nature and extent of existing development on the site;
- (d) the retention or establishment of vegetation to provide screening;
- (e) the need to clear existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the development;
- (i) the location of development to facilitate the retention of trees; and

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- (j) design treatment of development, including:
- (i) the bulk and form of buildings including materials and finishes;
 - (ii) any earthworks for cut or fill;
 - (iii) the physical (built or natural) characteristics of the site or area;
 - (iv) the nature and character of the existing development; and
 - (v) the retention of trees.

Complies

The proposal is situated within the Trevallyn Hillside Precinct. The north-eastern hillside is characterised by a concentration of Federation houses. The dwellings are primarily two storeys, set into the hillside and constructed of brick or timber weatherboard. They are located within a landscaped setting incorporating a mix of large deciduous and evergreen trees. The management objectives are:

- buildings must either complement existing built character or be designed to minimise visual impact within the landscape;
- additions must relate to the existing character of the site and not negatively affect the streetscape;
- infill buildings must have material selections and forms that relate to the predominant landscape or streetscape pattern;
- new designs must demonstrate a scale, form, and materials that fit within the established pattern of development;
- landscaping should include a significant number of trees to maintain the treed character of the hillside; and
- increased density is only encouraged where development will not adversely interrupt the historic pattern of development, and the ability of the site to maintain significant vegetation.

The proposal has a distinctly modern character that is at odds with the surrounding dwellings. Whilst the dwellings will be visually prominent, it is considered that the use of landscaping can help to soften their appearance. This will allow the development to better fit within the existing character of the area. There will also be a condition on the materials and colours for the proposal. Muted non-reflective materials will assist in understating the proposal.

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<p>Currently the screening for the buildings to the east and south is minimal, with plant species that have a maximum height of 800mm. Due to the height of the dwellings when viewed from these boundaries, the screening proposed does not reduce the visual impact. This is also the case to the street frontage. The location and height of the first dwelling means it is clearly visible from the street, compared to existing dwellings that are set further down the slope. It will be proposed that there are conditions on the permit relating to vegetative screening. There should be vegetative screening along the eastern front boundary that will grow to a mature height of at least 1.5m, along the southern elevations of the dwellings that will grow to a mature height of at least 3m, and along the eastern boundary that will grow to a mature height of 5m.</p>
<p>A2 No vegetation is to be removed.</p>
<p>Relies on Performance Criteria There are four trees proposed to be removed and two trees have already been removed.</p>
<p>P2 Development that involves only the clearance or removal of vegetation must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the physical characteristics of the site; (c) the location of existing buildings; (d) the type and condition of the existing vegetation; (e) any proposed revegetation; and (f) the options for management of the vegetation.
<p>Complies There are limited opportunities for development on the site that do not require the removal of vegetation. In particular, in order to provide safe turning areas for the dwellings, a large eucalyptus will need to be removed. There is an arborist report that states the tree shows signs of stress and insect damage. It also expressed concerns about potential damage the tree could cause during building works.</p> <p>The proposal includes significant revegetation of the site. However, most of the vegetation proposed has an average mature height of less than 1m. The management objectives for the area state that landscaping should include a significant number of trees to maintain the treed character of the hillside and the ability of the site to maintain significant vegetation. There will be conditions proposed relating to vegetative screening to ensure that the treed character of the area is maintained. There should be vegetative screening along the eastern front boundary that will grow to average of at least 1.5m in height. There should be vegetative screening along the eastern front boundary that will grow to a mature height of at least 1.5m, along the southern elevations of the dwellings that will grow to a mature height of at least 3m, and along the eastern boundary that will grow to a mature height of 5m.</p>

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	<p>Infrastructure has advised that it would be beneficial to have the retaining wall higher at the bottom of the driveway to create a flatter area and have the wall extend around the end of the driveway. They also note that the proposed development results in approximately 54% of the site being impervious. While this is not an excessive percentage the concern is the steepness of the slope. The proposal needs to be conditioned to ensure that the concentrated flow down the driveway is controlled and does not create a nuisance for the downstream properties. It is not proposed that onsite detention be provided, however, the use of rain gardens for water quality improvements is recommended.</p> <p>Therefore, conditional consent is provided. Conditions recommended.</p>
Environmental Health	Conditional consent provided. Standard conditions recommended.
Heritage/Urban Design	N/A
Building and Plumbing	Pursuant to the <i>Building Act 2016</i> . Standard notes recommended.
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice TWDA 2017/01901-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ...(Cont'd)

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was initially advertised for a 14 day period from 10 February to 26 February 2018. Four representations were received. Following discussions with City Development, the application was modified and re-advertised for a 14 day period from 18 April to 3 May 2018. Three representations were received during the second advertising period. 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.

<p>Issue 1: Concerned with height of the rear unit. It is 7.7m from ground and 10m above the representor's rear fence which will be imposing and shade 101 Bain Terrace. The height of the building could be reduced.</p>
<p>Response: This application has been readvertised following some design changes, primarily to reduce the overall height. The overall height of the rear unit is now 7m from ground level and meets the minimum rear setback requirements. Only a very small portion of the parapet roof of the rear unit is now outside the permitted building envelope and the shadow diagrams submitted demonstrate that it will result in overshadowing of a very small portion of the rear open space area of 101 Bain Terrace in the afternoon in March.</p>
<p>Issue 2: There are concerns that the steep driveway could result in a runaway car crashing into the house below.</p>
<p>Response: Following discussions with Technical Services, it will be recommended that the turning area at the base of the driveway be flattened and a barrier be constructed at the eastern end.</p>
<p>Issue 3: The proposal is causing an unreasonable loss of amenity through overshadowing, proximity and bulk of the proposed dwellings. Dwelling one towers over the floor level of 18 Floreat Crescent by 7m with only 6m of separation which will block warmth and sunlight through the north and north west facing windows from 2.00pm in winter. The representor appreciates that the overall height of the dwelling has been lowered but that the side setback has not been reduced. The representor recommends that both dwellings could be excavated into the ground further to reduce the overall heights.</p>
<p>Response: It is recognised that the proposed dwellings will cause an impact to the dwelling at 18 Floreat Crescent, partly due to the steepness of the terrain. The changes made to the proposal to reduce the overall height, means that in assessing the application against the planning scheme requirements, that the level of impact is considered acceptable. The prescribed building envelope is a not an absolute standard that must be met, compliance with it merely means a design is considered permitted in that aspect. The applicants, therefore, rely on discretion to vary the building envelope with respect to the height and setback at the southern boundary. 18 Floreat Crescent will still receive morning sun to the dwelling in both summer and winter and it is</p>

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<p>considered that even a development compliant with the permitted standard in respect of height and bulk, would still result in overshadowing of the adjacent dwelling. Ongoing discussions with the applicant regarding changes to the design have revealed that it is not possible to excavate the dwellings further into the site without compromising the driveway.</p>
<p>Issue 4: Concerns about privacy due to the East facing window of the master bedroom of Townhouse 1 and makes recommendations as to how this could be achieved.</p>
<p>Response: The proposal meets the acceptable solution for clause 10.4.6 A2 of the scheme which addresses windows for habitable rooms.</p>
<p>Issue 5: The building does not meet the character of the surrounding area. It is bold and overbearing, with large roof structures and bold white rendering. Other buildings in the area are set into the hillside, while the current proposal uses fill to reduce excavation.</p>
<p>Response: The applicant has advised that the colours shown are accurate, however, it is noted that on the elevations there is a note that colours are subject to future selection. Therefore, there is a recommendation that a finalised schedule of materials be provided so that it can be confirmed what the materials will look like on site. The use of a variety of material types in addition to the white rendered finish will assist in breaking up the mass of the dwellings. There will also be conditions requiring screen planting to soften the visual impact of the dwellings.</p>
<p>Issue 6: The large eucalypt close to the street should not have been allowed to grow so tall.</p>
<p>Response: The attached tree report advises that the tree is stressed and parts are looking unhealthy. The proposal includes significant revegetation of the site, and there are recommendations that the species currently proposed for screening be replaced with trees that will have a higher mature height.</p>
<p>Issue 7: There are two restrictive covenants in place on this lot that will be breached if the DA is approved being: 1. Do not erect more than one main building on the lot, and 2. That no dwelling or outbuilding with outer walls other than brick, brick veneer, stone or concrete better brick shall be erected on this lot.</p>
<p>Response: The Planning Authority does not administer compliance with restrictive covenants. This is a civil matter. The applicants have been notified and advised to seek legal advice.</p>
<p>Issue 8: The issue of privacy to adjacent dwellings at 18 and 22 Floreat Crescent is not addressed. Would like to see shrubs along northern boundary retained.</p>
<p>Response: The representor is concerned that the proposal does not meet the planning scheme standards in respect of privacy to adjoining dwellings. Assessment against Clause 10.4.6 Privacy for all dwellings has determined that the only discretion triggered is in respect of privacy between the two proposed dwellings. Both dwellings meet the permitted standard with respect to privacy to adjoining dwellings. The dwellings are</p>

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setback the minimum of 3m from the northern boundary and all windows in the southern facades have a sill height of 1.7m.
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All representors were contacted either by telephone or email to discuss their concerns.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

- 8.3 20 Floreat Crescent, Trevallyn - Residential - Multiple Dwellings; Construction and Use of Two Dwellings, Removal of Trees, Relocation of Crossover (Partially Retrospective) ...(Cont'd)
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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. Endorsed Plans (distributed electronically)
 3. TasWater SPAN (distributed electronically)
 4. Representations (distributed electronically)
-

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal)****FILE NO:** DA0060/2018**AUTHOR:** Michael Jacques (Senior Corporate Legal Counsel)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To resolve the Resource Management and Planning Appeal Tribunal appeal 42/18P for the above property by approving the execution of a consent agreement on the terms set out in this report.

PREVIOUS COUNCIL CONSIDERATION:

Council - 9 April 2018 - Agenda Item 8.1 - Residential - multiple dwellings; construction and use of three dwellings at 143 Talbot Road, South Launceston - decision by Council to refuse permit

RECOMMENDATION:

That Council:

1. authorises the Manager City Development to execute a consent agreement that would provide for the settlement of an appeal in relation to the refused permit application DA0060/2018 Residential - multiple dwellings; construction and use of three dwellings at 143 Talbot Road, South Launceston; and
2. authorises a permit to be issued under this consent agreement, but allows minor changes to accommodate revised conditions and/or plans to improve the site setback, on the following general terms:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Page, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 1/21, Revision 04, Dated 13/02/2018
 - b. Site Plan, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 2/21, Revision 04, Dated 13/02/2018
 - c. Unit 1 Ground Plan, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 3/21, Revision 04, Dated 13/02/2018
-

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

- d. Units 2&3 Ground Plan, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 4/21, Revision 04, Dated 13/02/2018
- e. External Services, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 6/21, Revision 04, Dated 13/02/2018
- f. Drainage Plan, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 7/21, Revision 04, Dated 13/02/2018
- g. Unit 1 Elevations, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 12/21, Revision 04, Dated 13/02/2018
- h. Unit 2 Elevations, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 13/21, Revision 04, Dated 13/02/2018
- i. Unit 3 Elevations, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 14/21, Revision 04, Dated 13/02/2018
- j. Landscaping Plan, Prepared by Design to Live, Designed by Mitchell Lloyd, Job No. TLB143, Drawing No 14/21, Revision 04, Dated 13/02/2018
- k. Planning Report, Prepared by Mitch Lloyd, Dated 13/02/2018

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00207-LCC) (attached).

3. SITE LANDSCAPING

The landscaping must be:

- a. Installed in accordance with the endorsed plan; and
- b. Completed prior to the use commencing or a further period as agreed by the Manager City Development; and
- c. Maintained as part of residential development. It must not be removed, destroyed or lopped without the written consent of the Manager City Development.

4. FENCING

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

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

5. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
 - b. Each multiple dwelling must be provided with a minimum 6m³ exterior waterproof, lockable storage area or similar easily accessible area within the dwelling.
 - c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Manager City Development.
-

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

6. LEGAL TITLE

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

7. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

8. DRIVEWAY CONSTRUCTION

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

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

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

9. ON-SITE STORMWATER MANAGEMENT

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge and overland flows, from the site to that generated by the site at its current level of development for a one in five year storm event of one hour duration. The volume of the detention structure must be the difference between the above discharge (pre-development) and the discharge from the site for the same event with the site developed to a level of 85% impervious.

Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval. The on-site detention storage system is to be designed by a civil engineer eligible for membership of IE Aust or equivalent. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

10. DAMAGE TO COUNCIL INFRASTRUCTURE

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

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

11. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

The explicit permission of Technical Services is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

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

12. ROAD CROSSINGS FOR SERVICE CONNECTIONS

Where it is required by a service provider (ie. TasWater, Telstra, Aurora, etc) to upgrade, relocate or remove the existing connection or install a new connection, the developer must apply to Council's Built Environment Manager for approval to install the connection.

The approved installation method is direction drilling/boring. Open trench installation will not be permitted except in **exceptional** circumstances and requires the written consent of the Council's Technical Services Manager who will specify the required construction and reinstatement works.

No work must commence for the installation, alteration or removal of the connection until such time as the service crossing approval has been obtained.

13. VEHICULAR CROSSINGS

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

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

All redundant crossovers and driveways must be removed prior to the occupation of the development.

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

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

14. SOIL AND WATER MANAGEMENT WORKS

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

15. AMENITY - RESIDENTIAL

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

16. NO BURNING OF WASTE

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

Notes**A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code**

Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.

B. Occupancy Permit Required

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

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code

Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.

D. Strata Title Approval

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

E. General

This permit was issued based on the proposal documents submitted for DA0060/2018. 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 abandoned or determined; or*
- c. Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. Any other required approvals under this or any other Act are granted.*

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

F. Restrictive Covenants

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

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

G. Appeal Provisions

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

8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings; Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)

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

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

H. Permit Commencement

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

I. Street addresses for Multiple Dwellings

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

Dwelling No	Strat Lot No.	Street Address
Existing	1	1/143 Talbot Road
Unit 1	2	2/143 Talbot Road
Unit 2	3	3/143 Talbot Road
Unit 3	4	4/143 Talbot Road

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

REPORT:

1. THE PROPOSAL

The proposal is for the construction and use of three dwellings and associated landscaping, driveways, sheds and fences on a site containing an existing residential dwelling.

The particulars of this development were considered by Council at the Council Meeting dated 9 April 2018, where it was decided to refuse the permit. The applicant has since appealed this refusal.

Recently, further legal and planning advice has been obtained, advising that the Council will be more successful in improving the setbacks at the site by negotiation rather than a contested appeal hearing.

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

The appellant has agreed to modify the proposal to provide 100mm more building setback. This is considered to be the best outcome that the Council is likely to obtain in the circumstances.

2. CONCLUSION

Subject to the recommended changed conditions, it is considered that the proposed consent agreement complies with the planning scheme and it is appropriate to recommend it for approval.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

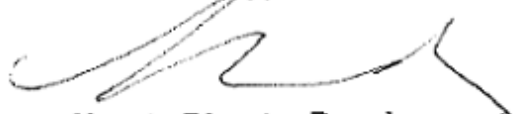
Not considered relevant to this report.

**8.4 143 Talbot Road, South Launceston - Residential - Multiple Dwellings;
Construction and Use of Three Dwellings (Settlement Proposal) ...(Cont'd)**

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Plan (electronically distributed)
-

9 ANNOUNCEMENTS BY THE MAYOR**9.1 Mayor's Announcements****FILE NO:** SF2375

Wednesday 2 May 2018

- Officiated at the official launch of the Tasmanian Running Festival at City Park Gates

Sunday 6 May 2018

- Attended the Icebreaker Multisport Challenge at Trevallyn NRA

Tuesday 8 May 2018

- Attended a dinner with Bid Inspection Officials regarding the Special Olympics Australia at Cataract on Paterson

Wednesday 9 May 2018

- Attended the KPMG Federal Budget Breakfast at Hotel Grand Chancellor

Thursday 10 May 2018

- Officiated at the Salvation Army Business Breakfast at Stonestrow Café

Friday 11 May 2018

- Attended the launch of the 2018 Tasmanian Open Dance Sport Championships at Country Club Tasmania
- Attended the Clifford Craig Charity Ball at Hotel Grand Chancellor

Saturday 12 May 2018

- Officiated at the Rotary Club Cocktail Party to mark 35 years at Motors Launceston
-

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 Municipal Emergency Management Committee Meeting - 22 March 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 22 March 2018.

REPORT:

The Meeting of the Municipal Emergency Management Committee (the Committee) held on 22 March 2018 discussed:

1. Members reports.
Members provided a verbal update on their current activities.
2. Terms of Reference of Committee.
Members approved the updated Terms of Reference of the Committee (which are contained within the Municipal Emergency Management Plan).
3. Municipal Emergency Management Plan.
Members approved the updated Municipal Emergency Management Plan.
4. Municipal Emergency Risk Assessment.
The SES advised that the regional workshop for Municipal risk assessments for the northern region will be conducted on 9 April 2018.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

**12.1 Municipal Emergency Management Committee Meeting - 22 March 2018
...(Cont'd)**

SOCIAL IMPACT:

Not considered relevant to this report.

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

12.2 Heritage Advisory Committee Meeting - 26 April 2018**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 26 April 2018.

RECOMMENDATION:

That Council:

1. receives the report from the Heritage Advisory Committee Meeting held on 26 April 2018; and
 2. adopts the following recommendation from the Meeting of the Heritage Advisory Committee on 26 April 2018:
 - (a) recommends Council approves expenditure from the Heritage Advisory budget of up to \$5,000 for an archaeological investigation to confirm the location of the Kings Meadows Road/Convict Station prior to the subject land being subdivided.
-

REPORT:

At its meeting on 26 April 2018, the Heritage Advisory Committee discussed the following items:

- **Significant Development Applications Involving Heritage Issues**
An update was provided on DA0055/2018 for the redevelopment of the Jackson Motor Company site which fronts Charles and William Streets and the Esplanade.

Members of the Committee noted the following points regarding the development:

- (a) The potential archaeological significance of the hotel site.
 - (b) The design of the proposed new "Kia" building not being sympathetic to the heritage character and significance of the site.
 - (c) Acknowledged the good work the Developer has done previously to the Salisbury Foundry building, but was concerned the scale of the proposed Ford signage structure will detract from the wider site.
-

12.2 Heritage Advisory Committee Meeting - 26 April 2018 ...(Cont'd)

Officers noted that the Heritage Advisory Committee is not a referral body for Development Applications, nor is it a decision-making body.

Note: This item was chaired by the Director of Development Services, with Aldermen present removing themselves from the determination.

- **Launceston Heritage Awards**

Ongoing discussion in regard to planning for the 2018 Heritage Snap! Awards for young photographers.

- **Kings Meadows Road Station**

Discussion following on from advice from John Dent in regard to the likely site of a convict road station to the south of the Kings Meadows connector road and the need for some archaeological investigation to confirm this.

The site was a base for convicts and their commanding officers while working on the water course constructed between Evandale and Launceston in the mid-1830s and is considered to be of significant interest, especially in light of the UNESCO World Heritage recognition of Tasmania's convict history and associated sites.

This discussion resulted in the recommendation that Council approves expenditure from the Heritage Advisory Committee budget of up to \$5,000 for an archaeological investigation to confirm the location of the Kings Meadows Road/Convict Station prior to the subject land being subdivided.

The Director of Development Services has considered the proposed expenditure and provided advice that it is consistent with the approved 2017/18 operational budget allocated for Heritage Advisory projects.

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 Heritage Advisory Committee Meeting - 26 April 2018 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
1. To develop and consistently use community engagement processes.

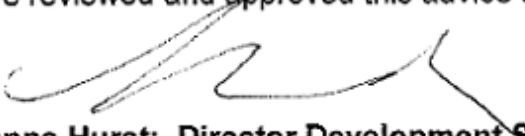
BUDGET & FINANCIAL ASPECTS:

The \$5,000 recommended for allocation towards an archaeological investigation to confirm the location of the Kings Meadows Road/Convict Station will be met from the 2017/18 Heritage Advisory budget.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

12.3 Museum Governance Advisory Board Meeting - 26 April 2018**FILE NO:** SF2244**DIRECTOR:** Richard Mulvaney (Director Queen Victoria Museum and Art Gallery)

DECISION STATEMENT:

To receive and consider a report from the Museum Governance Advisory Board Meeting held on 26 April 2018.

RECOMMENDATION:

That Council receives the report from the Museum Governance Advisory Board Meeting held on 26 April 2018.

REPORT:

The Museum Governance Advisory Board (MGAB) met on 26 April 2018.

At its Meeting the Board noted the following items:

- The Board endorsed the appointment of James Riggall as the new MGAB Chairman.
- The Board endorsed the Director's Report including financial report.
- Noted the QVMAG Art's Foundation Report.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

12.3 Museum Governance Advisory Board Meeting - 26 April 2018 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 1 - A creative and innovative city
Ten-year goal - To foster creative and innovative people and industries
Key Direction -
6. To contribute towards artistic, cultural and heritage outcomes

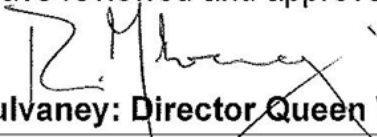
BUDGET & FINANCIAL ASPECTS:

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.


Richard Mulvaney: Director Queen Victoria Museum & Art Gallery

12.4 Audit Panel Meeting - 10 May 2018**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive a report from the Audit Panel following the Meeting on 10 May 2018.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 10 May 2018.

REPORT:

The following is a precis of the substantive Agenda Items dealt with at the Meeting:

6.1 Internal Audit

Details The Internal Auditors (Crowe Horwath) attended and discussed progress on reviews completed and the reviews commencing in February.

Action The Panel noted the report.

7.1 External Audit

Details The final 2017/2018 External Audit Strategy was discussed.

Action The Panel noted the report.

8.1 Outstanding Internal and External Audit Tasks

Details A number of issues were closed by the Audit Panel as being resolved.

Action The remaining issues will be resolved and brought to a future Audit Panel meeting for approval.

9.1 Budget Amendments and Funding Overview

Details The Panel received the report and noted the changes to the 2017/2018 budget.

Action The budget amendments to be recommended to the Council.

9.2 Budget Reallocations

Details The Panel received the report on transfers within the budget that do not require a change to the total budget.

Action The Panel noted the reallocations.

12.4 Audit Panel Meeting - 10 May 2018 ...(Cont'd)

9.4 Financial Statements (Analysis and Commentary)

Details The financial results to 31 March 2018 were discussed.

Action The Panel noted the reports.

11.1 Investment Policy Review

Details Draft changes to the Investment Policy were discussed.

Action The Panel discussed the draft changes and decided that it would be beneficial to consider other investment opportunities before it goes to Council.

11.2 Strategic Asset Management Plan

Details The Corporate Planning Project Group provided an update on the Long Term Financial Plan and Strategic Asset Management Plan.

Action The Panel noted the report.

11.3 Local Government Audit Panel Guidelines

Details Changes to the Local Government Audit Panel Guidelines were discussed.

Action The Panel discussed the changes and determined that a GAP Analysis be performed to determine whether any changes to the Audit Panel Charter are required.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders

Key Direction -

6. To maintain a financially sustainable organisation

12.4 Audit Panel Meeting - 10 May 2018 ...(Cont'd)

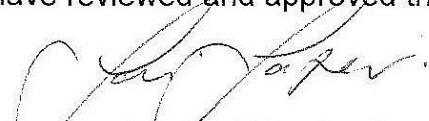
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 14 and 21 May 2018 were:

- Theatre North
- Newstead College Representation
- 2 Invermay Road - Proposed Name for Right of Way
- Strategic Asset Management Plan and Long Term Financial Plan
- Organisational Cultural Development Project
- TasWater MoU - State Government and Councils
- Draft Budget 2018/2019 including Public Consultation Input
- Coordinator General Update
- Residential Waste Charges Policy
- Design Centre Tasmania

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

15.1 Community Grants (Round 3) 2017/2018

FILE NO: SF7029

AUTHOR: Cherie Holmes (Grants and Sponsorship Officer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider applications for Community Grants received in Round 3, 2017/2018.

RECOMMENDATION:

1. That the following organisations receive the recommended grant amounts:

Organisation	Project/Activity	Score	Requested \$	Recommended \$	Page #
Rotary Club of Launceston	Install new Communal Area at rear of New Horizons	85%	\$5,000	\$5,000	1-17
Starting Point Neighbourhood House	Ravenswood Food Forest Stage 2	82%	\$5,000	\$5,000	18-31
*Northern Refugee Support (City Baptist Church)	Training, support and social inclusion opportunities for Afghan Hazara Community in Launceston	82%	\$5,000	\$5,000	32-53
Stompin'	Primary Stompin'	77%	\$5,000	\$3,750	54-66
Music Tasmania	Music Futures	69%	\$5,000	\$3,750	67-81
*Palliative Care Tasmania	Compassionate Communities and Aging Cities	68%	\$2,000	\$1,500	82-95
The Shepherd Centre for Deaf Children	TASSIE TALK	58%	\$5,000	\$2,500	96-107

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

Organisation	Project/Activity	Score	Requested \$	Recommended \$	Page #
*TasDance	Drinking Water	54%	\$5,000	\$1,441	108-121
WayFM 105.3 Community Radio Station	Bringing Youth Behind the Mike	54%	\$5,000	\$1,441	122-133
	TOTAL REQUESTED		\$42,000	\$29,382	

* Ella Dixon (External Assessment Panel Member) abstained from assessment of:

- Training, support and social inclusion opportunities for Afghan Hazara Community in Launceston (Northern Refugee Support (City Baptist Church))
- Compassionate Communities and Aging Cities (Palliative Care Tasmania)
- Drinking Water (TasDance)

2. That the following grant applications not be funded by Council as they received a score less than the recommended level for funding (ie. <50%)

Organisation	Project/Activity	Score	Requested \$	Recommended \$	Page#
Public Art Skate Park Project	Dynamism - Public Art Project and Workshop - Launceston City Skate Park	48%	\$5,000	\$0	134-147
Wax Hands Tasmania	National Science Week	35%	\$3,590	\$0	148-159

3. That the following individuals/teams/groups receive the recommended grant amounts:

Individual/Team/Group	Activity	Requested \$
Australian 10 Boys Futsal Team (Three members)	Australian 10 Year's Futsal Team, New Zealand Futsal Tour, Auckland 24 October - 5 November 2018	\$300
Northern Tasmanian Junior Soccer Association Representative Team U12 (Six members)	Kanga Cup, International Youth Football Tournament, Canberra 8-13 July 2018	\$300

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

Individual/Team/Group	Activity	Requested \$
Basketball Tasmania Under 18 Mens' Team (One member)	Australian Junior Basketball Championships, Geelong, 21-28 April 2018	\$50
Basketball Tasmania FDP Under 14 Girls Team (One member)	Basketball Tasmanian Tri-Series 2018 March 17and18 - Kingston 5 May - Launceston 23 Jun - Devonport	\$50
Under 13 Tasmanian Little Athletics Team (One member)	2018 Australian Little Athletics Championships, Runaway Bay, Gold Coast 28-29 April 2018	\$50
Under 15 Tasmanian Little Athletics Team (One member)	2018 Australian Little Athletics Championships, Runaway Bay, Gold Coast 28-29 April 2018	\$50
Under 19 Netball Tasmania State Team (One member)	National Netball Championships Adelaide, South Australia, 17-22 April 2018	\$50
	TOTAL REQUESTED	\$850

REPORT:

The total value of eligible requests received for Community Grants Round 3, 2017/2018 is \$51,540 (includes \$50,590 for organisations and \$850 for individuals/teams/groups).

Based on the assessment results, the recommended allocation of funds for Round 3, 2017/2018 is \$30,232 (includes \$29,382 for organisations and \$850 for individuals/teams/groups).

Organisation Applications

The Community Grants Assessment Panel assessed each application against the assessment criteria (detailed below). The full details of each request are set out in a separate report which has been distributed to Aldermen, together with an analysis of the projects/activities and their respective scores.

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

All applications have been assessed using the following criteria:

Assessment Points

- Identifies a clear community need for the project ;
- Outcomes directly benefit the Launceston Community;
- Outlines clear engagement and collaboration with the community and community participation;
- Project plan demonstrates good organisational planning for the project/activity;
- Budget for project/activity is realistic and outlines how the City of Launceston funding will be utilised.

The normal distribution of funds (according to score) is as follows:

81 - 100%	=	100% of requested funds
61 - 80%	=	75% of requested funds
50 - 60%	=	50% of requested funds
<50%	=	No funding provided

Individual/Team/Group Applications

Individual/team/group grants are provided for young person/s 18 years or under living in the Launceston Municipality, who have been selected to represent Australia, Tasmania or Northern Tasmania.

Individuals/teams/groups can only receive one grant from Council each financial year with any one individual to receive a maximum of three grants only.

The applications for the teams/groups recommended are eligible for funding in accordance with the Community Grants (Individual/Team/Group) Policy (PI-05-017).

Allocation of funds:

Individuals

If activity is overseas \$200 per individual

If activity is interstate/intrastate \$100 per individual

Teams/Groups

If activity is overseas \$100 per individual (max \$600 per team/group)

If activity is interstate/intrastate \$50 per individual (max \$300 per team/group)

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

ECONOMIC IMPACT:

Approval of the recommended grants will result in a positive economic impact to those individuals/teams/groups and organisations by providing funds that will enable them to undertake their project or activity.

ENVIRONMENTAL IMPACT:

Approval of the recommended grants will have minimal impact on the environment.

SOCIAL IMPACT:

Approval of the recommended grants will provide a number of valuable social and lifestyle benefits to the Launceston community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Directions -

2. To understand and support the establishment and growth of creative industries in Launceston
5. To promote the wide variety of learning opportunities within Launceston
6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live

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

Key Directions -

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

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 Directions -

1. To understand the needs and requirements of key community service providers and stakeholders
 3. To define and communicate our role in promoting social inclusion and equity
 6. To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life
-

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

	\$
Available Funds for Round 3	23,333.00
Available Funds unallocated from Round 2	4,289.00
Available Funds from (Tasmanian Writers Centre Project Round 2)	2,085.00
Available Funds from (Bhutanese Faces un-spent funds)	625.00
Total Available Funds for Round 3	<u>30,332.00</u>
Amount Recommended this round	
Individual/Team/Group	850.00
Organisations	29,382.00
BALANCE	\$100.00

This is Round 3 2017/2018

The total budget for Community Grants for 2017/2018 is \$70,000. There are three funding rounds per year. As per the Community Grants (Organisations) Policy (05-PI-018), normally no more than one-third of the budget will be recommended for approval in each funding round. Any funds left from one funding round will be allocated in the remaining funding rounds for that financial year.

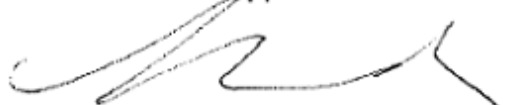
The Tasmanian Writers Centre received approval for funding of \$2,085 in Round 2 for the Emerging Writers project. They did not proceed with the project, so the funds of \$2,085 have been reallocated to Round 3.

There is \$625 that was not utilised by the Bhutanese Faces project (auspiced by the Migrant Resource Centre). These funds have been reallocated to Round 3.

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

15.1 Community Grants (Round 3) 2017/2018 ...(Cont'd)

ATTACHMENTS:

1. Community Grants Applications - 2017/2018 (Not For Public Distribution)
-

15.2 Event Sponsorship - Major Events (Round 1) 2018/2019

FILE NO: SF6647

AUTHOR: Cherie Holmes (Events and Sponsorship Officer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider event sponsorship support for Major Events (Round 1) 2018/2019.

RECOMMENDATION:

1. That the following Major Event Sponsorship Applications receive the recommended sponsorship amount and that these amounts be pre-committed from the proposed 2018/2019 Major Events Budget.

Organisation	Project/Activity	Score	\$Request	\$Assess	\$Recom	Page #
*Encore Theatre Company Inc	Sound of Music (Level 2)	85%	\$15,000	\$15,000	\$15,000	1-32
*Rotary Club of Central Launceston Incorporated	Sally's Ride Tamar Valley Cycle Challenge (Level 1)	77%	\$10,000	\$10,000	\$7,500	33-57
MONA (a trading name of Moorilla Estate Pty Ltd)	Mofo Music Program (Level 2)	76%	\$20,000	\$20,000	\$15,000	58-87
Blooming Tasmania Association	Blooming Tasmania Flower and Garden Festival (Level 1)	73%	\$10,000	\$10,000	\$7,500	88-113
**Launceston City Cycling Club	Launceston Christmas Sports Carnival (Assessed at Level 1)	63%	\$20,000	\$12,500	\$9,375	114-134
Ultrain	Launceston Marathon (Level 1)	63%	\$10,000	\$10,000	\$7,500	135-159
Beerfest No 1	Beerfest Australia - Esk (Level 2)	61%	\$20,000	\$20,000	\$6,125	160-176
Total			\$120,000	\$112,500	\$68,000	

Please note - there are 2 levels in this category

Level 1 - \$5,001 up to \$12,500, Level 2 - \$12,501 up to \$20,000

* Alderman Danny Gibson abstained from assessment of Sound of Music (Encore Theatre Company Inc).

* Chris Griffin (Tourism Northern Tasmania) abstained from assessment of Sally's Ride Tamar Valley Cycle Challenge (Rotary Club of Central Launceston Incorporated)

15.2 Event Sponsorship - Major Events (Round 1) 2018/2019 ...(Cont'd)

** Application assessed at Level 1 \$12,500, not Level 2 \$20,000 as the panel deemed the event to be a level 1 event.

- That the following event sponsorship application not be funded by Council as a result of the Round 1 2018/2019 proposed budget allocation being fully pre-committed.

Organisation	Project/Activity	Score	\$Request	\$Assess	\$Recom	Page #
Vibestown Productions Pty Ltd	Till the Wheels Fall Off	59%	\$10,000	\$10,000	\$0 Round 1 budget allocation fully pre-committed	177-200

- That the following event sponsorship application not be funded. The post event requirement (for the previous event) of provision of an acquittal report within 90 days of the event was not met.

Organisation	Project/Activity	Score	\$Request	\$Assess	\$Recom	Page #
GTR Events	Spirit of Tasmania Cycling Tour (Level 2)	65%	\$15,000	\$15,000	\$0	201-278

REPORT:

The Event Sponsorship Policy (05-Plx-012) states that Round 1 covers a five month period and will be allocated 40% of the annual budget. The proposed available funds for Major Event Sponsorship Round 1 2018/2019 are \$68,000.

The total funds requested in Major Event Sponsorship Round 1 2018/2019, is \$120,000. The total recommended allocation of funds is \$68,000 as per the application assessment results.

The Events Sponsorship Assessment Panel assessed each application within the sponsorship levels and against the assessment criteria (detailed below) and provided the recommendations. Full details of each request are set out in a separate report which has been distributed to Aldermen.

It is acknowledged that one event is recommended not to receive funding due to the event sponsorship funds being exhausted (Recommendation 2).

15.2 Event Sponsorship - Major Events (Round 1) 2018/2019 ...(Cont'd)

In addition another event assessed was not recommended to receive funding as the requirement for provision (within 90 days of the event) of the acquittal report for the 2017 event was not met (Recommendation 3). The applicant, GTR was contacted on a number of occasions requesting the acquittal. The acquittal had not been received when the applications were assessed and the assessment panel deemed the application ineligible for funding.

Sponsorship Levels

Funding is available under two levels:

- Level 1 \$5,001 up to \$12,500
- Level 2 \$12,501 up to \$20,000

Level 1 would typically be an event held in the Launceston Municipality attracting audiences from local and intrastate areas.

Level 2 would typically be an event held in the Launceston Municipality attracting larger audiences, from local, intrastate, interstate and/or international areas.

Assessment Criteria

- **Participation** - Enables special connections to take place within the community, including volunteering and participation opportunities
- **Creativity and Innovation** - Encourages and supports creativity, innovation and local talent
- **Community Spirit** - Fosters pride and positivity in our city, building community spirit
- **Economic** - Demonstrates positive economic benefits through visitor spend, employment and/or investment
- **Tourism and profile** - Demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation
- **Progressive** - Demonstrates a future strategic vision for growth and continued sustainability
- **Asset Usage** - Utilisation and activation of community assets including cultural, entertainment, sport and recreation venues including Council owned and operated assets

The normal distribution of funds (according to score) is as follows:

81-100%	=	100% of requested funds
61-80%	=	75% of requested funds
50-60%	=	50% of requested funds
<50%	=	No funding provided

15.2 Event Sponsorship - Major Events (Round 1) 2018/2019 ...(Cont'd)

ECONOMIC IMPACT:

Approval of the recommended event sponsorship will result in a positive economic impact to the Launceston community.

ENVIRONMENTAL IMPACT:

Approval of the recommended event sponsorship funding will have minimal impact on the environment.

SOCIAL IMPACT:

Approval of the recommended event sponsorship will provide a number of valuable social impacts for our community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Direction -

6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live

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

Key Directions -

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

6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

1. To actively market the City and Region and pursue investment

3. To promote tourism and a quality Launceston tourism offering

6. To facilitate direct investment in the local economy to support its growth

15.2 Event Sponsorship - Major Events (Round 1) 2018/2019 ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

The proposed budget for Events Sponsorship Round 1 2018/2019 is currently:

	Proposed Budget \$	Available Round 1 \$	Available Round 2 \$	Recommended Round 1 \$	Balance \$
Major Events	\$170,000	\$68,000	\$102,000	\$68,000	\$102,000

Available funds as indicated in the report are based on the proposed 2018/2019 budget.

The budget consideration of this item has been approved by the Director Corporate Services.

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. Major Events Applications - 2018/2019 (Not For Public Distribution)

15.3 Event Sponsorship - Small and Start-Up Events Round 1 2018/2019

FILE NO: SF6649/SF6648

AUTHOR: Cherie Holmes (Grants and Sponsorship Officer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider event sponsorship for Small and Start-Up Events Round 1 2018/2019.

RECOMMENDATION:

1. That unallocated funds of \$5,600, for Round 1 of the Start-Up Event Sponsorship category, be reallocated to offset oversubscription in the Small Event Sponsorship category.
2. That the following Small Event Sponsorship Applications receive the recommended sponsorship amounts and that these amounts be pre-committed from the proposed 2018/2019 budget.

Small Event Sponsorship Round 1 2017/2018

Organisation	Event	Score	\$Requested	\$Recommended	Page #
Tamar Community Peace Trust	Tamar Valley Peace Festival	89%	\$5,000	\$5,000	1-24
Interweave Arts Association	REMADE 2018	84%	\$5,000	\$5,000	25-58
Tasmanian Poetry Festival Inc	2018 Tasmanian Poetry Festival	83%	\$3,500	\$3,500	59-75
Launceston Festival of Dance Inc	Launceston Festival of Dance	80%	\$5,000	\$3,750	76-94
Cancer Council Tasmania	Cancer Council Tasmania's Women's 5km Walk/Run	78%	\$5,000	\$3,750	95-115
Clifford Craig Foundation	Run and Walk for Your Heart	71%	\$5,000	\$2,300	116-136
APEX Club of Tamar Inc	APEX Launceston Christmas Parade	71%	\$5,000	\$2,300	137-164
Total			\$33,500	\$25,600	

15.3 Event Sponsorship - Small and Start-Up Events Round 1 2018/2019 ...(Cont'd)

3. That the following event sponsorship applications not be funded by Council, as a result of the Round 1 2018/2019 proposed budget allocation being fully pre-committed.

Organisation	Event	Score	\$Requested	\$ Recommended	Page #
North Esk Rowing Club	North Bank 11	69%	\$2,000	\$0 Round 1 proposed Budget fully pre-committed	165-182
Parish of Holy Trinity Launceston and St Matthias Windermere	St Matthias Anniversary Weekend	66%	\$1,600	\$0 Round 1 proposed Budget fully pre-committed	183-200
The Holographic Lounge	Funkey Monkey	60%	\$5,000	\$0 Round 1 proposed Budget fully pre-committed	201-238

REPORT:

The Event Sponsorship Policy (05-Plx-012) states that Round 1 covers a five month period and will be allocated 40% of the annual budget. The proposed funds available for Small Event Sponsorship (including Events Celebrating or Commemorating a Specific Tradition in an Annual Calendar) Round 1 2018/2019 are \$30,000.

Due to a pre-commitment made in 2017 for triennial funding of \$10,000 for two events Celebrating or Commemorating a Specific Tradition, the actual proposed funds available for new applications for Small Event Sponsorship Round 1 2018/2019 are \$20,000.

No applications were received for Start-Up Event funding. It is therefore recommended (Recommendation 1) that the \$5,600 unallocated budget for Start-Up Events in Round 1, be reallocated to allow for oversubscribed requests and recommendations in the Small Event Sponsorship category.

The total value of requests for Small Event Sponsorship Round 1 2018/2019 is \$42,100. Based on the assessment results, the recommended allocation of funds is \$25,600 (Recommendation 2).

It is acknowledged that three applications are recommended not to receive funding due to the proposed event sponsorship funds being exhausted (Recommendation 3).

15.3 Event Sponsorship - Small and Start-Up Events Round 1 2018/2019 ...(Cont'd)

The Events Sponsorship Assessment Panel assessed each application against the assessment criteria (detailed below). Full details of each request for Small Event Sponsorship are set out in a separate report which has been distributed to Aldermen.

Assessment Criteria

- **Participation** - Enables special connections to take place within the community, including volunteering and participation opportunities
- **Creativity and Innovation** - Encourages and supports creativity, innovation and local talent
- **Community Spirit** - Fosters pride and positivity in our city, building community spirit
- **Inclusiveness** - Inclusive and accessible to residents within our community; and
- **Asset Usage** - Utilises and activates community assets

The normal distribution of funds (according to score) is as follows:

81-100% = 100% of requested funds

61-80% = 75% of requested funds

50-60% = 50% of requested funds

<50% = No funding provided

ECONOMIC IMPACT:

Approval of the recommended event sponsorship will result in a positive economic impact to the Launceston community.

ENVIRONMENTAL IMPACT:

Approval of the recommended event sponsorship funding will have minimal impact on the environment.

SOCIAL IMPACT:

Approval of the recommended event sponsorship will provide a number of valuable social impacts for our community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Direction -

6. To contribute towards artistic, cultural and heritage outcomes

15.3 Event Sponsorship - Small and Start-Up Events Round 1 2018/2019 ...(Cont'd)

Priority Area 2 - A city where people choose to live

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

Key Directions -

- 4. To promote Launceston's rich heritage and natural environment
- 6. To promote active and healthy lifestyles

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

- 1. To actively market the City and Region and pursue investment
- 3. To promote tourism and a quality Launceston tourism offering
- 6. To facilitate direct investment in the local economy to support its growth

BUDGET & FINANCIAL ASPECTS:

	Proposed Budget	\$ Redistributed	Proposed Budget adjusted	Pre-committed Round 1	\$ Available Round 1	Pre-committed Round 2	\$ Available Round 2
Start-Up Event	\$14,000	-\$5,600	\$8,400	N/A	\$0,000	N/A	\$8,400
Small Events	\$75,000	+\$5,600	\$80,600	\$10,000	\$25,600	\$5,000	\$40,000

No applications were received for Start-Up Event funding. The \$5,600 unallocated budget for Start-Up Events in Round 1 is recommended to be redistributed to allow for oversubscribed requests and recommendations in the Small Event Sponsorship category.

In 2017, \$15,000 was pre-committed for three years for three events celebrating or commemorating a specific tradition; two events (\$10,000) in Round 1 and one event (\$5,000) in Round 2.

The budget adjustment consideration of this item has been approved by the Director Corporate Services.

15.3 Event Sponsorship - Small and Start-Up Events Round 1 2018/2019 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Small Events Applications - 2018-2019 (Not For Public Distribution)
-

15.4 Special Event Sponsorship Application - Australian Monaro Nationals 2018**FILE NO:** SF5892**AUTHOR:** Cherie Holmes (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider an application for Special Event Sponsorship from the Monaro and GM Club of Tasmania Inc.

RECOMMENDATION:

That Council pre-commits funds of \$15,000 from the 2018/2019 Special Event Sponsorship Program budget for the Australian Monaro Nationals 2018.

REPORT:

The Monaro and GM Club of Tasmania applied for \$20,000 from the Special Event Sponsorship Program for the Australian Monaro Nationals 2018.

A Special Event is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate areas. Events will deliver an inclusive experience; encourage community participation, creativity and foster pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

The Australian Monaro Nationals will be staged for the first time in Tasmania and will be held over four days from the 30 November until 3 of December 2018. Some of the activities planned are:

- welcome event to be held at the Penny Royal Complex
- car show and judging at Windsor Park
- car tour and street festival in George Street
- driving events at Symmons Plains
- gala awards dinner at the Albert Hall

The applicant estimates that the event will attract 300 cars and 6,000 attendees across the four day event, with 1,000 -1,500 of the attendees expected from interstate. It is anticipated that at least 1,000 of the interstate attendees will stay five nights in Launceston and spend \$229 per person per day, which will translate to a \$1,145,000 direct spend.

15.4 Special Event Sponsorship Application - Australian Monaro Nationals 2018 ...(Cont'd)

Full details of the funding request are set out in a separate report which has been distributed to Aldermen.

The application was assessed by the Event Sponsorship Assessment Panel, using the assessment criteria listed below. The Australian Monaro Nationals 2018 application assessment resulted in a score of 73%.

Using the distribution funds formula for event sponsorship, an application with a score between 61% and 80% is recommended to receive 75% of the amount requested.

Assessment Criteria

- **Participation** - Enables social connections to take place within the community, including volunteering and participation opportunities.
- **Creativity and Innovation** - Encourages and supports creativity, innovation and local talent.
- **Community Spirit** - Fosters pride and positivity in our city, building community spirit.
- **Economic** - Demonstrates positive economic benefits through visitor spend, employment and/or investment.
- **Tourism and profile** - demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation.
- **Asset Usage** - Utilisation and activation of community assets including cultural, entertainment, sport and recreation venues, including Council owned and operated assets.

The normal distribution of funds (according to score) is as follows:

81-100%	=	100% of requested funds
61-80%	=	75% of requested funds
50-60%	=	50% of requested funds
<50%	=	No funding provided

ECONOMIC IMPACT:

Consideration contained in report.

ENVIRONMENTAL IMPACT:

Approval of the recommended funding will have minimal impact on the environment.

15.4 Special Event Sponsorship Application - Australian Monaro Nationals 2018 ...(Cont'd)

SOCIAL IMPACT:

Approval of the recommended funding will provide a number of valuable social impacts for our community.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

Ten-year goal - To foster creative and innovative people and industries

Key Direction -

3. To optimise the use and usability of our assets for different types of activities

Priority Area 7 - A city that stimulates economic activity and vibrancy

Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Directions -

1. To actively market the City and region and pursue investment

3. To promote tourism and a quality Launceston tourism offering

4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar

6. To facilitate direct investment in the local economy to support its growth

BUDGET & FINANCIAL ASPECTS:

Event	\$ Pre-committed funds 2018/2019	Proposed Funds available 2018/2019	Balance
Centenary of Armistice Celebrations - Commemorative Dinner	\$7,162	\$70,000	\$62,838
2018 Centenary of Armistice Concert	\$15,000	\$62,838	\$47,838
2018 BMX Australian National Series Round	\$11,250	\$47,838	\$36,588
			\$36,588

Should the recommendation for \$15,000 for the Australian Monaro Nationals 2018 be approved and the funding pre-committed, there will be \$21,588 remaining in the proposed 2018/2019 budget.

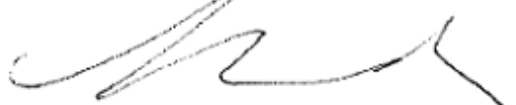
This proposed budget statement has been approved by the Director of Corporate Services.

**15.4 Special Event Sponsorship Application - Australian Monaro Nationals 2018
...(Cont'd)**

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Special Event Application - Monaro Championships - 2018/2019 (Not For Public Distribution)
-

15.5 Special Event Sponsorship Application - 39th FIPS Mouche World Fly Fishing Championship 2019**FILE NO:** SF5892**AUTHOR:** Cherie Holmes (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider an application for Special Event Sponsorship from Fly Fish Australia Incorporated.

RECOMMENDATION:

That Council pre-commits funds of \$22,500 from the proposed 2019/2020 Special Event Sponsorship Program budget for the 39th FIPS Mouche World Fly Fishing Championship 2019.

REPORT:

Fly Fish Australia has applied for \$30,000 from the Special Event Sponsorship Program for the 39th FIPS Mouche World Fly Fishing Championship 2019.

A 'Special Event' is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate areas. Events will deliver an inclusive experience; encourage community participation, creativity and foster pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

The World Fly Fishing Championship is held every year in one of 40 countries eligible to host the event. The event was last held in Tasmania in 1988 at Bronte Park with Hobart as the host city. It is anticipated that 37 countries will supply fly fishing teams for this event being held from the 30 November until the 8 December 2019.

The fishing championship will be held over five days, in rivers and lakes across five venues in Tasmania, within a 2.5 hour drive of Launceston. Competition is on a catch and release basis with barbless hooks being used. Many anglers will be in the state between one and three weeks prior to the event to acclimatise to the fishing conditions.

15.5 Special Event Sponsorship Application - 39th FIPS Mouche World Fly Fishing Championship 2019 ...(Cont'd)

Activities planned to be held within the City of Launceston are:

- Opening ceremony - Civic Square
- Opening function with civic participation - Civic Square
- Street parade - City Park to Civic Square
- Public Conservation Symposium - Hotel Grand Chancellor
- Gala Awards Dinner - Albert Hall

The applicant estimates that 2,000 will attend the championship. It is expected that 300 attendees will be from overseas and 200 attendees from interstate. It is anticipated that at the very least, 500 of the attendees will stay eight nights in Launceston and spend \$229 per person per day, which will translate to a \$916,000 direct spend. Many attendees will be spending three to four weeks within the state depending on their role in the event.

Full details of the funding request are set out in a separate report which has been distributed to Aldermen.

The application was assessed by the Event Sponsorship Assessment Panel, using the assessment criteria listed below. The 39th FIPS Mouche World Fly Fishing Championship 2019 application assessment resulted in a score of 74%.

Using the distribution funds formula for event sponsorship, an application with a score between 61% and 80% is recommended to receive 75% of the amount requested.

Assessment Criteria

- **Participation** - Enables social connections to take place within the community, including volunteering and participation opportunities.
- **Creativity and Innovation** - Encourages and supports creativity, innovation and local talent.
- **Community Spirit** - Fosters pride and positivity in our city, building community spirit.
- **Economic** - Demonstrates positive economic benefits through visitor spend, employment and/or investment.
- **Tourism and profile** - Demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation.
- **Asset Usage** - Utilisation and activation of community assets including cultural, entertainment, sport and recreation venues, including Council owned and operated assets.

The normal distribution of funds (according to score) is as follows:

81-100%	=	100% of requested funds
61-80%	=	75% of requested funds
50-60%	=	50% of requested funds
<50%	=	No funding provided

15.5 Special Event Sponsorship Application - 39th FIPS Mouche World Fly Fishing Championship 2019 ...(Cont'd)

ECONOMIC IMPACT:

Consideration contained in report.

ENVIRONMENTAL IMPACT:

Approval of the recommended funding will have minimal impact on the environment.

SOCIAL IMPACT:

Approval of the recommended funding will have minimal impact on the environment.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
 Priority Area 1 - A creative and innovative city
 Ten-year goal - To foster creative and innovative people and industries
 Key Direction -
 3. To optimise the use and usability of our assets for different types of activities

Priority Area 7 - A city that stimulates economic activity and vibrancy
 Ten-year goal - To develop a strategic and dedicated approach to securing economic investment in Launceston
 Key Directions -
 1. To actively market the City and region and pursue investment
 3. To promote tourism and a quality Launceston tourism offering
 4. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar
 6. To facilitate direct investment in the local economy to support its growth

BUDGET & FINANCIAL ASPECTS:

Event	\$ Pre-committed funds 2019/2020	Possible Funds available 2019/2020	Balance
2019 Australian Veteran Golf Championship	\$15,000	\$70,000	\$55,000
			\$55,000

The proposed budget for 2018/2019 includes \$70,000 for the Special Event Sponsorship Program. It is anticipated that a similar amount will be proposed in 2019/2020.

15.5 Special Event Sponsorship Application - 39th FIPS Mouche World Fly Fishing Championship 2019 ...(Cont'd)

Should the recommendation for \$22,500 for the 39th FIPS Mouche World Fly Fishing Championship 2019 be approved and the funding pre-committed, there will be potentially \$32,500 remaining in the possible 2019/2020 budget for Special Events Sponsorship.

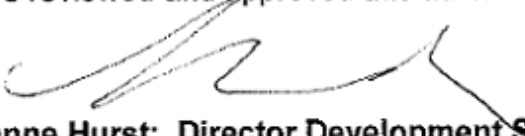
Future requests will need to be considered in the context of the possible budget for 2019/2020.

This budget estimate has been approved by the Director of Corporate Services.

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. Special Event Application - Fly Fishing - 2019/2020 (Not For Public Distribution)
-

15.6 City of Launceston Municipal Emergency Management Plan**FILE NO:** SF0031, SF6766**AUTHOR:** Bev Allen (Emergency Management Coordinator)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the updated Municipal Emergency Management Plan for adoption.

RECOMMENDATION:

That Council adopts the revised and updated Municipal Emergency Management Plan (Issue 16, 2018) (ECM Doc ID 4376873) and that the plan be forwarded to the State Emergency Management Controller for authorisation.

REPORT:

Under the requirements of the *Emergency Management Act 2006*, Council is obligated to review and submit for reauthorisation its Municipal Emergency Management Plan (MEM Plan) every two years. At its Meeting on 22 March 2018, the Municipal Emergency Management Committee approved the Municipal Emergency Management (MEM) Plan and requested it be forwarded to Council for adoption.

The plan has been reviewed and updated with minor changes in line with the Tasmanian Emergency Management Plan 2015. This enables consistency with plans at all levels throughout the state (Municipal, Regional and State) and falls in line with requests from the State Emergency Service.

Consultation has occurred with the State Emergency Service at both a Regional and State level as per their requirements.

The process for approval of the plan under the terms of the *Emergency Management Act 2006* is outlined below:

- Approval from Municipal Emergency Management Committee
- Approval from City of Launceston
- Approval from Regional Emergency Management Controller
- Final approval and sign-off by State Emergency Management Controller

ECONOMIC IMPACT:

Not considered relevant to this report.

15.6 City of Launceston Municipal Emergency Management Plan ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

The *Local Government Act 1993* requires Councils *provide for the health, safety and welfare of the community*, while the *Emergency Management Act 2006* requires that Councils have an Emergency Management Coordinator and prepare an Emergency Management Plan which can be enacted upon to maintain the safety of the community.

STRATEGIC DOCUMENT REFERENCE:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Draft City of Launceston Municipal Emergency Management Plan (distributed electronically)
-

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 Lease - Tasman Highway Bushland Reserve

FILE NO: SF4469

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

DIRECTOR: Shane Eberhardt (Director of Infrastructure Services)

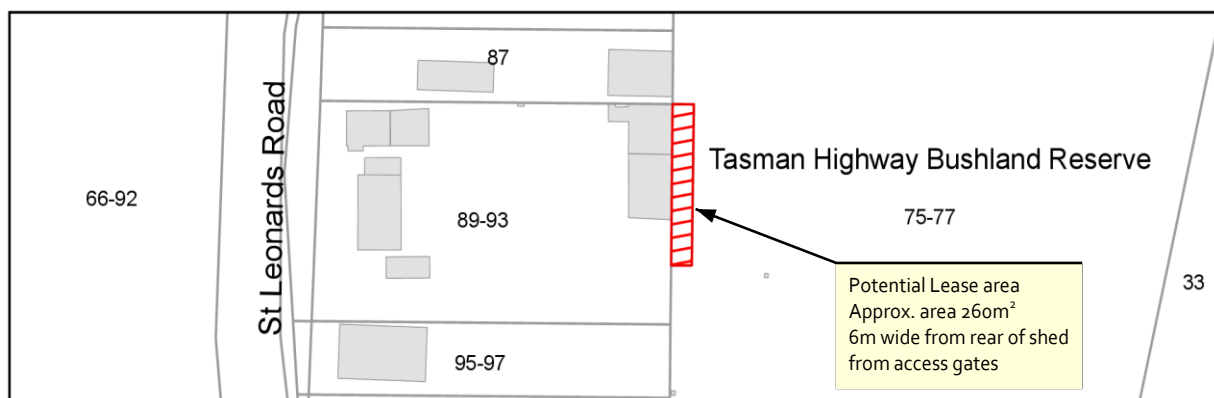
DECISION STATEMENT:

To consider issuing a lease over part of Tasman Highway Bushland Reserve 75-77 St Leonards Road, St Leonards.

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

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of Tasman Highway Bushland Reserve 75-77 St Leonards Road, St Leonards (CT1144261/4) to Pro Dig Earthworks Pty Ltd as indicated by the hatched outline on the plan below.



2. The General Manager is authorised to enter into a formal lease under the following terms:
 - the term shall be three years commencing on 1 June 2018
 - the lease amount shall be \$1,000 per annum plus GST
 - tenant to be responsible for:
 - energy costs
 - water usage charges
 - and other service charges (if any)

18.1 Lease - Tasman Highway Bushland Reserve ...(Cont'd)

- tenant shall continuously maintain:
 - public liability insurance of at least \$10 million
-

REPORT:

There has been a long term encroachment within the Tasman Highway Bushland Reserve to the rear of the large shed built to boundary at 89-93 St Leonards Road, St Leonards. A gravel hard stand was constructed prior to 2005 by the previous owner and used for the purposes of stockpiling material, parking and servicing vehicles.

Pro Dig Earthworks Pty Ltd is currently leasing a building at the rear of 89-93 St Leonards Road, St Leonards and has been utilising the hard stand for parking vehicles, shipping containers, gravel and tyres due to limited space on the multi-tenanted site. A security fence with gates is installed on the boundary and the shed has a rear door providing direct vehicle access to reserve.

As part of improving the fuel modified buffer zone in accordance with the Reserve Fire Management Plan, Pro Dig Earthworks Pty Ltd cleaned up the encroachment and removed all combustibles and equipment from the reserve but requested the ability to store some plant and equipment to the rear of the shed.

The purpose of the lease is to manage vehicle access around the rear of the shed and to provide additional storage for non-combustible items whilst restricting access to the reserve. A requirement will be to fence off the leased area to prevent access to the reserve.

The Council's property at 75-77 St Leonards Road, St Leonards (CT1144261/4) is recorded as being public land on the register kept by the General Manager in accordance with section 177A of the *Local Government Act 1993*.

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

ECONOMIC IMPACT:

Formalising a lease and requiring payment will provide some revenue that could be used to improve maintenance of this reserve.

18.1 Lease - Tasman Highway Bushland Reserve ...(Cont'd)

ENVIRONMENTAL IMPACT:

The short term lease is unlikely to further impact on the natural values within the reserve as the area of encroachment is decreasing in size. Due to the existing width of hardstand there is no increase in bushfire clearance requirements.

SOCIAL IMPACT:

There is minimal use of this reserve by members of the public. The lease reduces the footprint of the encroachment and will facilitate clear access for maintenance around the entire reserve boundary.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 5 - A city that values its environment
Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards
Key Directions -
5. To reduce our and the community's impact on the natural environment

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To ensure decisions are made in a transparent and accountable way
Key Directions -
4. To continually improve our service delivery and supporting processes
5. To strategically manage our assets, facilities and services

BUDGET & FINANCIAL ASPECTS:

Natural Environment Department income of \$1,000 per annum.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

18.2 Lease - City Park Cottage**FILE NO:** SF0833/SF2337**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider leasing an area of land situated at 45-51 Tamar Street, Launceston to the Launceston Community FM Group Inc known as City Park Radio as marked on the attached plan.

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

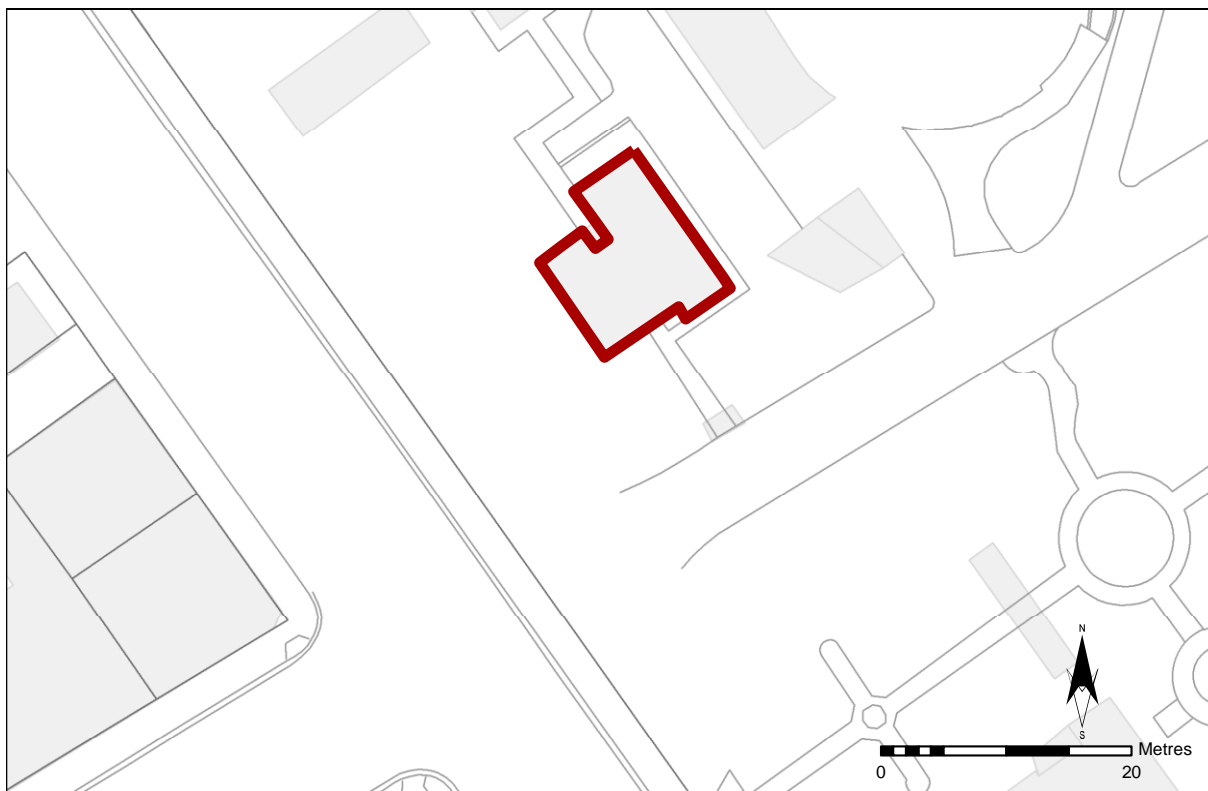
PREVIOUS COUNCIL CONSIDERATION:

Council - 7 May 2007 - Agenda Item 12.1 - City Park Radio - Lease approved

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993*, agrees to lease part of 45-51 Tamar Street, Launceston (CT50902/1) known as the City Park Radio to the Launceston Community FM Group Inc as indicated by hatch on the plan below, for the purposes of a community radio station.
-

18.2 Lease - City Park Cottage ...(Cont'd)



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

18.2 Lease - City Park Cottage ...(Cont'd)

REPORT:

City Park Radio is a non-profit community radio station owned and operated by the members of the Launceston Community FM Group Inc. The radio station is run entirely by volunteers, who present the radio programs and clean and maintain the cottage. The radio station survives solely on local business sponsorship, memberships and some government grants.

Launceston Community FM Group Inc has been operating out of the City Park Cottage ([Attachment 1](#)) since 1988. Launceston Community FM Group Inc broadcasts a diverse range of locally and nationally produced programs, including music and spoken word. Spoken word topics include environment, book reviews, women's issues, job and training awareness and general community announcements.

On the 7 May 2007 the Council granted the Launceston Community FM Group Inc a 10 year lease at a nominal rent. The Launceston Community FM Group Inc currently pays \$1,195 per annum in rent and their lease expired on 30 April 2018.

The Launceston Community FM Group Inc. has written to the Council ([Attachment 2](#)) seeking a new five year lease under the same terms and conditions, with the lease at \$1pa if demanded. This falls in line with the development of the draft lease and licence policy which will see a peppercorn rent applied, with an expectation that the tenant meets all outgoing costs of the City Park Cottage.

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

ECONOMIC IMPACT:

City Park Radio is Launceston's Community Radio Station broadcasting on 103.7FM and 96.5FM and is highly valued by our local community for its diverse range of programs and entertainment.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

City Park Radio is a place for the community to come together to learn valuable skills and make good friends by taking part in radio production.

18.2 Lease - City Park Cottage ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

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

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
2. To support the CBD and commercial areas as activity places during day and night

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 -

1. To understand the needs and requirements of key community service providers and stakeholders

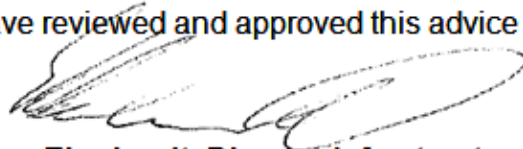
BUDGET & FINANCIAL ASPECTS:

The officer has no conflict of interest in this item.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

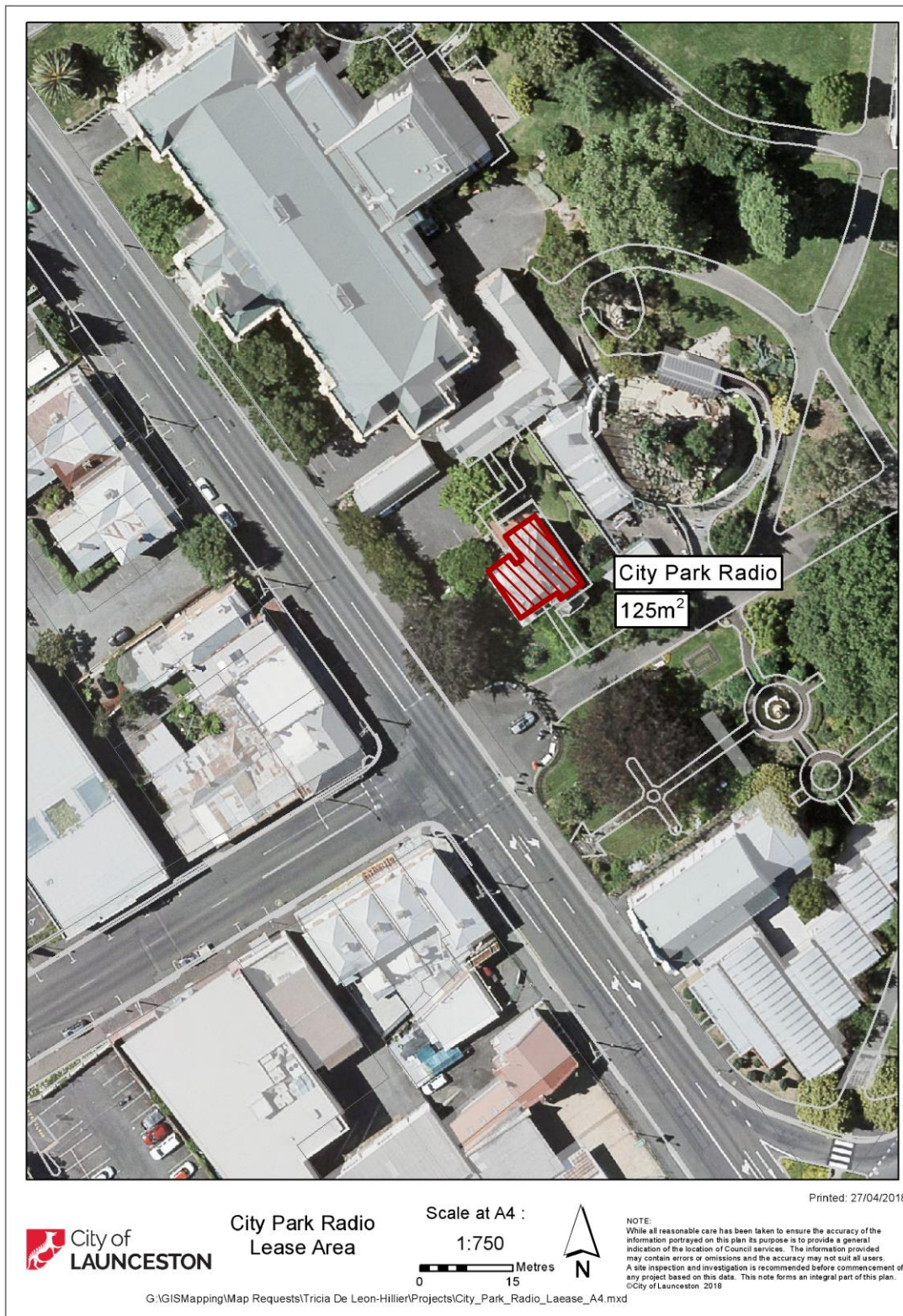


Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Map of Leased Area
 2. Letter of Proposal from Launceston Community FM Group Inc.
-

Attachment 1 - Map of Leased Area



Attachment 2 - Letter of proposal from Launceston Community FM Group Inc.



Launceston Community FM Group Inc.

ABN: 92 039 008 849

City Park Radio: Community Radio into the future.

Mr Barry Pickett
Natural Environment Manager
Launceston City Council
PO Box 396
LAUNCESTON 7250.

Dear Barry

We are aware our current lease with the City of Launceston on the City Park Cottage and Stable is due to expire on 30th April 2018.

At our management committee today, the committee decided that as we are well established in the City Park cottage precinct, we should seek to renegotiate our lease with the council.

On behalf of our members and volunteers, we write to request the opportunity to renew our lease on an ongoing basis, with a review every five (5) years.

Yours sincerely



Jim Jacob
President



Chris Ball
Treasurer
Public Officer

21st April 2018

cc: Tricia De Leon-Hillier

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(03) 6334 3344

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cityparkradio@cityparkradio.com.au
Web: cityparkradio.com

18.3 Mobile Food Vendors - Permits**FILE NO:** SF1549/SF6145**AUTHOR:** Leigh Handley (Manager Operations)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider the issuing of 12 month permits to three vendors following an expression of interest for Mobile Food Van Vendor Permits - High Street (St Georges Square) CD014/2018.

PREVIOUS COUNCIL CONSIDERATION:

Council - 30 October 2017 - Agenda Item 18.1.

RECOMMENDATION:

That Council approves the following businesses be issued a 'Food Vendors on Public Roads Permit' to trade at High Street, Launceston - east side between Arthur and Ann Streets (St Georges Square) for a twelve month term:

1. Small Grain
 2. Sailor Food Truck
 3. Burger Junkie
-

REPORT:

In early 2017 the Council requested a report be prepared on addressing a number of issues arising from the operations of mobile food vans from St Georges Square.

The objectives of the investigation were:

- To retain St Georges Square as a casual dining venue serviced by on-street food vans.
 - To maximise public safety given the numbers crossing High Street and particularly crossing between vans/in front of (blind side) of vans.
 - To address the worn grass.
 - To minimise litter in the park.
 - To consider requests for built public conveniences.
 - To work within the existing Policy on Mobile Food Vans and apply priority to the needs of 'fixed' business operations.
-

18.3 Mobile Food Vendors - Permits ...(Cont'd)

A number of Workshops have been held with Aldermen which supported the following actions.

- A. In respect to the operation of mobile food vans operating within the Launceston municipal area, adopts the following criteria for assessment of suitable trading locations:
- Pedestrian separation from moving traffic
 - Hard stand for vans to park on when frequent attendance occurs
 - Sufficient parking for vans or customers, relative to numbers of vans
 - Congregating space for customers
 - Separation from residential areas of at least 100m
 - Waste management capacity
 - Food businesses within 200m must consent
 - Level site
 - CBD Exclusion Zone
- B. Supports the following actions for an interim period until 30 April 2018:
- A maximum of four food vans be permitted to trade at St Georges Square, seven nights week.
 - Food vans operating at St Georges Square to have no openings onto the road side except for the driver side door.
 - Current traders to be given two months to comply with the recommendation to have no openings onto the road side except for the driver's side door.
 - Applications to trade at other locations will be assessed against the relevant criteria and determined by the General Manager.
- C. Establish selection criteria for selection of food vans to trade at the High Street location.
- D. In February 2018 calls for expressions of interest from mobile food van traders to operate from the site for a period of 12 months, requiring them to address the selection criteria and to identify the locations from which they wish to trade.
- E. Expressions of interest to be assessed by a council working group consisting of two Aldermen and two Council employees with a recommendation to be made to Council.
- F. Under section 205 of the *Local Government Act 1993*, a revised fee be adopted as follows:
- 6 month licence = \$1,000 GST inclusive
 - 4 hours = \$150 GST inclusive (issued to vendor no more than twice per annum)
- G. Investigate a long term solution to support the operation of mobile food vans in the Launceston municipality that maximises public safety whilst maintaining community usage.
-

18.3 Mobile Food Vendors - Permits ...(Cont'd)

On Monday, 5 February 2018, a working group consisting of three Aldermen and two Council Officers consulted with the existing food vendors and established criteria for selection of food vans to trade at the High Street location.

An Expression of Interest was published on Saturday, 14 April 2018 with a closing date of Friday, 27 April 2018 at 2.00pm, inviting mobile food vendors that hold a valid certificate of registration for a business selling food from a vehicle, to submit an expression of interest for one of the four permits offered to operate at the approved site at High Street, Launceston.

The objectives were to attract high quality traders with a range of products that supported local suppliers, capacity to provide healthy food choices, demonstrated commitment to sustainable practices, compliance with legislation and policy conditions, and those willing to activate the space at least four nights per week.

The City of Launceston received three expressions of interests which all met the selection criteria.

These submissions were from Small Grain (an Asian flavour menu), Sailor Food Truck (Seafood and a Portuguese influence), and Burger Junkie (existing vendor).

Two existing vendors, Turkish Tukka and Food for Dudes, decided not to submit or did not wish to renew their current permit for this location. This decision was confirmed by follow up discussions with these vendors.

The permits for current traders have been extended to facilitate ongoing trading at this site whilst recommendations are considered and endorsed by Council.

ECONOMIC IMPACT:

Sustainability and increasing current mobile food vendors promotes employment opportunities within the City of Launceston through local business development and supporting local suppliers.

ENVIRONMENTAL IMPACT:

Management of the wear and tear of the green space has been addressed through rotation of the vans and irrigation of the turf.

SOCIAL IMPACT:

Casual dining at St Georges Square has been a success and an alternative experience to improve the liveability of Launceston residents.

18.3 Mobile Food Vendors - Permits ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

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

Key Directions -

1. To continue to offer and attractive network of parks, open spaces and facilities throughout Launceston
2. To support the CBD and commercial areas as activity places during day and night
3. To contribute to enhanced public health and amenity to promote a safe and secure environment

BUDGET & FINANCIAL ASPECTS:

Fees have been set at \$2,000 excluding GST per permit per annum.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

18.4 Petition - Boland Street Bus Shelter**FILE NO:** SF0097/SF0622/SF1188**AUTHOR:** Nigel Coates (Engineering Officer Traffic)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To note the proposal to install a kerb and paved area for the bus stop at 57 Boland Street, Launceston and that Metro will install a bench seat.

PREVIOUS COUNCIL CONSIDERATION:

Council - 7 May 2018 - 5 - Petition - Boland Street Bus Shelter

RECOMMENDATION:

That Council notes:

1. the proposal to install a kerb and paved area at the bus stop at 57 Boland Street; Launceston; and
 2. in conjunction with Metro, investigate installation of a bus shelter.
-

REPORT:

At its Meeting on 23 April 2018, Council received a petition requesting a bus shelter at the outbound bus stop at 57 Boland Street, Launceston.

The Memorandum of Understanding between the City of Launceston and Metro specifies that outside the Launceston CBD, bus shelters and seats at bus stops are the responsibility of the bus company, Metro. The City of Launceston is responsible for any associated kerbs and paving. Bus stops need to be DDA compliant with appropriate grades, space and kerb height to allow bus access. Metro has a policy to install and maintain shelters at bus stops where there are 25 boardings or more a day. In 2017, at this stop, there was an average of 12 boardings a day on weekdays, insufficient to justify the provision of a shelter. Metro will provide a bench seat when this criterion is not met.

18.4 Petition - Boland Street Bus Shelter ...(Cont'd)

At the bus stop at 57 Boland Street, Launceston there is currently no kerb and channel and the footpath is flush with the carriageway. In consultation with Metro, a short length of kerb and channel, paved area and slab will be provided as shown on the plan ([Attachment 1](#)). At this stage Metro will install a bench seat but the slab will be of sufficient size to accommodate a shelter at a later date. These works are estimated to cost \$21,000. The draft budget for 2018/2019 includes \$75,000 for bus stop upgrades.

In 2018/2019 a budget of \$75,000 has been allocated to fund a program of prioritising works relating to improvements to paths, tactical markings, kerb and channel and bus bays. This program will complement a Metro Tasmania program requiring compliance with the Disability and Discrimination Act for all bus shelters across Tasmania. The program will run for two-three years and will require continued support by the Council.

The proposed improvements to the Boland Street bus stop were included on the Council's draft program, however, this has been advanced in response to community concern.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Making positive provision for public transport is particularly beneficial for those who, through ability, economic circumstances or choice, do not have access to alternative forms of transport.

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 -
1. To develop and consistently use community engagement processes

18.4 Petition - Boland Street Bus Shelter ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

Project	Draft budget amount	Transfer to	New budget
Bus Stop Upgrade, Improve DDA access	\$75,000	\$21,000	\$54,000
57 Boland Street bus stop	\$21,000	\$0	\$0
TOTALS	\$54,000		\$54,000

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. Plan - Petition Boland Street Bus Shelter (distributed electronically)

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 CORPORATE SERVICES DIRECTORATE ITEMS

20.1 Financial Report to Council - 31 March 2018

FILE NO: SF3611

AUTHOR: Paul Gimpl (Manager Finance)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the Council's financial performance for the nine months ended 31 March 2018.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 10 May 2018 - Financial Statements - Analysis and Commentary

RECOMMENDATION:

That Council adopts the financial report for the nine months ended 31 March 2018 which shows an overall operating surplus of \$17.737m.

Note: After allowing for the following items the underlying surplus at 31 March 2018 is \$3.323m.

	\$m
Operating Surplus as at 31 March 2018	17,737
Less	
Capital Grant Revenue	(14.346)
Capital Interest Revenue	(0.072)
Flood Disaster Recovery Grant Revenue	(0.520)
Smart City Grant Revenue	(1.580)
Add	
Financial Assistance Grant (received in June 2017 for 2017/18 year)	2.104
Underlying Surplus as at 31 March 2018	<u>3.323</u>

20.1 Financial Report to Council - 31 March 2018 ...(Cont'd)

REPORT:**Operations Summary**

The Statement of Comprehensive Income for the nine months to 31 March 2018 is included below the Operations Summary commentary.

Council revenue is better than budget due to favourable parking, aquatic, regulatory and development application fees (\$3.7m favourable with \$2.3m attributable to above budget Operating Grant revenue received).

Operations expenditure compared to budget is also favourable (\$0.68m) due mainly to wages and depreciation being under budget.

The organisation continues to monitor costs and revenue closely to ensure the underlying operating budget remains in surplus.

As at 31 March 2018, a \$1.2m underlying surplus is predicted with the main variance impacting the budget (\$1.9m underlying surplus) being losses on disposal of assets (roads, etc.) of \$0.587m.

In 2018/2019 the Council will include an estimate of losses on disposals in the budget to better reflect Council's underlying result.

20.1 Financial Report to Council - 31 March 2018 ...(Cont'd)

**CITY OF LAUNCESTON
STATEMENT OF FINANCIAL POSITION
As at 31 March 2018**

	2017/18	2016/17	2015/16
	YTD	YTD	YTD
	\$	\$	\$
EQUITY			
Capital Reserves	185,016,410	171,941,773	161,324,758
Revenue Reserves	1,012,752,386	910,522,714	888,793,651
Asset Revaluation Reserves	622,605,640	606,133,192	615,654,466
Investment Reserves	(18,188,202)	(19,625,561)	(6,377,828)
Trusts and Bequests	1,953,156	2,202,292	2,352,662
Operating Surplus	17,737,336	9,424,335	5,754,294
TOTAL EQUITY	1,821,876,725	1,680,598,745	1,667,502,003
CURRENT ASSETS			
Cash at Bank and on Hand	752,320	1,698,439	878,264
Rate and Sundry Receivables	20,455,374	16,009,388	15,585,321
Less Rates not yet Recognised	(16,236,786)	(15,814,983)	(15,464,056)
Short Term Investments	74,305,496	76,757,239	67,020,087
Inventories	617,163	630,570	696,826
Assets Held for Sale	840,329	-	-
	<u>80,733,895</u>	<u>79,280,652</u>	<u>68,716,442</u>
NON-CURRENT ASSETS			
Deferred Receivables	257,556	255,310	257,556
Investments	234,923,274	233,483,915	229,156,688
Superannuation Surplus	-	-	-
Intangibles	4,440,054	4,198,697	4,356,918
Infrastructure and Other Assets	1,297,751,132	1,157,962,807	1,156,686,589
Museum Collection	237,492,778	237,111,940	236,234,766
	<u>1,774,864,793</u>	<u>1,633,012,670</u>	<u>1,626,692,516</u>
TOTAL ASSETS	1,855,598,689	1,712,293,322	1,695,408,959
CURRENT LIABILITIES			
Deposits and Prepayments	970,312	1,512,547	1,452,461
Employee Provisions	6,498,031	5,886,667	6,062,505
Rehabilitation Provision	-	-	-
Interest-bearing Liabilities	1,193,253	2,241,370	2,131,602
Lease Liabilities	-	-	-
Sundry Payables and Accruals	7,784,635	3,368,357	7,336,323
	<u>16,446,231</u>	<u>13,008,941</u>	<u>16,982,891</u>
NON-CURRENT LIABILITIES			
Employee Provisions Non Current	988,864	1,777,114	1,416,691
Superannuation Obligation	461,080	247,080	457,080
Interest-bearing Liabilities Non Current	9,769,414	11,017,442	4,315,241
Lease Liabilities	-	-	-
Rehabilitation Provision	6,056,375	5,644,000	4,735,053
	<u>17,275,733</u>	<u>18,685,636</u>	<u>10,924,065</u>
TOTAL LIABILITIES	33,721,963	31,694,576	27,906,956
NET ASSETS	1,821,876,725	1,680,598,745	1,667,502,003

Unaudited - Internal Use Only

20.1 Financial Report to Council - 31 March 2018 ...(Cont'd)

CITY OF LAUNCESTON
Statement of Comprehensive Income
For Year to Date 31 March 2018

	2017/18 YTD \$ Actual	2017/18 YTD \$ Budget	Variance YTD \$ Fav/(Unfav)
REVENUES FROM ORDINARY ACTIVITIES			
Rates	48,815,402	48,764,908	50,494
Fees and Charges	18,132,281	16,793,250	1,339,031
Revenue Grants			
Financial Assistance	1,574,767	3,629,850	(2,055,083)
Other Grants	4,383,773	2,084,077	2,299,696
Interest	1,401,597	1,432,806	(31,209)
Interest Committed	72,104	30,804	41,300
Investment Revenue	2,945,421	2,891,304	54,116
Bequests	93,680	133,885	(40,205)
Other Income	1,541,983	1,602,053	(60,070)
	<u>78,961,007</u>	<u>77,362,937</u>	<u>1,598,070</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Maintenance of Facilities and Provision of Services			
Employee Benefits	28,836,946	29,439,266	602,320
Materials and Services	24,167,321	24,488,921	321,600
Impairment of Debts	37,521	22,880	(14,641)
Finance Costs			
Interest on Loans	330,274	110,288	(219,986)
Provision for Rehabilitation	228,375	228,375	-
Change in Rehabilitation Provision	-	-	-
Depreciation	15,003,756	15,327,042	323,286
State Government Fire Service Levy	5,651,113	5,651,113	0
Rate Remissions and Abatements	1,025,021	987,165	(37,856)
Write Down of Assets Held For Sale	-	-	-
	<u>75,280,326</u>	<u>76,255,049</u>	<u>974,723</u>
OPERATING SURPLUS / (DEFICIT)	3,680,681	1,107,888	2,572,793
Capital Grants	14,345,756	12,237,206	2,108,550
Infrastructure Take Up	-	-	-
Other Comprehensive Income	-	-	-
	<u>14,345,756</u>	<u>12,237,206</u>	<u>2,108,550</u>
Non-Operating Expenses			
Loss on Disposal of Fixed Assets	289,101	-	(289,101)
Comprehensive Result	<u>17,737,336</u>	<u>13,345,094</u>	<u>4,392,242</u>

Unaudited - Internal Use Only

20.1 Financial Report to Council - 31 March 2018 ...(Cont'd)

Loan Balances

The loan balance as at 31 March 2018 is \$10.96m.

The State Government offered an interest free loan facility as part of an economic stimulus package to Northern Tasmania. The Council made submissions under this program for \$19.5m in loan funding (\$9.0m was borrowed in 2016/2017 for the CH Smith car park project and the balance of \$10.5m to be borrowed in 2018/2019 for Launceston City Heart and the Gorge Reimagining projects). A number of the loans are for a short period and enable planned works to be brought forward, with a major loan of \$9.0m for a car park as part of the redevelopment of the CH Smith site borrowed in the March 2017 quarter. The loan is due to be repaid in five years (28 February 2022) from accumulated funds.

Existing loans have fixed interest rates (ranging from 4.64% to 6.08%) and there is limited ability to payout existing loans early.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation
Key Direction -
6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

As per the report.

20.1 Financial Report to Council - 31 March 2018 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

20.2 Budget Amendments 2017/2018**FILE NO:** SF3611/SF7024**AUTHOR:** Paul Gimpl (Manager Finance)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider changes to the Council's 2017/2018 Statutory Estimates.

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

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 10 May 2018 - Budget Amendments (for Council) and Funding Overview

RECOMMENDATION:

That Council, by absolute majority:

1. pursuant to section 82(4) of the *Local Government Act 1993*, approves the following amendments to the Statutory Estimates:
 - (a) Revenue
 - (i) the net decrease in revenue from external grants and contributions of \$46,598.
 - (b) Operating Expenditure
 - (i) a decrease in expenditure relating to the net transfers between operations and capital of \$305,754.
 - (c) Capital Works Expenditure
 - (i) the increase in expenditure from net transfers between operations and capital of \$305,754.
 - (ii) the net decrease of external funds received of \$46,598.
 2. notes that amendments from point 1 result in:
 - (a) the operating surplus being amended to \$29.952m (including capital grants of \$28.013m) for 2017/2018.
 - (b) the capital budget being increased to \$50.185m for 2017/2018.
-

20.2 Budget Amendments 2017/2018 ...(Cont'd)

REPORT:

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

	Operations \$'000	Capital \$'000
Statutory Budget	11,482	26,548
Amendments previously approved by Council 31/12/2017	18,211	18,143
Previously Approved by Council	29,693	44,691
Operations to Capital	333	333
Capital to Operations	(27)	(27)
External Funds	(47)	(47)
Statutory Budget as at 31/03/2018	29,952	44,950
<u>Additional Budget Amendments May 2018</u>		
Capital Budget Increase for Boral relocation		3,935
Capital Budget Increase for flood levee stabilisation works		800
Capital Budget Increase for Newstead Levee cost increase		500
Budget Amendment approved by Council 07/05/2018	29,952	50,185
Deduct Capital Grants and Contributions	(28,013)	
Underlying Operating Budget Surplus	1,939	

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

1(a) The following items need to be reallocated from Operations to Capital.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP20504	Remount Road Depot Maintenance	\$44,250	\$13,297	-	\$30,953
OP21062	Remount Road Building Maintenance	\$69,000	\$10,000	-	\$59,000
CP23790	Oil Water Separator Remount Road	-	-	\$23,297	\$23,297
	Totals	\$113,250	\$23,297	\$23,297	\$113,250

20.2 Budget Amendments 2017/2018 ...(Cont'd)

The project scope of works:

In February 2017, Council was issued a Trade Waste Notice, under section 56V(1)(C) requesting the installation of a Compliant Pre-treatment System at Remount Road Depot Wash Bay. Two quotes were sought with Manion Plumbing, the successful contractor, and the wash bay upgrade was completed in November 2017. TasWater have inspected and signed off on the upgrade.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP44402	Invermay Park Miscellaneous Structures	\$170,000	\$26,465	-	\$143,535
CP23815	Invermay Park Sight Screens	-	-	\$26,465	\$26,465
	Totals	\$170,000	\$26,465	\$26,465	\$170,000

The project scope of works:

The Invermay Park Sight Screen upgrade (which was required for national cricket competition) was completed out of the Operational Budget. The work meets the criteria of Council's Asset Capitalisation Framework and this transfer is requested accordingly.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP44498	Lilydale Pool Operations	\$34,500	\$3,688	-	\$30,812
CP23774	Lilydale Pool Internal Fence	-	-	\$3,688	\$3,688
	Totals	\$34,500	\$3,688	\$3,688	\$34,500

The project scope of works:

The Lions Club of Lilydale has been successful in obtaining funds to replace the internal fence at the Lilydale Pool. Works have been undertaken by the Council to replace the fence and the Lions Club of Lilydale has now reimbursed Council for these costs to the amount of \$18098.50+GST. The total project cost was \$21,786.50 + GST. This budget amendment is to account for the Council's portion of the project costs which is to be funded from the Lilydale Pool Operations budget for 2017/2018.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP20565	RSPCA Pound Maintenance	\$20,000	\$1,330	-	\$18,670
CP23674	Sea Container Purchase and Fitout	\$25,618	-	\$1,330	\$26,948
	Totals	\$45,618	\$1,330	\$1,330	\$45,618

20.2 Budget Amendments 2017/2018 ...(Cont'd)

The project scope of works:

Recent price negotiations with the supplier of the sea container have indicated that the capital project is expected to have a small budget variance of \$1,330. It has been determined that this variance can be covered by a transfer of funds from the RSPCA Pound Maintenance operational project as both projects are associated with animal welfare and the operational project is expected to have sufficient budget funds available due to a reduction in maintenance costs for the 2017/2018 financial year.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP20181	CP Sustainability	\$42,000	\$18,235	-	\$23,765
CP23819	Windmill Hill Hall Solar System	-	-	\$18,235	\$18,235
	Totals	\$42,000	\$18,235	\$18,235	\$42,000

The project scope of works:

Funds remaining in the Sustainability operational budget are proposed to be used to install a 12kW solar system on the roof of the Windmill Hill Memorial Hall. The power generated will offset approximately 40% of the total usage. The system will have 36 solar panels on the roof. The inverter will be located in the server room in the basement.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP22480	Albert Hall Renewal Works	\$100,000	\$100,000	-	-
OP22481	Albert Hall Redevelopment Planning	\$100,000	\$100,000	-	-
CP21502	Macquarie House Redevelopment	\$3,000,000	-	\$200,000	\$3,200,000
	Totals	\$3,200,000	\$200,000	\$200,000	\$3,200,000

The project scope of works:

The Macquarie House Redevelopment project consists of a total refurbishment of the existing Heritage Listed Council-owned building to meet current legislative requirements. The building will house the Macquarie House Innovation Hub, operated by Enterprize Tasmania. Project funding is currently limited to an external grant funding contribution only. Due to unfavourable tender response, an additional capital contribution is required to enable the project to proceed. Funds are available within the existing Capital and Major Operations program due to deferral of future associated project work and cost savings achieved within existing projects.

20.2 Budget Amendments 2017/2018 ...(Cont'd)

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP21185	Paterson Street West Car Park Building Maintenance	\$75,780	\$5,000	-	\$70,780
CP23820	Pat West Parenting Facility Security Upgrade	-	-	\$5,000	\$5,000
	Totals	\$75,780	\$5,000	\$5,000	\$75,780

The project scope of works:

This facility has been subject to frequent anti-social behaviour and the facility not being used for its intended purpose ranging from vandalism and shoplifters to intimidation of parents using the facility.

Works will include installing an intercom on entries which can be linked to the parking control room to assist with access management.

An upgrade of access will enable the parking department to provide a safer, cleaner facility.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP20681	Energy Water and Waste Efficiency (DSD)	\$67,000	\$40,000	-	\$27,000
CP23821	Solar Power Vehicle Investigation	-	-	\$40,000	\$40,000
OP20681	Energy Water and Waste Efficiency (DSD)	\$27,000	\$15,000	-	\$12,000
CP23661	Reimagining the Cataract Gorge 2017/2018	\$870,912	-	\$15,000	\$885,912
	Totals	\$964,912	\$55,000	\$55,000	\$964,912

The project scope of works:

Solar power vehicle: This project currently sits with the Development Services Directorate. A new capital project has been created within the Infrastructure Services Directorate due to the re-structure of Council's Sustainability Officer role, the need to continue investigation this financial year and construction next financial year. This project will install an electric vehicle charging station in the Paterson Street East Car Park. The charger will be a 50kW DC fast charger for use by the public.

Reimagining the Gorge: This project will purchase and install new LED lights along paths around the Gorge Restaurant and Maple Steps.

20.2 Budget Amendments 2017/2018 ...(Cont'd)

Summary Table

Operations to Capital	Operations	Capital
Oil Water Separator Remount Road	(\$23,297)	\$23,297
Invermay Park Sight Screens	(\$26,465)	\$26,465
Lilydale Pool Internal Fence	(\$3,688)	\$3,688
Sea Container Purchase and Fitout	(\$1,330)	\$1,330
Windmill Hill Hall Solar System	(\$18,235)	\$18,235
Macquarie House Redevelopment	(\$200,000)	\$200,000
Pat West Parenting Facility Security Upgrade	(\$5,000)	\$5,000
Solar Power Vehicle Investigation	(\$40,000)	\$40,000
Reimagining the Cataract Gorge 2017/2018	(\$15,000)	\$15,000
TOTAL	(\$333,015)	\$333,015

1(b) The following items need to be reallocated from Capital to Operations.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP23712	Carnarvon Road Sub-Soil Drains (Suffolk)	\$50,000	\$27,261	-	\$22,739
OP22618	Roads Transfers from Capital FY2017/2018	\$150,000	-	\$27,261	\$177,261
	Totals	\$200,000	\$27,261	\$27,261	\$200,000

The project scope of works:

Following investigations to determine the viability of installing a sub-soil drain on the top side of the retaining wall it was found that pavement and subgrade conditions are gravel material (non-clay). It was decided, in conjunction with the asset owner, to reduce the scope of work to asphalt and pavement repairs. This has resulted in the above Capital expenditure no longer meeting the requirements of the Capitalisation Framework Document. As these costs cannot be capitalised, actuals have been moved to operations and requires the matching budget amount to be transferred to the applicable operations project.

Capital to Operations	Operations	Capital
Carnarvon Road Sub-Soil Drains (Suffolk)	\$27,261	(\$27,261)
TOTAL	\$27,261	(\$27,261)

20.2 Budget Amendments 2017/2018 ...(Cont'd)

1(c) The following items have been affected by external funding changes and affect both the Capital and Operations budgets.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10075.12160	Roads Capital Grants	(\$2,932,888)	-	\$200,000	(\$2,732,888)
CP23772	Charles/Frederick Street Black Spot	\$200,000	\$200,000	-	-
	Totals	(\$2,732,888)	\$200,000	\$200,000	(\$2,732,888)

The project scope of works:

To un-allocate the budget line for External Funds Not Received for this project. Black Spot Funding was not approved for this project.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G16080.12070	Roads Assets - Grants Other Operations	(\$505,000)	-	\$200,000	(\$305,000)
OP22555	Charles/Frederick Street Black Spot	\$200,000	\$200,000	-	-
	Totals	(\$305,000)	\$200,000	\$200,000	(\$305,000)

The project scope of works:

To un-allocate a budget line for External Funds Not Received for this project. The bid for Black Spot funding did not go ahead for this project as the construction will be undertaken on Capital project 23803 Charles Street LGH Road/Pedestrian Improvements.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10150.12565	York Park Contributions	(\$28,527)	\$6,500	-	(\$35,027)
CP23815	Invermay Park Sight Screens	\$26,465	-	\$6,500	\$32,965
	Totals	(\$2,062)	\$6,500	\$6,500	(\$2,062)

The project scope of works:

Cricket Australia is contributing \$6,500 towards the Invermay Park Sight Screen Upgrade project.

20.2 Budget Amendments 2017/2018 ...(Cont'd)

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10067.12160	Tasmanian Community Fund Grant	(\$6,770,455)	\$104,803	-	(\$6,875,258)
CP23661	Reimagining the Cataract Gorge	\$782,428	-	\$88,484	\$870,912
CP23733	Play Space Strategy Implementation 2017/2018	\$250,000	-	\$16,319	\$266,319
	Totals	(\$5,738,027)	\$104,803	\$104,803	(\$5,738,027)

The project scope of works:

Council has been successful in securing a Tasmanian Community Fund Grant for design and implementation of interpretation in the Gorge. The sum of \$88,484.34 exclusive of GST (total \$97,332.77) needs to be recorded as External Funds Not Yet Received to the Reimagining the Cataract Gorge.

Council have been successful in securing a Tasmanian Community Fund Grant for a sports court at Trevallyn Reserve to be included under the Play Space Strategy Implementation 2017/2018 project. The sum of \$16,319 exclusive of GST (total \$17,950.90) will be recorded as External Funds Not Yet Received.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10075.12160	Roads Capital Grants	(\$2,732,888)	\$19,000	-	(\$2,751,888)
CP23681	Major Plant Replacement 2017/2018 - Mobile Variable Message Sign	\$3,723,377	-	\$19,000	\$3,742,377
	Totals	\$990,489	\$19,000	\$19,000	\$990,489

The project scope of works:

To allocate a budget line for External Funds Received to this project. This was a Community Road Safety Grant which has been received from the Department of State Growth for the purchase of a mobile variable message sign.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G16080.12070	Roads Assets - Grants Other Operations	(\$305,000)	\$230,000	-	(\$75,000)
G10075.12160	Roads Capital Grants	(\$2,751,888)	-	\$230,000	(\$2,981,888)
	Totals	(\$3,056,888)	\$230,000	\$230,000	(\$3,056,888)

20.2 Budget Amendments 2017/2018 ...(Cont'd)

The project scope of works:

During October 2017 a budget amendment was undertaken to transfer Major Operations project 22487 to Capital Project 23803. It has since been identified that \$230,000 of the budget for this project was budgeted to be covered by external funding which is to be received from the Department of Infrastructure as part of the Building Our Future Program. This budget amendment is to transfer the budgeted revenue for the grant to the appropriate Roads Capital Grant ledger.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10065.12565	Swimming Pools - Capital Contributions Revenue	-	\$18,098	-	(\$18,098)
CP23774	Lilydale Pool Internal Fence	\$3,688	-	\$18,098	\$21,786
	Totals	\$3,688	\$18,098	\$18,098	\$3,688

The project scope of works:

The Lions Club of Lilydale has been successful in obtaining funds to replace the internal fence at the Lilydale Pool. Works have been undertaken by the Council to replace the fence and the Lions Club of Lilydale has now reimbursed Council for these costs to the amount of \$18,098.50+GST. The total project cost was \$21,786.50 + GST. This budget amendment is to account for the funds contributed by the Lions Club of Lilydale.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
G10066.12565	Sporting Ground - Capital Contributions Revenue	(\$16,590)	\$5,000	-	(\$21,590)
CP23813	Lilydale Recreation Ground Hall Upgrade	\$99,700	-	\$5,000	\$104,700
	Totals	\$83,110	\$5,000	\$5,000	\$83,110

The project scope of works:

Due to additional costs identified on the Lilydale Recreation Ground Hall Upgrade, the AFL has agreed to contribute a further \$5,000 in funding. This amendment is to recognise this increase in the external funding component which increases the AFL contribution from \$15,000 to \$20,000.

20.2 Budget Amendments 2017/2018 ...(Cont'd)

Summary Table

External Funding	Operations	Capital
Charles/Frederick Street Black Spot	\$200,000	(\$200,000)
Invermay Park Sight Screens	(\$6,500)	\$6,500
Reimagining the Cataract Gorge	(\$88,484)	\$88,484
Play Space Strategy Implementation 2017/2018	(\$16,319)	\$16,319
Major Plant Replacement 2017/2018 - Mobile Variable Message Sign	(\$19,000)	\$19,000
Roads Assets - Grants Other Operations	\$230,000	\$0
Roads Capital Grants	(\$230,000)	\$0
Lilydale Pool Internal Fence	(\$18,098)	\$18,098
Lilydale Recreation Ground Hall Upgrade	(\$5,000)	\$5,000
TOTAL	\$46,598	(\$46,598)

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
 Priority Area 8 - A secure, accountable and responsive Organisation
 Ten Year Goal - To continue to ensure the long-term sustainability of our Organisation
 Key Direction -
 6. To maintain a financially sustainable organisation

BUDGET & FINANCIAL ASPECTS:

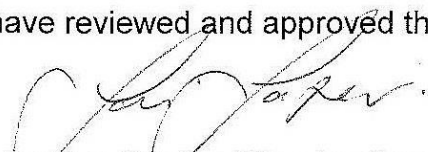
As per the report.

20.2 Budget Amendments 2017/2018 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

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)

No Closed Items have been identified as part of this Agenda

24 MEETING CLOSURE
