



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 22 JANUARY 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 22 January 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: 22 January 2018

Time: 1.00pm

Section 65 Certificate of Qualified Advice

Background

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

Declaration

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



Michael Stretton
General Manager

12 January 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, 22 January 2018 commencing at 1.00pm in the City of Launceston Council Chamber, Town Hall, St John Street, Launceston.

Yours sincerely



Alderman A M van Zetten
MAYOR

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City of Launceston

COUNCIL AGENDA

Monday 22 January 2018

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - Section 48

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

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 18 December 2017 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - Sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

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

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

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

7.1.1 Public Questions on Notice - Mr Paul Spencer - Council Meeting - 18 December 2107**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Dale Sinfield (Director Major Projects)

QUESTION and RESPONSE:

The following question was asked at the Council Meeting of 18 December 2017 by Mr Paul Spencer and has been answered by Mr Dale Sinfield (Director Major Projects).

Question:

1. How much more money will the Mall cost for redevelopment?

Response:

The total 2017-2018 capital budget allocation for the Launceston City Heart Project is \$6.8m.

Currently the Brisbane Street Mall construction is out to tender and any project financial information released at this point in time would be commercially sensitive. Discussion of information such as this would have the potential to adversely affect Council's ability to obtain competitive tender prices and manage the project within its allocated budget.

At the conclusion of the tender process a recommendation will be provided to Council and at that time the tender price will become public information as it will be included in the Council Agenda.

It is expected that the tender recommendation will be submitted in late February and consequently the tendered amount will be available to the public at that time.

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 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings

FILE NO: DA0497/2017

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Artas Architects
Property:	8-14 Oxford Street East Launceston and 18 Mary Street, East Launceston
Zoning:	Community Purpose
Receipt Date:	29/09/2017
Validity Date:	9/10/2017
Further Information Request:	11/10/2017
Further Information Received:	23/10/2017
Deemed Approval:	22/01/2018
Representations:	16

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 DA0497/2017 Educational and Occasional Care - primary school; construction of a new kindergarten building, car park including upgrade of crossover, construction of alterations and additions to existing buildings, and retaining wall and reseal ball courts at 8-14 Oxford Street and 18 Mary Street, East Launceston subject to the following conditions:

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

1. ACCESSIBLE PARKING SPACE

One accessible parking space is to be constructed to Australian Standards and made available at all times in either the existing car park or the car park approved as part of this permit.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01597-LCC) (attached).

3. 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. Report to Support a Development Application, prepared by Pitt & Sherry, Rev.00, dated 22/09/2017;
- b. East Launceston Primary School Redevelopment Transport Impact Assessment, prepared by GHD Pty Ltd, dated September 2017;
- c. Cover Page, prepared by Artas Architects, Approval 161100, Drawing No. A0000-A02;
- d. Site Plan including Retaining Wall and Car Parking Layout, prepared by Artas Architects, Approval 161100, Drawing No. A0001-A02, dated 17/10/2017 (to be amended);
- e. Kindergarten Ground Floor Plan, prepared by Artas Architects, Approval 161100, Drawing No. A1400-A02, dated 17/10/2017;
- f. Kindergarten Elevations, prepared by Artas Architects, Approval 161100, Drawing No. A2100-A02, dated 17/10/2017;
- g. Kindergarten Roof Plan, prepared by Artas Architects, Approval 161100, Drawing No. A1900-A02, dated 17/10/2017;
- h. Library Extension Plan and Elevations, prepared by Artas Architects, Approval 161100, Drawing No. A1401-A02, dated 17/10/2017;
- i. Site Fill Plan, prepared by Artas Architects, Approval 161100, Drawing No. A0002-A01, dated 17/10/2017.

4. 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.

5. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or Public Holidays.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

6. 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.

7. AMENDED PLANS REQUIRED

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

- a. Deletion of all proposed changes to on-street parking.
- b. Deletion of the proposed trees that protrude into the road reserve and obstruct the public footpath on the western side of Oxford Street.

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

8. DAMAGE TO COUNCIL INFRASTRUCTURE

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

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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.
-

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

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

10. VEHICULAR CROSSINGS

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

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

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

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

11. 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.

12. CONSTRUCTION OF RETAINING WALLS AND BATTERS

All retaining walls and batters above 0.5m high, located within 1.5m of the property boundaries, are to be designed, and where required, certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall or batter and other imposed loading in addition to site conditions on adjoining properties.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

13. AMENITY

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.

14. DEMOLITION

The Developer must:

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

Notes

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Occupancy Permit Required

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

C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. Signage

Separate approval may be required for any signage proposed on the site.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

E. Traffic Monitoring

The parking/traffic situation in the street is to be monitored by Council, and changes made by Council if/when they become necessary, based on the findings of the East Launceston Primary School Redevelopment Transport Impact Assessment, prepared by GHD and dated September 2017.

F. General

This permit was issued based on the proposal documents submitted for DA0497/2017. 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.

G. Restrictive Covenants

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

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

H. Appeal Provisions

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

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

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

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

I. 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 construct a new kindergarten building and associated infrastructure for the East Launceston Primary School. Works include alterations and additions to the existing library building, a retaining wall, resealing of basketball courts and new car park. The development sits within the Educational and Occasional Care Use Class which is a Permitted Use in the Community Purpose Zone. The development is proposed over three separate sites:

SITE 1:

PID: 7184973

Area: 8,114.527m²

Existing:

2 x sports courts, playground and an oval

Proposed:

Demolition of the playground and removal of approximately six trees, the construction of seven car parking spaces, and construction of a building with approximately 500m² floor area which provides:

- Four teaching spaces with a combined area of approximately 345m²;
 - Ancillary facilities totalling approximately 154m² including:
 - 2 x Office/meeting room;
 - Staff room/kitchen/resource space;
 - Toilets and change room;
 - Retaining wall;
 - Fencing;
-

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

- Outdoor play equipment and landscaping;
- 2 x storerooms (outside); and
- New car park and access.

The new car park will be constructed at the access to Oxford Street. It is proposed to widen the crossover and the applicant has gained road authority consent.

SITE 2:

PID: 6604948

Area: 7,939.683m²

Existing:

School buildings

Proposed:

It is proposed to:

- Level and remove existing sheds;
- Construct a new retaining wall with integrated seating;
- A new levelled and line marked ball court;
- New artificial grass area with down ball squares; and
- Fencing

SITE 3 - TWO SEPARATE ADJOINING LOTS:

PID: NA - 212.26m²

PID: 6604948 - 427.947m²

Existing:

School buildings and roadway access from school to oval over Oxford Street.

Proposed:

Extension to the existing library to ensure compliant access for persons with a disability.

This will include:

- Construction of a new access lift to library ground floor level and new access bridge beside library to lift location;
- Construction of a new access ramp and stairway in existing path location and a ramp from Oxford Street footpath level to lift basement level; and
- Demolition 1 WC from the main building.

It is noted that the proposed extension will occur over a title boundary. This has been made known to the applicant who has confirmed they wish to proceed with the application in its current form.

- 8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The East Launceston Primary School site is located across several titles with frontage to Mary Street, Abbott Street and Oxford Street. The school is located within the Community Purpose Zone which is intended for schools and community facilities. The properties surrounding the school are primary single dwellings located in the General and Inner Residential Zones.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

17.0 Community Purpose Zone

17.1.1 Zone Purpose Statements

17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.

Consistent

Consistency with the Zone Purpose has been achieved as the proposal is for an extension to an existing educational facility.

17.3 Use Standards

17.3.1 Hours of operation

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal will not cause an unreasonable loss of amenity to nearby sensitive uses.

A1 Operating hours, except for office and administrative tasks, must be between:

- (a) 6.00am and 10.00pm, where adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; or
- (b) 6.00am to midnight otherwise.

Complies

As the subject site is adjacent to the Inner Residential and General Residential Zones, operating hours must be between 6.00am and 10.00pm. The school currently operates within this timeframe.

17.3.2 External storage of goods

Objective:

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

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

Consistent
Consistency with the objective has been achieved as the use does not require the external storage of goods, materials or waste.
A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.
Complies
The use does not require any external storage of goods, materials or waste.

17.4 Development Standards

17.4.1 Building height, setback and siting

Objective: To ensure that building bulk and form, and siting: (a) is compatible with the streetscape and character of the surrounding area; (b) protects the amenity of adjoining lots and surrounding uses.
Consistent
Consistency with the Objective has been achieved. The proposal is assessed as being compatible with the streetscape and character of the surrounding area and it will not have an unreasonable impact on the amenity of adjoining lots.
A1 Building height must be no greater than 8.5m.
Complies
The maximum building height will be 5.917m.
A2.1 Setback from a primary frontage must be no less than: (a) 6m; or (b) for infill lots, within the range of the setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below; and Figure 17.4.1 - Primary Frontage Setback for Infill Lots
A2.2 Setback from a frontage other than a primary frontage must be no less than 3m.
Relies on Performance Criteria

The table below illustrates the aspects of the proposed development and compliance/non-compliance against the setback and height provisions:

	Required (m)	Provided (m)	Compliance
Library Extension			
Front Setback	6.0	10.340	Compliant
Rear Setback	3.0	0.0	Non-Compliant
Northern Side Setback	3.0	13.70	Compliant
Southern Side Setback	3.0	4.68	Compliant
Height	8.5 (max.)	6.724	Compliant

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	Required (m)	Provided (m)	Compliance
Kindergarten			
Front Setback	6.0	3.032	Non-Compliant
Rear Setback	3.0	59.119	Compliant
Northern Side Setback	3.0	49.202	Compliant
Southern Side Setback	3.0	9.892	Compliant
Height	8.5 max	5.971	Compliant
Integrated Seated Retaining Wall			
Front Setback	6.0	0.0	Non-Compliant
Rear Setback	3.0	59.7	Compliant
Northern Side Setback	3.0	2.0	Non-Compliant
Southern Side Setback	3.0	79.6	Compliant
Height	8.5 max	800mm	Compliant

The above non-compliant aspects are reliant on the Performance Criteria for compliance with this standard.

P2 Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to:

- (a) the topography of the site;
- (b) the setbacks of surrounding buildings;
- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance when viewed from roads and public places;
- (e) the retention of vegetation;
- (f) the existing or proposed landscaping; and
- (g) the safety of road users.

Complies

Library Extension and Seated Retaining Wall

The library extension and seated retaining wall will be compatible with the existing buildings and ground works for the school. The library extension will provide a lift and new ramp as an extension to an existing building and assist with access to the site. When viewed from a road or public place it will blend seamlessly with the existing school buildings. The new retaining wall will be almost unnoticeable and is required due to the drop off of the slope along the northern side boundary of the site.

Kindergarten

The proposed Kindergarten will be setback 3.08m from the primary frontage to Oxford Street, less than the required 6m. The following map and images illustrate the topography of the site:

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)



Figure 1 - Topography of the Site



Figure 2 - Site viewed from Oxford Street A

- 8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)
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Figure 3 - Site viewed from Oxford Street B



Figure 4 - Site viewed from the Pavilion

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

As the above images demonstrate, the site has a downward slope from Oxford Street. The site will be excavated to accommodate the buildings which will be lower than the road. This will minimise the visual impact of the building and will provide a setback consistent with the existing pavilion on the site and the residential development on the opposite side of Oxford Street.

The building has been sited to avoid encroachment to the existing oval and to fit between the courts and the existing pavilion. Landscaping is proposed along the frontage to minimise visual impact and enhance the play experience for students. Fencing is proposed around the perimeter of the building and play areas to allow for safety from traffic. The proposal will have no impact on adjoining properties benefits of private open space or the ability for sensitive uses to access sunlight.

Accordingly, it is considered that the proposal has complied with the Performance Criteria.

<p>A3 Setback from side and rear boundaries must be no less than 3m.</p> <p>Relies on Performance Criteria</p> <p><u>Kindergarten</u> The minimum side setback is 12.51m from the southern side boundary, with all other side and rear setbacks in excess of 50m. As such, the kindergarten building complies with the Acceptable Solution.</p> <p><u>Library Extension</u> The library extension is proposed to be constructed over a boundary and therefore within the 3m setback. As such, the proposed extension is unable to comply with the Acceptable Solution and is reliant on the Performance Criteria.</p> <p><u>Seated Retaining Wall</u> The retaining wall will be constructed within 3m of the northern side boundary. As such, the proposed extension is unable to comply with the Acceptable Solution and is reliant on the Performance Criteria.</p> <p>Only the library extension and seated retaining wall are to be considered against the Performance Criteria.</p>
<p>P3 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) the privacy to private open space and windows of habitable rooms on adjoining lots;

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

- (g) sunlight to private open space and windows of habitable rooms on adjoining lots;
- (h) any existing screening or the ability to implement screening; and
- (i) the character of the surrounding area.

Complies

Library Extension

The new ramp is proposed in the location of the existing ramps and stairs with all other works on the library within the existing footprint. The extension is consistent with the existing building on the site and the impact when viewed from the road will not be unreasonable. The extension will not impact upon adjoining properties and any loss of amenity will be minimal.

Seated Retaining Wall

The retaining wall is required to allow the existing courts to be levelled. The site is located on a slope and this work will improve the level of facilities offered on-site. The use will not change with the exception of the integrated seating. The retaining wall will be 600-800mm in height and located on the north western boundary. The fence will sit on top of the wall but will be transparent. Any shadow generated by the structure would predominantly fall onto the courts, not the adjacent property. Only early morning shadow will fall onto the adjoining property, however, there is an existing paling fence which will cast a greater shadow. There will be no increased impact on the amenity or privacy of the adjacent dwelling and the proposal is consistent with the existing use on site.

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 proposal protects the 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 ensures the safety and efficiency of surrounding roads is maintained.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

<p>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.</p>
<p>Relies on Performance Criteria The application lodgement documentation included the East Launceston Primary School Redevelopment Transport Impact Assessment, prepared by GHD Pty Ltd and dated September 2017 (TIA). The report addressed the issues surrounding traffic movements. The TIA stated that while the total increase in traffic due to the proposed redevelopment will be negligible in the context of the existing traffic generated by the East Launceston Primary School, there will be a material increase in the level of traffic using Oxford Street due to the anticipated redistribution of drop-off and pick-up activity. As such, the proposal is reliant on the Performance Criteria for compliance.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>Complies The TIA was prepared to assess the transport and road safety implications of the proposal, and in support of the application. The TIA concluded there is likely to be a redistribution of traffic in the local area with approximately 28 additional cars utilising Oxford Street. It recommended the following in order to manage congestion on Oxford Street:</p> <ul style="list-style-type: none"> • Short-term (10 minute) parking restrictions should be applied to the west side of Oxford Street between the three speed humps (to apply 8:00am to 9:30am and 2:30pm to 4:00pm school days). • On-street car parking should be banned on the east side of Oxford Street between number 11 and 19 Oxford Street (8:00am to 9:30am and 2:30pm to 4:00pm school days). • On-street car parking should be banned (full time) near the proposed car park access and northernmost speed hump.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

- Parents should be encouraged to use Oxford Street in the northbound direction rather than southbound (and parking on the west side rather than the east side) to reduce incidence of conflicting movements.

The TIA concluded that the proposal is unlikely to result in significant adverse impacts to traffic efficiency or in the road safety network based on the recommendations. The application was internally referred to Council's Infrastructure Department for comment. The conclusions of the TIA were generally supported in that it is unlikely the development will have a noticeable impact on the traffic network as a whole, or on individual streets. The recommendations on parking changes in Oxford Street were considered, however, Council traffic engineers have recommended that they not be implemented immediately as part of this development. The parking/traffic situation in the Oxford Street should be monitored over time, and changes made by Council if/when they become necessary.

Compliance with the Performance Criteria is achieved.

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 proposed widening of the existing access will not be detrimental to the street.

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

The improved crossover to the new car park area on the western side of Oxford Street will provide entry and exit.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

Consistent
 Consistency with the Code Purpose has been achieved as the proposal has ensured safe and appropriate car parking.

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
 Consistency with the Objective has been achieved as the proposal has provided enough on-site car parking to meet the needs of the use.

A1 The number of car parking spaces must:
 (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or
 (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or
 (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or
 (d) be in accordance with an acceptable solution contained within a parking precinct plan.

Complies
 The Educational and Occasional Care use class requires 1 space per employee and 1 space per 6 tertiary education students in Table E6.1 of the Code. The existing site provides a total of 19 car parking spaces in the car park accessed via Oxford Street. An additional seven car parking spaces will be provided on the site, west of Oxford Street, near the existing tennis courts. Since there will be no change to staff or student numbers as a result of the proposed development, additional on-site parking is not required. Notwithstanding, the proposal seeks to reduce the existing car parking deficiency by the additional off-street parking spaces proposed. This will reduce reliance on on-street car parking in the surrounding area for all-day staff parking.

A2 The number of accessible car parking spaces for use by persons with a disability for uses that require 6 or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.

Complies
 The TIA states that the proposed building is classified as a Class 9b building which requires one accessible space for every 100 car parking spaces or part thereof. Therefore, one accessible car parking space should be designated in the proposed car park on Oxford Street, or alternatively in the existing car park.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

Note that this may require the removal of one space for a shared area in accordance with the requirements of AS2890.6. It is noted that there are two on-street accessible car parking bays on Mary Street, adjacent to the school site, but these are in excess of 200m from the new facilities.

A permit condition has been recommended to require that one accessible parking space be created either in the existing or proposed carparks off Oxford Street.

E6.5.2 Bicycle parking numbers

Objective:
To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Consistent
Table E6.1 requires one space per five employees. Since there will be no change to staff or student numbers as a result of the proposed development, additional on-site bicycle parking spaces are not required.

E6.5.3 Taxi spaces

Objective:
To ensure that access for taxis is provided to meet the needs of the use.

Consistent
The development requires 47 car parking spaces based on 47 full-time equivalent staff calculated in accordance with Table E6.1 and therefore taxi parking is not required.

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 the construction of car parking spaces is 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.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

Complies
 All parking, access ways, manoeuvring and circulation spaces will have a gradient of less than 10%, are formed and paved and able to connect into the public stormwater system.

E6.6.2 Design and layout of parking areas

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

Consistent
 Consistency with the Objective has been achieved as the proposed parking areas are safe and convenient.

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

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

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

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

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

Complies
 All car parking, access ways, manoeuvring and circulation spaces allow for the entering and exiting of the site in a forward motion and will be constructed to the relevant Australian Standard.

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The TIA states that the proposed carpark is shown on the drawings having the following dimensions:

- Parking space length: 5.5m
- Parking space width: 2.65m
- Aisle width: 6.6m
- Blind aisle extension: 1m

The above dimensions comply with the requirements of Table E6.3 for 90 degree angle parking and therefore comply with the acceptable solution.

E6.6.3 Pedestrian access

Objective:
To ensure pedestrian access is provided in a safe and convenient manner.

Consistent
Consistency with the Objective has been achieved as the proposed pedestrian access areas are safe and convenient.

A1.1 Uses that require 10 or more parking spaces must:

- (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:
 - (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
 - (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and

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.

Complies
Table E6.1 requires 47 parking spaces. The proposed carpark off Oxford Street proposes seven additional parking spaces.

School pedestrian crossings are provided on all key roads including:

- Abbott Street (north of the Mary Street junction)
- Mary Street (between Abbott Street and Raymond Street)
- Oxford Street (near the site access and proposed facilities)

The TIA states that pedestrian connectivity in the external network is considered to be of a high level with footpaths provided on both sides of all roads.

- 8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	As required by the <i>Building Act 2016</i>
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice (TWDA 2017/01597-LCC).
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	Section 52(1B) of the <i>Land Use Planning and Approvals Act 1993</i> requires an 'owners declaration' to be completed to enable a development application to be considered by Council. The Minister administering the <i>Education Act 2016</i> delegated responsibility to the Acting Manager Asset Planning, Facility Services Department of Education, Mr Chris Ferguson. Written permission was provided in a letter to the City of Launceston dated 28 September 2017.
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 25 October to 9 November 2017; 16 representations were received. It is noted that two representations of those 16 were received outside of the designated advertising period.

The relevant issues raised are summarised below. 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.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

All representors were invited to an informal meeting scheduled for Thursday, 16 November 2017. At this meeting a significant number of issues and questions were raised directly with the application. While some of these were answered directly, others were taken on notice and a further statement was provided in response. This has been attached as Attachment 1.

Post the first meeting, a second meeting was held at Council Offices on Tuesday, 12 December 2018 at 12.30pm. The meeting was held to provide clarity on the main concerns identified in the first meeting. The majority of submitters were unable to attend this meeting however a copy of the minutes and items discussed was circulated, and is attached as Attachment 2 to this report.

ISSUE	RESPONSE
DEVELOPMENT	
Development is to be located in one of the few remaining green spaces in the city suburbs.	<p>The site of the proposed Kindergarten is zoned Community Purpose. The purpose of the Community Purpose Zone is: <i>17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.</i></p> <p><i>17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.</i> The site is owned by the government and while it is made available for community use, it is open to the Education Department to seek approval to build a school under the Planning Scheme.</p>
Kindergarten building does not comply with the required setback.	The proposed development does not comply with the acceptable solution of clause 17.4.1 relating to setback, however, has been assessed to comply with the performance criteria (P2).
The proposal will impact negatively upon the amenity of the area.	It is acknowledged this will place an additional building on the oval site, and that will change the current situation, but the building itself or its use will not be detrimental to the amenity of the area.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

ISSUE	RESPONSE
DEVELOPMENT	
Why do some of the sites have no title documents?	There is no folio text and folio plan associated with 8-14 Oxford Street, East Launceston as the property is state government Crown Land, and in a number of such sites does not have a formal title. The land is under the jurisdiction of the Department of Education.
Not a suitable development/bad location.	All use and development is assessed against the use and development standards of the planning scheme. In this instance, the proposal has been assessed as compliant against the planning scheme and recommended for approval.
Additional hardstand surfaces will increase runoff.	Hardstand areas will be drained to the public stormwater system.
Out of area students who attend East Launceston Primary School is at the root of the problem. The Department of Education should enforce its school areas policy.	The origin of students who attend a particular school are not a planning consideration.
The trees should not be removed.	The City of Launceston has particular areas of 'scenic management' which require a discretionary application for tree removal. This site is not located within a scenic management area, nor is it heritage listed. There is no planning mechanism to prevent their removal.
Basketball courts incorrectly labelled as tennis courts on the plans.	Noted.
Noise disturbance by users of basketball courts.	The site is zoned Community Purpose and there would be an acknowledged acceptance of noise from children playing.
Noise due to use of recreation oval after hours.	Not relevant to the current application.
There is no need for a new Kindergarten building.	Not a planning consideration. An application can be lodged for use and development under the planning scheme.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

ISSUE	RESPONSE
DEVELOPMENT	
A better site could have been chosen.	A decision must be made on the application lodged.
TRAFFIC	
Who will police any of the recommendations within traffic report?	Any recommendations in the TIA which will be adopted will be required by permit condition and enforceable under the <i>Land Use Planning and Approvals Act 1993</i> . Council as the Road Authority has the powers to utilise and manage such things as on street parking if necessary.
TIA is inconsistent. On page 42 it states 42 extra cars and on page 10 it states 28 extra cars.	The TIA inconsistencies were discussed at the subsequent submitter meeting. The '42 extra cars' is a typographical error and should read '28 extra cars'.
Breaches to traffic laws.	Not a planning consideration. This is the responsibility of Tasmania Police.
There will be an increase in traffic flow along Oxford Street.	Noted. The TIA has addressed the traffic implications of the proposed development.
There will be an increase in car parking in front of residential properties.	Oxford Street is currently congested during school pick up and drop off times. It is not expected that this application will make the situation materially worse for residents.
There will be a negative impact on the value of residential property in the area.	Not a planning consideration.
Safety issues with a non-manned crossing in Oxford Street.	Not a planning consideration.
Why is there a new car park on green space?	The site of the proposed Kindergarten is zoned Community Purpose. This area, although having been an informal 'open space' area, is not owned by the Council nor is it zoned Open Space.
How will the new car park alleviate congestion? If the staffing and student numbers will not be increased, why is additional off-street parking proposed?	The school currently has 19 off-street parking spaces. The proposal does not intend to increase staff or student numbers. The proposed carpark will provide for seven off-street parking spaces which are not currently provided.

8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(Cont'd)

It is important to note that many of the issues raised did not directly relate to the discretions of the application. The majority of concerns related to the use of the 'green space' oval and the impact the traffic will have on the streets surrounding the school.

It is acknowledged that there are significant concerns raised from the submissions, and the use of the 'green space' for school activities. However, an application can only be assessed against the provisions in the Planning Scheme. The proposal is for an educational use on land zoned for such development.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

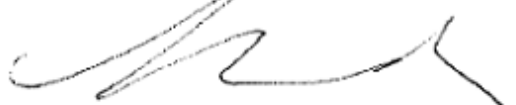
Not relevant to this report.

- 8.1 8-14 Oxford Street and 18 Mary Street, East Launceston - Educational and Occasional Care - Primary School; Construction New Kindergarten Building, Car Park Including Crossover Upgrade, Alterations and Additions to Existing Buildings ...(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 Map (electronically distributed)
 2. Plans to be Endorsed (electronically distributed)
 3. Plans to be Amended (electronically distributed)
 4. Representations (electronically distributed)
 5. Submitter Meeting Notes 12 December 2017 (electronically distributed)
 6. Applicants Response to Submissions (electronically distributed)
 7. Road Owner's Consent (electronically distributed)
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8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective)

FILE NO: DA0382/2017

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Rebecca Green & Associates
Property:	21 Connector Park Drive, Kings Meadows
Zoning:	Light Industrial
Receipt Date:	3/08/2017
Validity Date:	5/10/2017
Further Information Request:	28/08/2017
Further Information Received:	27/11/2017
Deemed Approval:	22/01/2018 (extension granted)
Representations:	Five

PREVIOUS COUNCIL CONSIDERATION:

DA0387/2012 was approved in 2012, subdividing a previous lot into 3, including the subject site.

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 DA0382/2017 - Manufacturing and Processing - cement works; construction of a building and parking spaces, Storage - warehouse; construction for a storage shed for vehicles and machinery (retrospective) at 21 Connector Park Drive, Kings Meadows be approved subject to the following conditions:

1. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01266-LCC) (attached).

8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)

2. HOURS OF OPERATION

Hours of operation are limited to:

Monday to Friday - 6.00am to 6.00pm

Saturday - 6.00am to 2.00pm

No work to occur on Sundays and public holidays.

3. AMENDED PLANS REQUIRED

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

- (a) That all works, including hardstand areas are located outside of the 30m buffer zone area;
- (b) The three car parking spaces located within the 5m wide drainage easement area to be relocated outside of this easement; and
- (c) The proposed sign must be relocated outside of the drainage easement located within the front boundary.

4. REINSTATMENT OF THE BUFFER AREA

No works are to occur in the 30m buffer zone as per the title documents of the subject site. A vegetative screen along the buffer zones eastern boundary must be established in accordance with a landscaping plan, prepared to the satisfaction of the Manger of Planning Services. The plan must show:

- (i) A continuous screening buffer of trees and shrubs a minimum of 3m wide for the length of the buffer area;
- (ii) Species selection must be predominantly native species with local provenance; and
- (iii) Species should be selected to over time establish a canopy and lower under canopy plants.

All plants must be planted prior to the use commencing. Dead plants must be replaced within three months.

5. ENDORSED PLANS & DOCUMENTS

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

- (a) Site Plan, prepared by AJL Consulting Engineers, Project No. 16.241, Drawing No. AP01, dated 01-08-17 (to be amended);
 - (b) Floor Plans, prepared by AJL Consulting Engineers, Project No. 16.241, Drawing No. AP02, dated 01-08-17;
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8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)

- (c) Elevations & Signage Elevation, prepared by AJL Consulting Engineers, Project No. 16.241, Drawing No. AP03, dated 01-08-17; and
(d) Elevations, prepared by AJL Consulting Engineers, Project No. 16.241, Drawing No. AP04, dated 01-08-17.

6. 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.

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. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

9. 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

10. OUTDOOR STORAGE OF GOODS.

The storage of goods and materials, and waste must not be visible from any road or public open space.

Notes

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Building Act 2016 Requirements

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)

C. Occupancy Permit Required

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

D. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

E. General

This permit was issued based on the proposal documents submitted for DA0382/2017. 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 effected, restricted or prohibited by any such covenant.

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

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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.

REPORT:

It is proposed to construct a precast fabrication and concrete finishing premises and associated signage at 21 Connector Park Drive, Kings Meadows. The use is defined as Manufacturing and Processing. The building will contain 364.8m² of storage area, 912.8m² of workshop and 71.2m² of office area, resulting in a site coverage of 1,348.8m² (10.39%). The building will have a maximum height of 13.3m above natural ground level. Access into the building will be via the rear roller doors and exit through the front roller doors, allowing vehicles to enter and exit in a forward motion and reduce the need for reversing. The building will be setback 15m from the front boundary, 18.6m from the western side boundary, 34m from the eastern side boundary and 21m from the rear boundary. It is also proposed to vegetate the frontage of the site.

The proposal includes construction of a ground based sign with three panels, measuring 4m x 2m.

The site is accessed via 25 Connector Park Drive, an access lot owned and maintained by the City of Launceston and formed as part of a previous approval. The application is proposing two crossovers via this lot.

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Enforcement

The application is for a retrospective approval as the building onsite has been partially constructed. An enforcement notice was issued on 28 August 2017 requiring all works and development to stop. Further site and excavation works were observed between 20 October 2017 and 31 October 2017. No evidence of work to the incomplete building structure was observed during this time. Excavation works were also observed being undertaken within the embankment to the east of the building structure. These works were undertaken at the same time as further unapproved works being conducted on another site at 5 Connector Park Drive. It is noted that some works have continued on the site in contravention of the Enforcement Notice, the requirements of the Planning Scheme, and it appears within the 30m buffer zone easement listed on the title. The requirements of the Enforcement Notice have yet to be fully complied with.

It is intended to withhold any enforcement action until the development application process is resolved, to ensure all parties have unobstructed rights of appeal through the Resource Management Planning Appeals Tribunal. Should no appeals be lodged upon the issuing of Council's decision concerning the application, options will be considered regarding recommencing enforcement action. Such action may involve the issuing of infringement notices.

Buffer Zone

As stated above, unapproved works have been undertaken in the buffer zone. No part of the recommendations within this report allow works to be undertaken within the buffer zone, and a condition has been recommended requiring that remedial works be undertaken to restore the zone. It is also recommended as a condition, to plant along the boundary of the buffer zone to allow for a vegetative buffer.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Site Description

The site is located at 21 Connector Park, Kings Meadows. The site is rectangular and 1.2ha in size. As this is a retrospective approval, there is a large structure currently on site. The rest of the useable area of the site is vacant with the exception of a vegetated area along the north eastern boundary.

The site contains a 30m buffer zone and drainage easement along the north eastern boundary. The site is accessed via 25 Connector Park Drive, an access lot owned and maintained by the City of Launceston and formed as part of a previous approval.

The site is able to connect into all reticulated services.

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3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

24.0 Light Industrial Zone

24.1.1 Zone Purpose Statements

24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimize conflict or impact on the amenity of any other uses.

24.1.1.2 To provide for uses that are complementary to and compatible with the above purpose.

Consistent

Consistency with the Zone Purpose has been achieved as the proposal is for a manufacturing use that is consistent with surrounding property in the zone. It is considered that the use can operate without being detrimental to the amenity of adjoining uses due to the pre-existing uses surrounding the site, as well as the buffer area separation and through limiting the operating hours.

24.3 Use Standards

24.3.1 External storage of goods

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal will not detract from the amenity of the area.

A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.

Complies

It is proposed to store all goods and materials within the building on site. As such they will not be visible from any public road or open space. A condition to secure this has been recommended.

24.3.2 Emissions impacting sensitive uses

Objective:

To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.

Consistent

Consistency with the objective has been achieved as the proposal will not provide further detriment to the air, land or water quality to sensitive uses nearby.

A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.

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<p>Relies on Performance Criteria The property boundary of the subject site to the property boundary of the nearest residential lot is 60m, and approximately 105m from the building to the nearest dwelling. As such, the use is located within the 100m buffer and requires assessment against the Performance Criteria.</p>
<p>P1 The use must not adversely impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the proposed use; (b) the nature of the emissions; (c) the proximity and number of sensitive uses in the area; (d) the topography of the site; (e) any mitigation measures proposed; and (f) the proximity and number of nearby emitting uses.
<p>Complies</p>

The following image illustrates the location of sensitive uses to the subject site:



Figure 1 - Location of Nearby Sensitive Uses and Buffer Zone (Yellow)

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The main objective of this clause is to ensure the amenity of all nearby sensitive uses remain intact and that the proposed use and development does not cause a detrimental impact to these uses.

Whilst it is noted that the proposed use will be within the 100m buffer, the development has been required to be setback at least 30m from the north eastern boundary due to the existing buffer zone placed on the title. With this in mind the nearest residential use will be 16 Ridgewood Lane which is approximately 90m from the proposed development area. It is important to note that no works are to occur within this buffer zone and any works that have occurred will be required by condition to be remediated.

The following is an assessment against the Performance Criteria of the clause.

(a) the nature of the proposed use

The proposal is for storage and concrete manufacturing and processing. The use will operate in two sections, the first is a precast concrete fabrication business (Statewide Precast) within the area designated as workshop and the second is a concrete finishing business (Elite Concrete) within the area designated as storage. The use is proposed to operate 6.00am to 6.00pm, seven days a week.

This is considered unacceptable due to the sites proximity to nearby sensitive uses as well as surrounding industrial uses operating hours. It has been recommended that the hours of operation be amended to 6.00am to 6.00pm from Monday to Friday, 6.00am to 2.00pm Saturday, and no works to occur on Sundays or Public Holidays.

(b) the nature of the emissions

The main emissions from the site, which will have the potential to impact on the nearby sensitive uses are noise and dust. It has been stated that the noise levels proposed are to be no more than a standard industrial use site, as would be expected in an industrial zone. Expected noises include reversing beepers of trucks and machinery associated with concrete finishing. It is also noted that the majority of works relating to the use will be occurring inside the building and not outside, and therefore greatly reducing potential noise issues to neighbours.

No dust will occur as a result of the proposal, as all works will be internal to the building and the outside is to be paved and sealed. The works undertaken in the shed will result in less noise than if the works were out in the open. It is noted that no mixing of concrete on site will occur, only to boxing, pouring, setting and finishing. It is also noted that the use proposes no storage of materials outside of the building and a condition to this extent has been recommended.

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It is considered that due to the nature of the use, from time to time it may be capable of being heard from neighbouring premises, however this is not considered significantly detrimental given the zoning of the site and its use. It is considered necessary to limit operating hours to generally accepted working hours to limit any problems when background noise may be lower.

It can be accepted that the noise emitted would be no different to other uses within the surrounding industrial estate,

(c) the proximity and number of sensitive uses in the area

From boundary to boundary, there are four dwellings located to the north east within 100m of the site, as shown in Figure 1. It is reiterated however, the actual distance from the shed to the residential boundaries is only less than 100m for one residence. It is also noted that the subject site is located within the Light Industrial Zone where light industrial uses, such as manufacturing and processing are permitted to occur. It is not unusual for industrial uses to be in close proximity to sensitive uses. The industrial estate in which the subject site sits is one of the few estates where such greater distances between dwellings and industrial uses exist.

(d) the topography of the site

The following images illustrate the topography of the site:

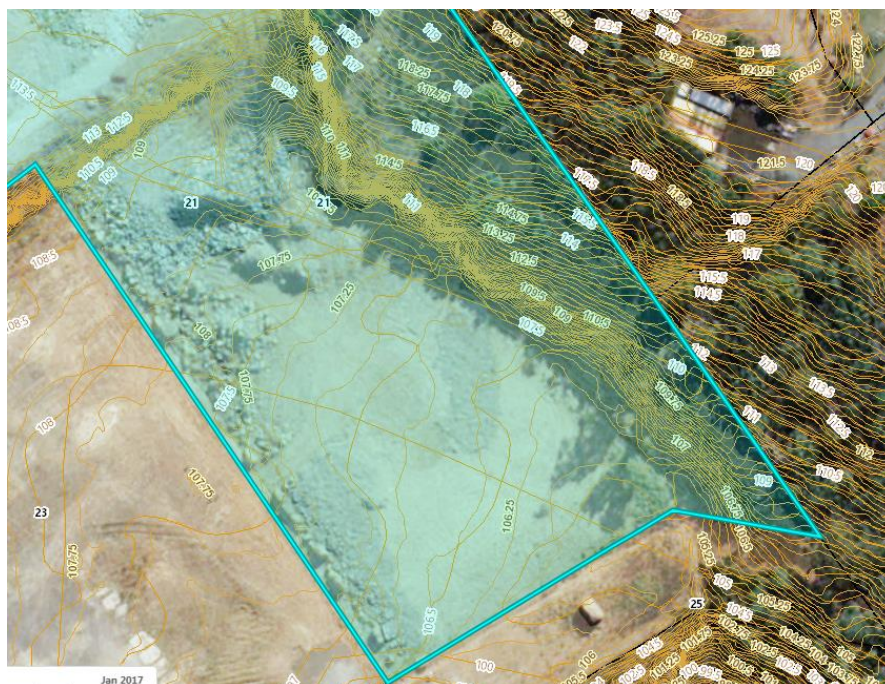


Figure 2 - Topography of the Site

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As the above images illustrates, the site is generally flat, however has a steep incline towards the eastern boundary. This incline stretches from 107m AHD to 114m AHD. Development over the site is limited due to the steep embankment and the 30m buffer zone. Development will occur to the boundary of this buffer zone to allow for larger vehicles to enter and exit the site.

This slope will mitigate sound by preventing 'line of sight' between residences and the proposed use.

(e) any mitigation measures proposed

There is a 30m buffer zone along the eastern boundary to which no development is to occur as shown below:



Figure 3 - 30m Buffer Area

The above image also illustrates that, there is a significant area of mitigating vegetation between the proposed use and nearby sensitive uses. The existing incline and vegetation provide for a natural buffer to reduce any potential effects on nearby sensitive uses.

It should be noted that illegal works have been undertaken within the buffer zone. This has been undertaken by the owner of the site and not the occupier who has lodged the application. Enforcement action will be undertaken and remedial works will be required to restore the buffer area. This will ensure the buffer zone remains intact to be utilised as a mitigation measure between the site and nearby sensitive uses.

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It has been recommended as a condition of approval that all development is to be located outside of the buffer area and the buffer area fenced and revegetated.

(f) the proximity and number of nearby emitting uses

The land directly to the south and north contain industrial uses that already affect the current sensitive uses. To the south is Webster Trucks, a vehicle sales and repair yard. To the north is a landscape and supply sales business as well as a workshop and warehouse. The main emission of these businesses is noise, which is expected due to their location within an industrial estate.

It is considered that the proposed industrial use on industrial land has provided sufficient evidence that the emissions will be mitigated by existing circumstance and will not adversely impact on the nearby existing sensitive uses. Further, it is considered that as the site forms part of a larger industrial estate, allowing a permitted use on the site is acceptable.

The proposal complies with the Performance Criteria

24.4 Development Standards

24.4.1 Building height, setback and siting

Objective: To ensure that building bulk and form, and siting: (a) is compatible with the streetscape and character of the surrounding area; and (b) protects the amenity of adjoining residential zones.
Consistent Consistency with the objective has been achieved as the proposal will be consistent with the surrounding area whilst protecting the amenity of adjoining residential uses.
A1 Building height must be no greater than: (a) 10m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
Relies on Performance Criteria The building has a maximum height of 13.3m and as such is unable to comply with the Acceptable Solution and is reliant on the Performance Criteria.
P1 Building height must be compatible with the streetscape and character of the surrounding area, having regard to: (a) the topography of the site; (b) the height of buildings on the site, adjoining lots and adjacent lots; (c) the bulk and form of existing and proposed buildings; (d) the allowable building heights; (e) the apparent height when viewed from roads and public places; and (f) any overshadowing of adjoining lots or public places.

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<p>Complies The building has been designed to accommodate the proposed manufacturing and processing use including the use of a 20 tonne overhead crane, which requires the 3.3m extension above the maximum 10m height limit.</p> <p>Whilst the site is generally flat, earthworks have previously occurred with the building to be located within a previously cut section that will reduce its overall height, bulk and impact on the surrounding area. The site is located within an industrial area of outer Launceston, with surrounding sites containing large, bulky, industrial buildings and as such the proposal is not out of character with the area.</p> <p>The impact on residential uses will be greatly reduced due to the building being located within the cut section of the site, reducing the height, as well as the heavily vegetated buffer between the building and the nearest sensitive use land. The proposal complies with the Performance Criteria.</p>
<p>A2 Setback from a frontage must be no less than: (a) 5.5m; or (b) the setback of an adjoining building.</p>
<p>Complies The building will be setback 15m from the frontage.</p>
<p>A3 Buildings can be built up to the side and rear boundaries.</p>
<p>Complies The building will be setback, 18.6m from the western side boundary, 34m from the eastern side boundary and 21m from the rear boundary.</p>
<p>A4 Where the site is located on the boundary of the General Residential, Inner Residential and Low Density Residential, Residential Rural Living, Environmental Living, Urban Mixed Use and Village zones, new buildings or alterations to existing buildings, must: (a) be set back a horizontal distance of no less than 3m from the zone boundary; and (b) have a solid fence no less than 1.8m high on the zone boundary.</p>
<p>Relies on Performance Criteria The site adjoins the Low Density Residential Zone and is setback 34m from this boundary, however, no fence is being proposed on the boundary and as such the application is reliant on the Performance Criteria.</p>
<p>P4 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjoining residential zones, having regard to: (a) the topography of the site; (b) the height, bulk and form of proposed buildings; (c) the solar access of habitable room windows and private open space of adjoining dwellings; (d) the privacy of habitable room windows and private open space of adjoining dwellings;</p>

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<p>(e) the amenity of adjoining dwellings; (f) the size and proportions of the lot; (g) any existing or proposed vegetation or screening; (h) the location of building openings; and (i) any external lighting.</p>
<p>Complies Due to the location of the building onsite below natural ground level, and over 90m to the nearest dwelling, with a 30m vegetated buffer on site, it is considered there will be no significant loss of amenity to adjoining residential zones. The proposal complies with the Performance Criteria.</p>

24.4.2 Streetscape

<p>Objective: To ensure that development has an acceptable impact on the streetscape.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal will have a minimal effect on the streetscape.</p>
<p>A1 Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must: (a) have external walls constructed with no less than 50% brick, concrete, masonry or glass; and (b) have external walls, unless brick or glass, painted or finished with a texture coat; and (c) have no less than 50% glazing to the external walls of the office component of the buildings.</p>
<p>Complies It is proposed to construct the walls of no less than 50% concrete, with metal cladding and opaque cladding less than 50% of the wall cladding.</p>
<p>A2 Car parking must not be located within 3m of the frontage.</p>
<p>Complies No car parking is located within 3m of the frontage.</p>

24.4.3 Fences

<p>Objective: To provide for fences that are appropriate to the site and character of the area.</p>
<p>Consistent Consistency with the objective has been achieved as the proposed fencing is appropriate to the character of the area.</p>
<p>A1.1 Fences must be no higher than: (a) 1.8m on a frontage; or (b) 2.1m on a side or rear boundary that abuts a public reserve; or (c) 3m on a side or rear boundary otherwise.</p>
<p>A1.2 Fences must be 50% transparent above a height of 1.2m.</p>

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<p>A1.3 Front fences higher than 1.2m must be located no less than 1m from the frontage and the setback be landscaped between the frontage and the fence.</p>
<p>Relies on Performance Criteria It is proposed to construct a 2.1m high blank chain mesh fence and cyclone gates along the frontage and the sides of the proposed use area. As such the proposal is unable to meet the requirements of the Acceptable Solution for the front fence and is reliant on the Performance Criteria.</p>
<p>P1 Boundary fences must not have an unreasonable impact on the amenity of adjoining sites and the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the need for security; (c) the materials and finish of the proposed fence; (d) the need and opportunity for passive surveillance, particularly where the fence adjoins a road or public reserve; (e) any overshadowing; (f) the character of the streetscape; and (g) the character of the surrounding area.
<p>Complies The 2.1m high blank chain mesh fence is considered appropriate as it is not technically a frontage to a public road and is consistent with other security fencing to other properties within the surrounding area. The development complies with the Performance Criteria.</p>

24.4.4 Site landscaping

<p>Objective: To ensure that new development improves the amenity of the site and the streetscape.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal has provided landscaping to improve the amenity of the area.</p>
<p>A1 New buildings or extensions with a gross floor area greater than 100m² or 50% of the existing gross floor area, whichever is less, must:</p> <ul style="list-style-type: none"> (a) landscape an area within the front setback of not less than the 50% of that area; and (b) provide a minimum of one tree capable of growing to a height of no less than 10m planted for every 1 000m² of site area. Trees must be located within a minimum 3m diameter landscaped area.
<p>Complies It is proposed to landscape more than 50m² along the frontage of the site. The landscaping includes the provision of a minimum of six trees capable of growing to a height of no less than 10m (one for every 1000m² of site area - 4,715m²). The trees are to be located within a minimum 3m diameter landscaped area.</p>

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E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

Consistent

Consistency with the Code Purpose has been achieved as the proposal demonstrates the construction of new access points will protect the existing 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 safety of the road is not increased due to the proposal.

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

It is not proposed to increase the traffic to more than 40 vehicle movements per day.

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 will maintain safe and efficient use 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

No new access points are proposed. An existing access to Connector Park Drive is available.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of

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<p>transport in urban areas;</p> <p>(c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate;</p> <p>(d) ensure that parking does not adversely impact on the amenity of a locality;</p> <p>(e) ensure that parking spaces and accesses meet appropriate standards; and</p> <p>(f) provide for the implementation of parking precinct plans.</p>
<p>Consistent Consistency with the Code Purpose has been achieved as the proposal will ensure suitable car parking is available for the proposal.</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 has provided sufficient car parking to meet the needs of the use.</p>
<p>A1 The number of car parking spaces must:</p> <p>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</p> <p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(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</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Complies Manufacturing and Processing requires one space per 200m² gross floor area or two spaces per three employees, whichever is greater as well as one bicycle space per five employees. Storage requires one space per 200m² of the site area or one space per two employees, whichever is greater. It is proposed there will be 10 staff operating on site at any one time, with five working within the manufacturing and five operating within the storage areas.</p>

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<u>Required:</u>	
Manufacturing and Processing:	912.8m ² - five spaces
Storage:	364.8m ² - three spaces
Workers:	10 - two bicycle spaces
Eight car parking spaces and two bicycle spaces	
<u>Provided:</u>	
10 car parking spaces including a single space for persons with a disability.	
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.	
Complies	
One space for persons with a disability is required under Part D3 of the National Construction Code 2014, which has been provided.	

E6.5.2 Bicycle parking numbers

<u>Objective:</u>
To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.
Consistent
Consistency with the objective has been achieved as the proposal has provided the require number of bicycle spaces.
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.
Complies
Two bicycle spaces have been provided in accordance with Table E6.1

E6.6 Development Standards

E6.6.1 Construction of parking areas

<u>Objective:</u>
To ensure that parking areas are constructed to an appropriate standard.
Consistent
Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.
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;

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- (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 car parking and circulation spaces will be constructed to the relevant Australian Standard.

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 is consistent with the relevant provisions within the clause.

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

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

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

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

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

Complies

All car parking and circulation spaces will be provided in accordance with the requirements under E6.2.

E6.6.4 Loading bays

Objective:

To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

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<p>Consistent Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.</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 site provides sufficient area for the manoeuvring of vehicles to enter and exit the subject site in a forward direction, complying with the Acceptable Solutions.</p>

E6.6.6 Bicycle parking and storage facilities

<p>Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.</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 All bicycle spaces will be compliant with the relevant Australian Standard.</p>

E18.0 Signs Code

<p>E18.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (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.
--

8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)

Consistent
 Consistency with the code purpose has been achieved as the sign will encourage business without compromising safety.

E18.5 Development Standards

E18.5.1 Unacceptable signage

<p>Objective: To prevent unacceptable signage.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal is consistent with the relevant provisions within the clause.</p>
<p>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.</p>
<p>Complies The proposed sign is not listed above as an unacceptable sign type.</p>

E18.5.2 Design and siting of signage

<p>Objective: To: (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>
<p>Consistent Consistency with the objective has been achieved as the proposed visual scale of the proposed sign is considered acceptable.</p>
<p>A1 A sign must: (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>
<p>Relies on Performance Criteria Whilst a pole sign within the Light Industrial Zone is acceptable, it is currently greater than 2.7m in height and as such is reliant on the Performance Criteria.</p>
<p>P1 A sign must: (a) be located within an applicable zone for the relevant sign type as set out in Table 1 of E18.6; and (b) be appropriate to the natural and built environment of the locality, having regard to: (i) domination of the streetscape or premises on which it is located;</p>

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- (ii) the size and dimensions of the sign;
- (iii) the amenity to surrounding properties;
- (iv) the repetition of messages or information;
- (v) the number and density of signs; and
- (vi) the obstruction of movement of vehicles and pedestrians.

Complies

The sign will not project beyond the boundary of the site, each face has an area less than 5m², it has a maximum height of 4m above natural ground level and a maximum clearance of less than 2m.

A pole sign is consistent with applicable signs within the zone. It is not considered the placement of an additional 'face' is unreasonable and will allow for suitable advertising. It is consistent with other signs within the surrounding area.

Notwithstanding, the sign is currently located within an easement and as such a condition has been recommended to relocate the sign. The proposal complies with the Performance Criteria.

A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.

Complies

The sign is located more than 2m from the Low Density Residential Zone.

A3 A building or tenancy must have:

- (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.

Complies

Only one sign is being proposed for the entire site.

A4 A sign must not be illuminated.

Complies

The sign will not be illuminated.

8.2 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided.
Environmental Health	Conditional consent provided.
Parks and Recreation	N/A
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01266-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

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 6 December to 20 December 2017. Five representations were received. These representations are attached to this report (Attachment 1). 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.

A meeting was held with the submitters on Monday, 8 January 2018 at Ridgewood Lane to further discuss the concerns raised in the submissions. The applicant provided a response to the concerns raised and this was circulated to the submitters. The main concerns are highlighted and a response by Council Officers is below each issue.

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The proposal does not consider the effect on residences on Ridgewood Lane.
The application has provided justification against the effects the proposal will have on nearby residences. As previously stated in the report, whilst boundary to boundary to the closest nearby residence is 60m, building to building is in excess of 100m.
The storage of helicopters at the site and their operation onsite.
The proposal is for the concrete plant as well as storage area. The storage area will house helicopters but these will not be used from the site, but instead towed and stored.
The operation of the site from 6.00am to 6.00pm, 7 days a week.
After further discussion with the applicant, it has been recommended as a condition of approval that the operating hours are limited to protect the amenity of the nearby sensitive uses.
Emission issues including noise issues from trucks, air brakes, reversing beepers, concrete occurring, pouring of concrete, as well as dust issues. No indication of the type of noise being generated.
This has been assessed, in depth under Clause 24.3.2 of the scheme.
More landscaping is required.
It has been determined that the proposed landscaping is suitable for the intended use.
Works occurring in the buffer zone.
Works have already occurred within the buffer zone, being the clearing of vegetation and excavation into the embankment. This has been undertaken by the owner of the site and not the occupier who has lodged the application. Enforcement action will be undertaken and remedial works will be required to restore the buffer area. After further discussions with the applicant, it has been recommended as a condition of approval that all development is to be located outside of the buffer area.
What fencing is being proposed?
Fencing along the southern and western and northern boundaries of the work area has been proposed.

The applicant has responded to the concerns of the representors and has made a number of commitments to deal with the matter raised. These are outlines in the letter attached.

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.

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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.

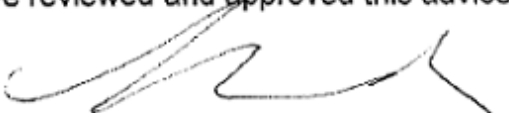
BUDGET & FINANCIAL ASPECTS:

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 21 Connector Park Drive Kings Meadows - Manufacturing and Processing - Cement Works - Construction of a Building and Parking Spaces; Storage; Warehouse - Construction of a Storage Shed for Vehicles and Machinery (Retrospective) ...(Cont'd)**
-

ATTACHMENTS:

1. Locality Map (electronically circulated)
 2. Plans to be endorsed (electronically circulated)
 3. Plans to be amended (electronically circulated)
 4. Representations (electronically circulated)
 5. Applicant's response to submissions (electronically circulated)
 6. Road Owners consent (electronically circulated)
-

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage**FILE NO:** DA0426/2017**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Prime Design
Property:	12 Binalong Avenue, St Leonards
Zoning:	General Residential
Receipt Date:	29/08/2017
Validity Date:	1/09/2017
Further Information Request:	06/09/2017
Further Information Received:	24/11/2017
Deemed Approval:	22/01/2018
Representations:	Nil

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, DA0426/2017 - Residential - single dwelling; demolish an existing shed and replace with a new shed at 12 Binalong Avenue, St Leonards be refused on the following grounds:

That the proposal does not meet the performance criteria for the following standards:
10.4.2 Setbacks and building envelope for all dwellings - Performance Criteria P2 and 10.4.11 Outbuilding, swimming pools and fences - Performance Criteria P1

It is considered that the garage is not compatible with the existing garages in the street and that it detracts from the character of the surrounding area due to its visual impact, size and location.

E4.6.2 Road accesses and junction - Performance Criteria P1(e)

The need for such a wide new access into the site has not been established, especially considering utilising the existing crossover for entrance into the garage is currently possible.

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

REPORT:**1. THE PROPOSAL**

It is proposed to demolish an existing garage and replace with a larger garage constructed of steel, with walls clad in a material to be decided by the applicant and metal sheet roofing. The current garage is accessed internally via the existing driveway. The new garage proposes two new garage doors, both 5.4m wide and with access via a new 12.6m crossover from Binalong Avenue. The garage will contain a storage area and porch at the rear.

The new garage is 108.66m² with dimensions of 12.68m long x 8.57m wide and 5.12m high. It is proposed to be located directly on the Binalong Avenue frontage and setback 396mm from the southern side boundary.

The proposed new crossover will be in addition to the existing crossover. Given the total width of all crossovers there will be a significant loss of grass on the nature strip which impacts upon the streetscape and function of the street.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located at 12 Binalong Avenue, St Leonards and is zoned General Residential. The site is 2,049m² in size and is a corner lot. The site contains an existing dwelling as well as four separate outbuildings. Vehicle access is provided off Binalong Avenue as well as Mercer Street. Pedestrian access is obtained via these streets as well as a pedestrian gate. The site is generally flat and contains several large significant trees as well as landscaped gardens.

The site is located in a residential area of St Leonards with dwellings to the west, south, and east. Directly over Binalong Avenue to the north is a public park and further west along Binalong Avenue is the St. Leonards Hotel and school. Residential lots within the surrounding area differ greatly in size, from 870m² to 3,920m². Surrounding lots contain different styles of dwellings but are predominately single storey with garages in the rear.

The site is connected to all reticulated services.

Binalong Avenue is currently a cul-de-sac terminating on vacant land to the south. This limits the number of users of the existing street. It is likely, however, that this road will become a through road, particularly given the development of the St Leonards Village Plan.

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

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

Consistency with the zone purpose has been achieved as the proposal is for residential development within a residential zone.

10.4 Development Standards

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.

Not Consistent

The garage has failed to comply with the objective of the clause as it does not provide reasonable and consistent separation between the outbuilding and frontage.

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

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

- 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.

Relies on Performance Criteria

As the garage is located on the front secondary boundary with a zero setback, it is unable to comply with the Acceptable Solutions of 3m and is reliant on the Performance Criteria.

P1 A dwelling must:

- (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and
- (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.

Does Not Comply

The proposal is required to have a setback that is compatible with the existing dwellings in the street, taking into account topographical constraints.

It is noted that the existing shed to be demolished is currently located on the boundary. Notwithstanding, the proposed new shed will extend beyond the existing sheds footprint. The following image outlines all other outbuildings within the surrounding area and their proximity to a frontage:



Figure 2 - Outbuildings setback from frontages (in red)

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

As the above illustrates, with the exception of 14 Binalong Avenue, all other outbuildings, garages, or carports are significantly setback from their respective frontages. It is noted that the adjoining property, being 14 Binalong Avenue, has a shed and carport that is setback approximately 1.8m from the frontage, however all access is gained via a single driveway.

Whilst the site does have a slight slope from east to west, it is not wholly constrained due to the topography. The design, however, is not compatible with existing garages or carports in the street. The proposal is unable to comply with the Performance Criteria.

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:

- (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:
 - (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m 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:
 - (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).

Relies on Performance Criteria

The building, considered as a dwelling for the purpose of this clause, is unable to fit within the required part of the building envelope and as such is reliant on the Performance Criteria.

P3 The siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:
 - (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.

Complies

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

The applicant provided shadow diagrams to better illustrate the garages impact through overshadowing:



Figure 1 - Overshadowing

Further, the following image illustrated the shed and carport, as well as vegetation on the southern adjoining property:



Figure 2 - Adjoining Property

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

Whilst the proposal is located outside of the building envelope, it is not considered it will cause an unreasonable loss of amenity by reducing sunlight to a habitable room to a dwelling on an adjoining lot, overshadow private open space or cause visual impact.

The southern adjoining property and the shed/carport located directly next door already overshadow any habitable room and private open space. They also block the view of the new garage when viewed from the adjoining lot. Therefore the introduction of a larger shed will not impact on the existing situation.

The proposal is also consistent with separation distances as with development within the surrounding. Many other garages or dwellings are located on or near side and rear boundaries.

The proposal complies with the Performance Criteria.

<p>10.4.3 Site coverage and private open space for all dwellings</p> <p>Objective:</p> <p>To provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; and (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is integrated with the living areas of the dwelling; and (d) private open space that has access to sunlight.
<p>Consistent</p> <p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.
<p>Complies</p> <p>The construction of the garage will not result in a site coverage of more than 25% and will leave the area with a site area which at least 25% is free from impervious areas.</p> <p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

- (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.

Complies

The proposed garage will not result in a loss of existing private open space over the site.

10.4.11 Outbuildings, swimming pools and fences

Objective:

To ensure that:

- (a) outbuildings, swimming pools and fences:
 - (i) do not detract from the character of the surrounding area; and
 - (ii) are appropriate to the site and respect the amenity of neighbouring lots;
- (b) dwellings remain the dominant built form.

Not Consistent

Consistency with the objective has not been achieved as the proposal will detract from the character of the surrounding area.

A1.1 The combined gross floor area of outbuildings must be no greater than 45m²; and
 A1.2 Outbuildings (other than for single or multiple dwellings) must meet the setback and building envelope acceptable solutions of Clause 10.4.2, as if the development were for a dwelling.

Relies on Performance Criteria

The site contains four other outbuildings currently totalling approximately 51m². The new outbuilding will have an approximate gross floor area of 103m², resulting in a total outbuilding gross floor area of 154m².

Further, the proposal is unable to meet the setback and building envelope requirements under Clause 10.4.2 A1 as it is located within the front 3m setback. It is noted that whilst it is located on the southern side boundary, it is for a length less than 9m. Therefore, the proposal is reliant on the Performance Criteria.

P1 Outbuildings must not detract from the character of the surrounding area or the amenity of adjoining lots, having regard to:

- (a) the visual impact on the streetscape;
- (b) any overshadowing of adjoining lots;
- (c) the size and location of outbuildings on adjoining lots;
- (d) existing buildings on the site; and
- (e) the topography of the site.

Does Not Comply

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ... (Cont'd)

The Performance Criteria is addressed below having regard to the impact the Outbuilding will have on the surrounding area and adjoining lots:

(a) The visual impact on the streetscape

The existing garage measures approximately 7m in width along Binalong Avenue and 8m in length running along the side boundary towards Mercer Street. The garage has a maximum apex height of approximately 3.2m which tapers down to 2.4m where it sits on the boundary along Binalong Avenue. The existing garage has a flat weatherboard wall facing Binalong Avenue with no openings. Access into the garage is internal to the site gained via the existing cross over and driveway. Arguably the existing garage is not compatible with the streetscape as it is currently constructed.

The proposed garage is significantly larger, being 12.6m in length along Binalong Avenue and 8.57m in width running along the side boundary towards Mercer Street. The garage will also have a maximum apex height of 5.12m above natural ground level setback approximately 3m from the front boundary where it will taper down to 2.7m on the Binalong Avenue frontage. The most significant impact the garage proposes, however, is the new openings onto Binalong Avenue. The following image illustrates the existing situation as well as the proposed building:

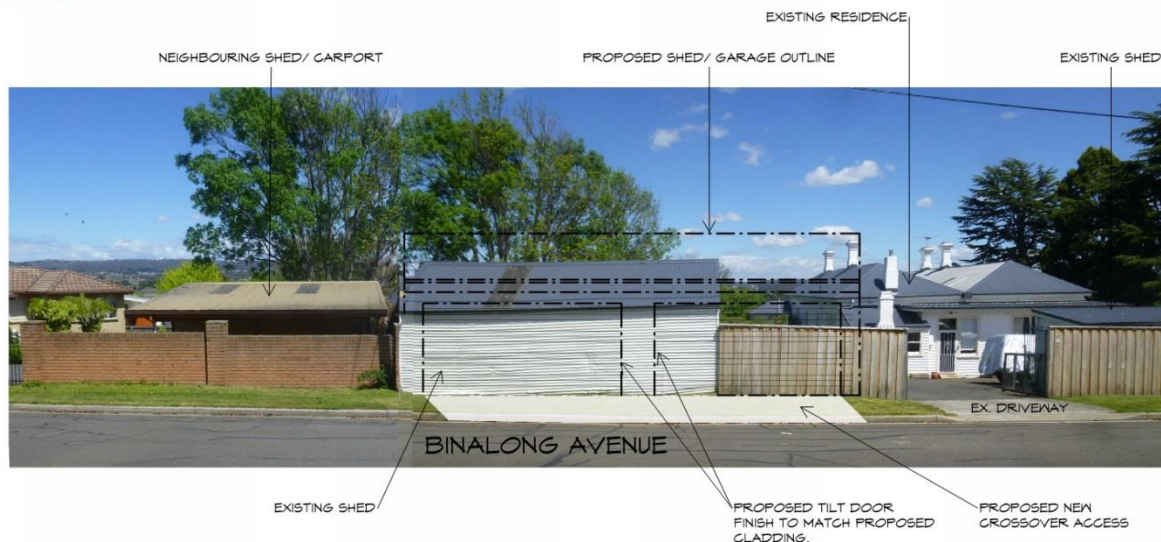


Figure 1 - Existing Garage and Proposed Garage

As the above illustrates, the proposed garage will be larger and significantly increase the concrete crossover onto the street, inconsistent with surrounding access. The Performance Criteria requires that an outbuilding does not detract from the character of the surrounding area.

It can therefore be considered that such a proposal is not consistent with the character of the surrounding area and will have a significant and detrimental impact to the current

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

streetscape. This is especially evident when looking at the visual effect such a large crossover will have, which is not evident anywhere else along Binalong Avenue.

Reliance on an already inconsistent outbuilding as justification for construction of a much larger building that is considerably more detrimental to the streetscape is not considered a sound planning argument. The secondary frontage for the dwelling will have a combined 16.4m crossover on a 40.4m frontage. The impact the new crossover, along with the existing crossover on the grassed nature strip is detrimental to the streetscape where the crossovers would be dominant. If this were permitted it would set an undesirable precedent for other houses in the area.

(b) Any overshadowing of adjoining lots

The garage will have an overshadowing effect on the southern adjoining property, however, the increase will be minor to the existing overshadowing from the existing garage on site. Further, an outbuilding directly adjoins the southern boundary to the south, which is demonstrated in the following image:

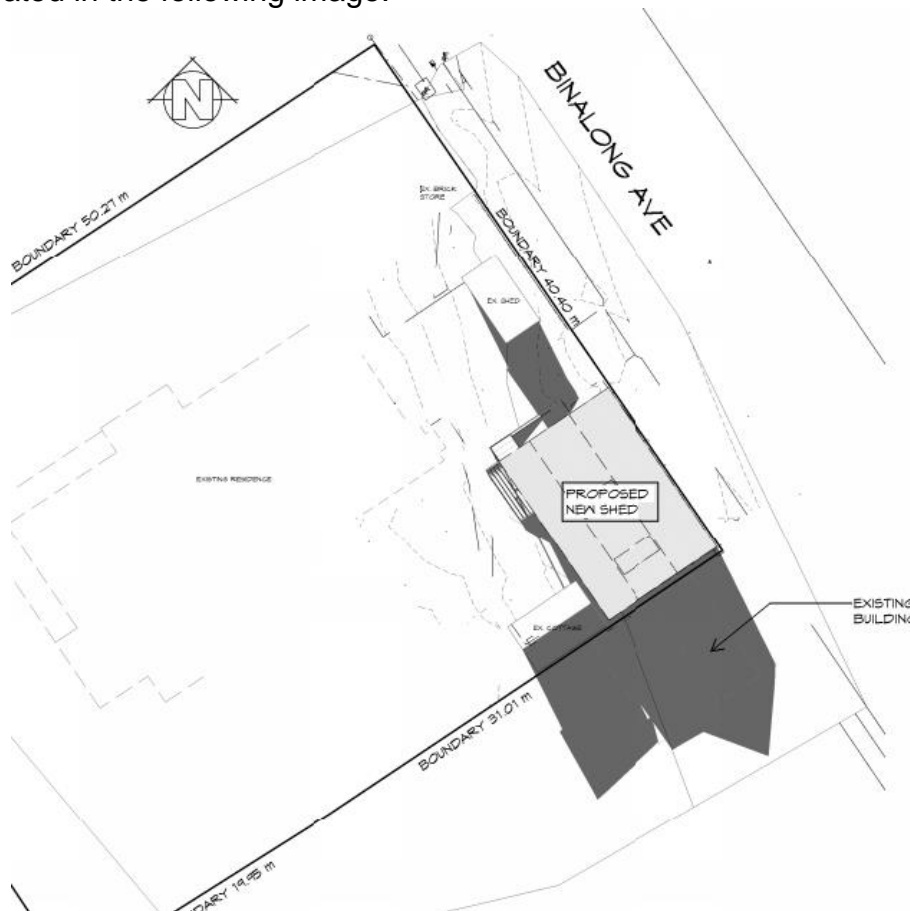


Figure 3 - Overshadowing

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

(c) The size and location of outbuildings on adjoining lots

As Figure 2 has already illustrated, the surrounding outbuildings on adjoining lots are located back from the frontage of the lots. Whilst the existing garage on the subject site is located on the Binalong Avenue boundary, the increase in size can be considered inconsistent with the current situation. The following image illustrates other larger outbuildings in the vicinity of the subject site:



Figure 4 - Outbuildings within the vicinity of the subject site

As the above illustrates, larger outbuildings are not inconsistent with the pattern of development in the area. The lots within this particular residential area are generally larger and allow room for larger dwellings and residential outbuildings. What is noticeable however is that the majority of these larger outbuildings are located back from the boundary, where the proposed garage is not. It cannot be considered then that the proposal is consistent with the surrounding pattern of development. Building of such a large garage so close to the frontage would detract from the area.

(d) Existing buildings on the site; and

The site currently contains five buildings, as the following image illustrates:

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Figure 5 - Existing Buildings

The site contains a large single dwelling, the existing garage to be demolished, as well as three smaller outbuildings. It is not considered unreasonable to replace the current garage, however, the size, location, and proposed access result in a proposal that will affect the character and amenity of the surrounding area. The following figure illustrates a 3D model of what the proposal will look like when viewed from the eastern Binalong Avenue frontage:

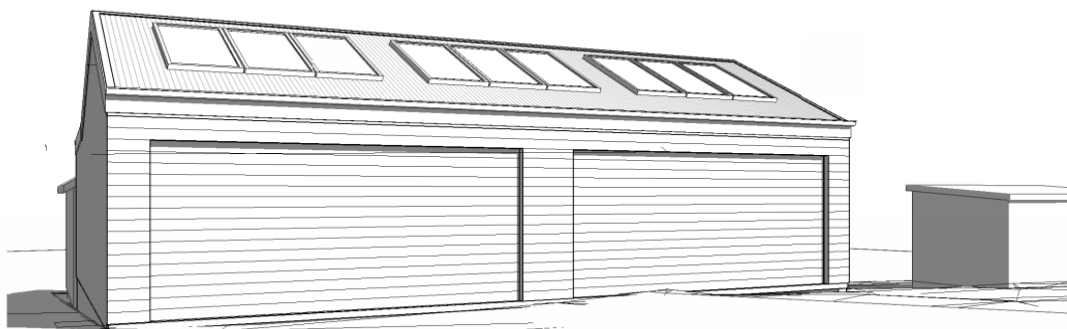


Figure 6 - 3D model of proposed garage

The above figure, along with Figure 1, demonstrates that the proposal will have a significant impact on the streetscape. With regard to the existing buildings on site and as previously stated, a replacement garage of a similar size with similar access is not unreasonable, however, in this case it can be considered that the garage will become the dominant built form of the site when viewing the property from the eastern side of Binalong Avenue.

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Alternative options have been canvassed with the applicant indicating utilising the existing crossover to access one or both of the garages. Unfortunately they have not been considered favourably by the applicant.

(e) The topography of the site

The site is generally flat, however, there is a slope from the east to the west. The garage has been located in a suitable area to take advantage of the slope.

<p>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.</p>
<p>Consistent Consistency with the Objective has been achieved as the retaining walls proposed respect 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: (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>
<p>Relies on Performance Criteria The proposed retaining wall is located 396mm off the southern side boundary and is 900mm high. As such the proposal is reliant on the Performance Criteria.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to: (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>
<p>Complies The retaining wall has been proposed to allow a flat entrance to the garage from Binalong Avenue. It will have little impact to adjoining properties and is required due to the slight slope along Binalong Avenue. The proposal complies with the Performance Criteria.</p>

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

10.4.13 Location of car parking

Objective: To: (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
Consistent Consistency with the Objective has been achieved as the development supplies the appropriate amount of car parking on site.
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 No car parking is located in the primary front setback.

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 proposal will have no further detrimental impact to the safety and 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 Consistency with the Objective has been achieved as the proposal has ensured the safety and efficiency of the road network 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 development is seeking a new 12.6m wide crossover off the Eastern Binalong Avenue frontage for direct access into the garage. There is already an existing 3.8m wide crossover along this frontage. As such, the proposal is reliant on the Performance Criteria.
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;

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

- (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.

Does Not Comply

The applicant requested Road Authority Consent for the new access and this was granted on 13 November 2017. Council's Infrastructure Department assessed the proposal and stated:

The applicant has provided revised plans which show the existing power pole being relocated. The proposed crossover will represent a significant proportion of the frontage and this remains the non-preferred outcome however there is no engineering basis on which to refuse the application. It is acknowledged, however, that the proposal may not satisfy the planning scheme in terms of streetscape provisions.

Binalong Avenue is a no through road with a speed limit of 50kph. Traffic would be limited to residences and visitors. There are seven properties southward of the proposed garage. The main concern under the Performance Criteria element (e) is the need for the access, as the application is seeking to construct a quadruple lockup garage with direct access from Binalong Avenue. It is noted that alternative design solutions that would result in internal access, similar to the current situation, would remove any need for the access.

The necessity for a much larger garage with direct access into the street is questionable as the site currently has an existing access to Binalong Avenue and into the existing garage which is able to house two vehicles. It is argued that the efficiency and potential safety of the road is undermined by creating such a large access when it has been established that access is already able to work without compromising the safety and efficiency of vehicles utilising the street. In this case, it is not considered that the proposal is able to comply with Performance Criteria.

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 new access complies with safe sight distances.

A1 Sight distances at:

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

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

Complies

Sight distances are compliant with AS1742.7.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

Consistency with the Code has been achieved as the proposal allows for safe car parking and manoeuvring.

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

Consistency with the Objective has been achieved as the development meets the required number of car parking numbers.

A1 The number of car parking spaces must:

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

Complies

A single dwelling requires two car parking spaces. Whilst the garage which currently contains two car parking spaces is being demolished, it is being replaced with a garage that is capable of housing four spaces.

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent Consistency with the Objective has been achieved as the development has provided car parking 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 car parking spaces, access ways, manoeuvring and circulation spaces have a gradient less than 10%, are formed and paved, and able to drain to a 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 development has provided car parking to an appropriate 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.

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

Complies

All car parking spaces, access ways, manoeuvring and circulation spaces have a gradient less than 10%, are formed and paved, and able to drain to a stormwater system and built to the relevant Australian Standard.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	N/A
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 29 November to 13 December 2017. No representations were received.

6. CONCLUSION

The application proposes a substantial development in a location that is not compatible with surrounding development. The development in its current form will have a negative visual impact on the street and will be inconsistent with the streetscape.

A request for further information was issued to the applicant explaining the concerns raised in the initial assessment. A meeting was held with the applicants to further discuss these concerns. Another onsite meeting with the owner occurred to further clarify the issues and concerns, and in particular the impact the access onto Binalong Avenue and new crossover would have on the streetscape. A response to these concerns was received with further justification, however, little change to the plans had been made. As such the application could only be assessed on its current merits.

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Refusal is therefore recommended.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not 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

8.3 12 Binalong Avenue, St Leonards - Residential - Single Dwelling; Demolition of Existing Garage and Construction of a New Garage ...(Cont'd)

ATTACHMENTS:

1. Locality Map (electronically distributed)
 2. Submitted Plans (electronically distributed)
 3. Submitted Planning Report (electronically distributed)
 4. Road Owner's Consent (electronically distributed)
-

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units****FILE NO:** DA0637/2017**AUTHOR:** Brian White (Graduate Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Stephen Charles Lawes
Property:	25 Jillian Street, Kings Meadows
Zoning:	General Residential
Receipt Date:	27/11/2017
Validity Date:	12/12/2017
Further Information Request:	14/12/2017
Further Information Received:	15/12/2017
Deemed Approval:	23/01/2018
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

DA0305/2008 - Construction of a building - Single Dwelling; Remove a tree (Scenic Protection)

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 pursuant to a delegation from Council, for DA0637/2017 - Residential - multiple dwellings; construction of three units at 25 Jillian Street, Kings Meadows subject to the following conditions:

1. EXTERNAL FINISHES

All external materials, finishes and colours must be in accordance with the endorsed Schedule of Materials/Colours.

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/01895-LCC) (attached).

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

3. SITE LANDSCAPING

The landscaping must be:

- (a) Installed in accordance with the endorsed plan; and
- (b) It must not be removed, destroyed or lopped without the written consent of the Council.

4. NO FURTHER VEGETATION REMOVAL

Tree and vegetation removal must be limited to those specifically notated on the approved plans 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 Council.

5. 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 at least:

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

6. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

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

7. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Sheet, Prepared by Adorn Drafting, Drawing No. 426, Sheet 1 of 19, Dated 17/11/2017.
 - b. Site Plan, Prepared by Adorn Drafting, Drawing No. 426, Sheet 2 of 19, Dated 17/11/2017.
 - c. Floor Plan - Dwelling 1, Prepared by Adorn Drafting, Drawing No. 426, Sheet 3 of 19, Dated 17/11/2017.
 - d. Lower Floor Plan - Dwelling 1, Prepared by Adorn Drafting, Drawing No. 426, Sheet 4 of 19, Dated 17/11/2017.
 - e. Floor Plan - Dwelling 2, Prepared by Adorn Drafting, Drawing No. 426, Sheet 5 of 19, Dated 17/11/2017.
-

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

- f. Floor Plan - Dwelling 3, Prepared by Adorn Drafting, Drawing No. 426, Sheet 6 of 19, Dated 17/11/2017.
- g. Elevation - Dwelling 1, Prepared by Adorn Drafting, Drawing No. 426, Sheet 7 of 19, Dated 17/11/2017.
- h. Elevation - Dwelling 1, Prepared by Adorn Drafting, Drawing No. 426, Sheet 8 of 19, Dated 17/11/2017.
- i. Elevation - Dwelling 2, Prepared by Adorn Drafting, Drawing No. 426, Sheet 9 of 19, Dated 17/11/2017.
- j. Elevation - Dwelling 2, Prepared by Adorn Drafting, Drawing No. 426, Sheet 10 of 19, Dated 17/11/2017.
- k. Elevation - Dwelling 3, Prepared by Adorn Drafting, Drawing No. 426, Sheet 11 of 19, Dated 17/11/2017.
- l. Elevation - Dwelling 3, Prepared by Adorn Drafting, Drawing No. 426, Sheet 12 of 19, Dated 17/11/2017.
- m. Section - Dwelling 1, Prepared by Adorn Drafting, Drawing No. 426, Sheet 13 of 19, Dated 17/11/2017.
- n. Section - Dwelling 2, Prepared by Adorn Drafting, Drawing No. 426, Sheet 14 of 19, Dated 17/11/2017.
- o. Section - Dwelling 3, Prepared by Adorn Drafting, Drawing No. 426, Sheet 15 of 19, Dated 17/11/2017.
- p. Drainage Plan, Prepared by Adorn Drafting, Drawing No. 426, Sheet 16 of 19, Dated 17/11/2017.
- q. Shadow Diagrams - 9:00am 22 June, Prepared by Adorn Drafting.
- r. Shadow Diagrams - 12:00noon 22 June, Prepared by Adorn Drafting.
- s. Shadow Diagrams - 3:00pm 22 June, Prepared by Adorn Drafting.
- t. Further Information Response to Scenic Protection, Prepared by Adorn Drafting.
- u. Photomontage, Prepared by Adorn Drafting.
- v. Site Plan, Prepared by Zoe Beardsley, Page 1 of 2, Dated 30/10/2017 (Plan to be amended).
- w. Planting Plan, Prepared by Zoe Beardsley, Page 2 of 2, Dated 30/10/2017 (Plan to be amended).
- x. Landscaping Plan, Prepared by Zoe Beardsley, Dated October 2017 (Plan to be amended).

8. LEGAL TITLE

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

9. 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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

10. SINGLE USER SEWAGE PUMP STATION FOR UNITS 2 AND 3

The single user pump stations required for Unit 2 and Unit 3 must be sized to provide six hours emergency storage in the event of a pump failure and are to be fitted with a hardwired audible alarm and flashing light within the laundry of the Unit which activates upon a pump failure.

Under no circumstances is the overflow from the single user sewage pump station to be directed to the stormwater system.

Detailed construction plans of the private sewer pump station must be provided to the Director Infrastructure Services prior to construction.

11. CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of the works on the site for the construction of the dwellings, the applicant must provide a Construction Management Plan to the Manager Planning for approval. The Construction Management Plan must detail the stages of works, the indicative start dates and duration for each stage and how each will be undertaken. Details to be included in the plan are the proposed location of materials, stockpiles, site facilities and contractor vehicle parking areas and how deliveries will be undertaken.

12. AMENDED LANDSCAPE PLANS REQUIRED

Prior to the commencement of any work, amended landscape plans must be submitted to the satisfaction of the Manager Planning Services to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended landscaping plan must show:

- (a) The retention (where possible) of existing native vegetation.
- (b) The planting of a mix of predominantly native species of local provenance where possible.
- (c) The replanting of at least one native tree species per dwelling that will grow to a mature height of at least 10m.
- (d) All significant proposed plantings to be located at least 2m from existing or proposed boundary fences.

The landscaping must be completed, and established for each unit, prior to occupancy of that unit. Dead plants must be replaced within three months.

13. DAMAGE TO COUNCIL INFRASTRUCTURE

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

14. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

15. 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.

16. VEHICULAR CROSSINGS

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

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

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

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

17. 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.

18. CONSTRUCTION OF RETAINING WALLS

Prior to construction commencing, a series of detailed cross sections of the driveway and the retaining wall must be provided to the satisfaction of the Director Infrastructure Services. This must show:

- (a) The offset of the wall from the boundary with the reserve.
- (b) Significant boulders and trees which are proposed for removal to facilitate the construction.
- (c) All necessary drainage.

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

19. 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.

20. NO BURNING WASTE

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

21. PROTECTION OF PUBLIC OPEN SPACE

The Public Open Space is to be protected from damage during the construction works by ensuring that:

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

- a. Prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Public Open Space and the subject site. Where the boundary of the lot is not clearly identifiable, the applicant must establish the boundary and ensure all works and materials are contained within the subject site.
- b. No building material, stockpiles, skip bins or machinery are to be stored on the Public Open Space.
- d. No excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of Council to maintain, the Public Open Space.
- e. No access to the subject site is permitted via the Public Open Space without express written consent from the Director Infrastructure Services.
- f. Where permission is granted to access subject site via the Public Open Space, any and all damage caused to the Public Open Space is to be remediated within the timeframe specified in the written consent to access.

22. RESERVES, PARKS & GARDENS BY-LAW

Pursuant to Clause 7 (7) of City of Launceston By-law, Reserves, Parks and Gardens By-law No.4 of 2009, boundary fences abutting the public open space (Meadow Ridge Reserve) are not permitted to have any openings or gates allowing pedestrian or vehicular access to or from the private property into the reserve. No approval for such an access is given and failure to comply with this condition may result in the issue of a fine pursuant to the by-law.

23. PROTECTION OF EXISTING TREES

Existing trees identified for retention on the subject land must be retained and must not be damaged, removed, destroyed or lopped without the written consent of the Council. Such trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

Notes**A. Building Permit Required**

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Occupancy Permit Required

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

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C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. 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 DA0637/2017. 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 effected, restricted or prohibited by any such covenant.

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

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.

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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 No.</i>	<i>Street Address</i>
<i>1</i>	<i>Lot 1</i>	<i>1/25 Jillian Street, Kings Meadows</i>
<i>2</i>	<i>Lot 2</i>	<i>2/25 Jillian Street, Kings Meadows</i>
<i>3</i>	<i>Lot 3</i>	<i>3/25 Jillian Street, Kings Meadows</i>

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

REPORT:

1. THE PROPOSAL

The applicant is seeking planning approval for the use and development of three, four bedroom townhouses. The development also includes the clearance of vegetation, associated landscaping and earthworks.

The dwellings will be accessed via an internal driveway over an existing crossover from Jillian Street. A concrete block retaining wall is proposed to run along the southern boundary as well as a 1.5m high fence (Council's fencing policy requires the fence to be 1.8m which tapers down to 1.2 within 4.5m of a frontage - see condition). The retaining wall is to be located 1m of the boundary.

The dwellings will be double storey in response to the sloping site; they benefit from views looking east.

All three dwellings are to clad in a combination of 'Hardies Cycon', 'Weathertex', and 'Rendered Masterwall'. The roofs are to be clad in Colorbond. A colour and material schedule has been provided due to the requirements of the scenic management code.

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Dwelling One

Dwelling one is the closest dwelling to the Jillian Street frontage. It will have a floor area of approximately 220m² split over two levels. There is a timber deck area on the upper level facing west, with an area of approximately 26m². This is to be used as the dwellings main area of private open space and is directly accessible from the dining area. There is also a lower level deck accessible from the rumpus room. The dwelling has a maximum height of approximately 7.9m.

The dwelling provides two parking spaces in a carport. The carport has a maximum height of approximately 3.2m. There is a visitor space provided adjacent to this structure.

Earthworks proposed include a 1m high retaining wall between the guest parking of dwelling one and dwelling two, minor fill near the carport as well as a 1.3m cut towards the rear of the dwelling.

Dwelling Two

Dwelling two is the middle dwelling out of the three. It will have a floor area of approximately 183m² which includes a storage area on the lower floor. All habitable rooms are located on the upper level.

There is a timber deck area on the upper level facing west with an area of approximately 35.2m². This is to be used as the dwellings main area of private open space and is directly accessible from the living area. The dwelling has a maximum height of approximately 8.2m at its highest point.

The dwelling provides two parking spaces in a carport. The carport has a maximum height of approximately 3.2m. There is also a visitor space provided adjacent to the carport.

Earthworks proposed include some minor fill adjacent to the carport and minor cut towards the rear.

Dwelling Three

Dwelling three is closest to the eastern boundary. It will have a floor level of approximately 180.5m² including a storage area on the lower level. Like dwelling two, all habitable rooms are on the upper floor.

There is a timber deck area on the upper level facing west with an area of approximately 30m². This is to be used as the dwellings main area of private open space and is directly accessible from the living area. The dwelling has a maximum height of approximately 7.2m at its highest point.

The dwelling provides two parking spaces in a carport. The carport has a maximum height of approximately 3.2m. There is also a visitor space provided adjacent to the carport.

8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings; Construction of Three Units ...(Cont'd)

Earthworks proposed include approximately 1.5m of fill near the carport

Landscaping and Vegetation Removal

The applicant has provided a landscaping report and plan which shows the vegetation to be removed and retained as well as a planting plan. The report states that the landscaping works consist of garden bed preparation, planting trees, shrubs and groundcovers and mulching.

While the clearing of vegetation will inevitably be required to construct the dwellings, the planting plan and schedule provided by the applicant demonstrates that a variety of trees are to be planted on the site. It is recommended that the landscaping plan be required to be updated to reflect native species as well as specifying the trees to be removed and retained (via condition).

Servicing

The dwellings are to be connected to all reticulated services. Dwellings two and three require single user pumps to connect to the sewer.

The Reserve

No works are proposed in the reserve. Parks have conditioned the permit accordingly.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Site Location

The site is located at the southern end of a cul-de-sac of Jillian Street. The site adjoins Meadow Ridge Reserve to the west/ south west which is zoned open space. On all other boundaries the land is zoned general residential.

There is an established pattern of development of mostly single dwellings along both Ernest Street and Jillian Street.

Site Description

The site is irregular shaped with an area of approximately 3360m².

Location of existing access to the site

Access to the site is via an existing vehicular crossover from Jillian Street.

Slope

The site falls towards the east at a grade of around 29%. There are no landslide concerns on the property.

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Construction of Three Units ...(Cont'd)**

Vegetation

The site is heavily vegetated with a combination of native and non-native vegetation including Eucalypt Trees, She Oaks, Wattles and native cherry trees. There is also significant understory vegetation.

Location of any existing buildings on the site

Currently the site is vacant. The nearest dwelling on an adjoining lot will be located approximately 14m to the west of dwelling one.

Site Services

The site is able to be connected to all reticulated services.

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 consistent with the intent of the zone in that it is increasing residential densities in a fully serviced location in a manner which will not cause a loss of residential amenity or interrupt an existing pattern of development.

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 complies with the acceptable solution.

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<p>(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.</p>
<p>Complies The site has an area of 3360m² which results in a site area per dwelling of 1120m².</p>

10.4.2 Setbacks and building envelope for all dwellings

<p>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.</p>
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>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.</p>
<p>Complies The dwellings are setback at least 20m from the Jillian Street frontage.</p>
<p>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.</p>
<p>Complies All carports are setback at least 25m from the Jillian Street frontage.</p>

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

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 0.6 m horizontally beyond the building envelope, must:

- (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:
 - (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m 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:
 - (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).

Complies
The dwellings comply with (a) and (b). The dwellings are setback greater than 1.5m from all side boundaries and greater than 4m from the rear boundary. The dwellings have a maximum building height of less than 8.5m.

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 complies with the acceptable solution.

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 resulting site coverage will be approximately 20% so complies with (a). Each dwelling has an area greater than 60m² of private open space associated with each dwelling (including the decking areas) so complies with (b). At least 50% of the site will be impervious to rainfall so meets (c).

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Complies The decking areas of each of the dwellings comply with (a) - (e).</p>

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Complies The living areas of dwelling one and three comply. The rumpus room of dwelling two complies.</p>
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

- (i) at a distance of 3m from the window; and
- (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.
- (c) That part, of a multiple dwelling, consisting of:
 - (i) an outbuilding with a building height no more than 2.4m; or
 - (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.

Complies
There are no windows that are relevant. Nonetheless, there are not any habitable windows within 11m of a another dwelling on same site.

10.4.5 Width of openings for garages and carports for all dwellings

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 6 m or half the width of the frontage (whichever is the lesser).

Complies

10.4.6 Privacy for all dwellings

Objective:
To provide reasonable opportunity for privacy for dwellings.

Consistent
The proposal complies with the acceptable solution.

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

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

Complies

All three dwellings have decks with finished floor levels greater than 1m above natural level. Only the decking of dwelling one is within the setbacks required by (a) and (b) being approximately 2.4m from the eastern side boundary. The decking has privacy 'slats' to a height of approximately 2.2m facing this boundary so complies with (a).

A condition will require that the 'slats' have a uniform transparency of no more than 25% to ensure appropriate privacy.

In regard to (c) the following is noted:

Dwelling one complies as the decking is located a significant distance from the other dwellings on the site.

Dwelling two complies as the decking area is located at least 7m from dwelling one and approximately 20m from the private open space of dwelling one (the decking area).

Dwelling three complies as the decking is located approximately 7m from the window of bedroom four in dwelling two and approximately 20m from the private open space of dwelling two (the decking area).

The proposal therefore complies with (a), (b) and (c).

A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):

(a) The window or glazed door:

- (i) is to have a setback of at least 3m from a side boundary; and
- (ii) is to have a setback of at least 4m from a rear boundary; and
- (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and
- (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.

(b) The window or glazed door:

- (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or
- (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or
- (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<p>Complies All windows of dwelling one are located greater than approximately 3.7m from any side boundary, 24m from the rear boundary, 11m from any habitable window of dwelling two and at least 6m from the deck of dwelling two.</p> <p>All windows of dwelling two are at least 11m from the rear boundary and at least 9m from the deck of dwelling three.</p> <p>All windows of dwelling two are at least 6m from the rear boundary, 3m from the side boundary and at least 11m from dwelling two.</p> <p>The dwellings therefore comply with (a), (b) and (c).</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:</p> <ul style="list-style-type: none"> (a) 2.5 m; or (b) 1 m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.
<p>Complies All three dwellings comply.</p>

10.4.7 Frontage fences for all dwellings

<p>Objective: To control the height and transparency of frontage fences to:</p> <ul style="list-style-type: none"> (a) provide adequate privacy and security for residents; and (b) allow the potential for mutual passive surveillance between the road and the dwelling; and (c) provide reasonably consistent height and transparency.
<p>Consistent The proposal meets the acceptable solution by condition.</p>
<p>A1 A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2m if the fence is solid; or (b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).
<p>Complies A condition will apply requiring that the fence tapers down to comply with (a).</p>

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

10.4.8 Waste storage for multiple dwellings

Objective: To provide for the storage of waste and recycling bins for multiple dwellings.
Consistent The proposal complies with the acceptable solution.
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.
Complies Storage areas for waste are indicated on the plans which meet (a).

10.4.9 Site facilities for multiple dwellings

Objective: To provide adequate site and storage facilities for multiple dwellings.
Consistent The proposal complies with the acceptable solution.
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 Each dwelling has a store area on the lower level which complies.
A2 Mailboxes must be provided at the frontage.
Complies Mailboxes are indicated on the plans at the frontage.

10.4.10 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
Consistent The proposal complies with the acceptable solution.
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.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<p>Complies Common areas are delineated.</p>

10.4.11 Outbuildings, swimming pools and fences

<p>Objective: To ensure that: (a) outbuildings, swimming pools and fences: (i) do not detract from the character of the surrounding area; and (ii) are appropriate to the site and respect the amenity of neighbouring lots; (b) dwellings remain the dominant built form.</p>
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>A3 Fences must be no higher than 2.1m on a side or rear boundary adjoining a public reserve.</p>
<p>Complies A 1.5m high fence is proposed along the boundary adjoining the Meadow Ridge Reserve.</p>

10.4.12 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 The proposal complies with the performance criteria. The earthworks are considered appropriate to the site and are unlikely of causing a detrimental impact on adjoining lots.</p>
<p>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.</p>
<p>Relies on Performance Criteria The retaining wall that runs along the rear boundary is to have a maximum height of 1m and is located 1m off the boundary so complies.</p> <p>The cut required for the rear of dwelling one is to be approximately 1.3m and the fill for dwelling three is to be approximately 1.5m which cannot comply with (b) or (c). All other earthworks comply.</p> <p>Assessment against the performance criteria is therefore required.</p>

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<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 It must be noted that any development of site would likely require earthworks due to its topography and rocky character (a), (e).</p> <p>The proposed cut for dwelling one and fill for dwelling three will be highly unlikely of being seen from Jillian Street or from further afield as the dwelling and carport will be mostly constructed over it (b).</p> <p>As can be seen on the supplied servicing plan the retaining walls and earthworks will be connected to ag drains which are considered appropriate (f), (g) and (h). The proposal is therefore assessed as meeting P1.</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 The proposal complies with the acceptable solution.</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>Complies All habitable windows are at least 1.5m from the shared driveway and car parks.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Complies No car parking or turning areas are proposed in the frontage setback.</p>

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

10.4.14 Development for discretionary uses

A1 No acceptable solution
Relies on 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 The proposal is consistent with the intent of the zone as the additional traffic caused by the development will not cause issues with traffic safety and efficiency on the surrounding 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 The proposal complies with the acceptable solution.
A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.
Complies The speed limit of Jillian Street is below 60km/h.
A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.
Complies The speed limit of Jillian Street is below 60km/h.
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 proposal will generate up to an additional 20 vehicle movements per day according to the RTA Guide to Traffic Generating Developments. Therefore, compliance with the acceptable solution is achieved.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

E4.6 Development Standards

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

An appropriate level of car parking is provided to service the use. The car parking and manoeuvring areas are also considered to meet the relevant development standards. The proposal is therefore considered to be consistent with the intent of the code.

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 complies with the acceptable solution.

A1 The number of car parking spaces must:

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

Complies

Each dwelling requires two parking spaces which can be provided in the car ports. One visitor space is required on site. Each dwelling provides a visitor parking space. Therefore compliance with (b) is achieved.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

<p>Consistent The proposal complies with the acceptable solution.</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 proposed driveways adjacent the car ports for dwellings one and two have gradients of approximately 14% so cannot meet (a). The driveway is formed and paved and is drained to a public stormwater system.</p> <p>These driveways are therefore required to be assessed against the performance criteria.</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.
<p>Complies The driveways into the carports are considered to be useable in all weather conditions and suitable for the intended residential use. The slightly higher gradient of 14% is required due to the topography of the site. The proposal is assessed as complying with P1.</p>

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal complies with the acceptable solution.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (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;

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

- (c) have parking space dimensions in accordance with the requirements in Table E6.3;
 - (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and
 - (e) have a vertical clearance of not less than 2.1m above the parking surface level.
- A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.
- A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.
- A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Complies

The proposed parking areas and driveway have sufficient space to allow cars to enter and leave in a forward direction so meet (a). The width of access is to be 4.5m for the first 7m and also has a passing bay which is 5m wide by 5m long at around 20m from the frontage which meets (b). The proposed parking spaces meet the requirements of the code (and there is also ample space for tandem parking behind the carports) so complies with (c). There is also an adequate combined access and manoeuvring width available behind all the spaces. The proposal therefore complies with A1.1.

**E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area
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 proposed development is considered to be consistent with the intent of the code (pursuant to conditions) based on the following:

- The dwellings are finished in muted colours;
- The dwellings are below the skyline so will not be overly visible from major public vantage points;
- The proposal will extend an existing pattern of development;
- The development is at a reasonably low density; and
- Vegetation can be managed on the site to ensure that its contribution to the scenic landscape is not jeopardised.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

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

The proposal complies with the performance criteria via conditions.

The siting and design of the development is considered to be unobtrusive in the landscape and complementary of the character of the scenic management area due to its location, finishes, density of development and the management of vegetation.

A1 No acceptable solution.

Relies on Performance Criteria

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

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the impact on skylines, ridgelines and prominent locations;
- (c) the nature and extent of existing development on the site;
- (d) the retention or establishment of vegetation to provide screening;
- (e) the need to clear existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the development;
- (i) the location of development to facilitate the retention of trees; and
- (j) design treatment of development, including:
 - (i) the bulk and form of buildings including materials and finishes;
 - (ii) any earthworks for cut or fill;
 - (iii) the physical (built or natural) characteristics of the site or area;
 - (iv) the nature and character of the existing development; and
 - (v) the retention of trees.

Complies

The site is mapped as being within the Western Hillside Precinct. The existing character statement states that the precinct generally contributes to the middle ground and skyline views within the city and is said to contribute to a treed character to the southern approach into Launceston.

The management objectives of the precinct relevant to this development are included below. A comment will be made against each.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)****Clause E7.6.3.3 - Management Objectives**

(a) *Development within the Precinct must minimise its visual intrusion on the hillside by its location, form, scale, exterior materials, colours and landscaping particularly when viewed from major public vantage points. Visually dominating or obtrusive development, particularly along the skyline, should be avoided. Middle ground sites must be respectful of the pattern of development in the immediate area.*

Consistent

The applicant has chosen reasonably muted colours and materials to finish the dwellings and has located the dwellings towards the lower side of the site. The scale of the development (as in the building height and building mass) meets the development standards for building envelopes and setbacks in the zone. Additionally, the density of development on the site is also low as opposed to what the acceptable solution of the general residential zone prescribes (the site area per dwelling is over 1000m²). Therefore, the development minimises its visual intrusion on the hillside in regard to the form, scale and density of development.

In regard to the mention of the 'view points', it has been determined that the major public vantage points included those from the carport to the south of the Kings Meadows Shopping Centre and the YMCA and Nunamina Park.

From those selected points, the development site is not on the skyline, but on the lower ground. It also evident, that the development will continue an existing pattern of development which runs along Jillian Street and Ernest Street which was intended to be developed when it was originally subdivided and zoned for residential use.

Therefore, the proposal respects the pattern of development in the immediate area, especially those on the hillside on Jillian Street.

In regard to landscaping, the clearance of some vegetation is required. The applicant has provided a site plan showing the location of the existing vegetation on the site and also provided a planting plan. Conditions will require that the site plan be updated to specifically indicate the trees that are to be removed and the trees to be retained. This will assist in protecting more trees and therefore protecting the scenic character. The landscaping plan will also be required to be updated to include a greater proportion of native species.

There is a significant area free from development on the site largely between the proposed dwellings.

The proposal is considered to be consistent with management objective (a) subject to conditions and the public vantage points. The landscaping of the site, as it grows, will assist to further soften the visual impact of the proposal.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

(b) Maintain and improve vegetation, particularly trees, within the skyline area of the Precinct. Species selected must be consistent with the dominant character of the immediate setting.

Consistent

The site is not within the skyline area so (b) is not applicable.

(c) Trees are to be encouraged throughout the Precinct. Species selected should have a height and form that will contribute to the canopy cover within the area, whilst also being consistent with the dominant character of trees, where there is an established character. Where the area is located within or near a reserve, local native species should prevail.

Consistent

Conditions will require that the landscaping plan be amended to provide for local native species to the satisfaction of the Manager Planning Services.

(d) Increased residential density is encouraged, but only where development does not adversely interrupt the existing or historic pattern of development, and ability of the site to maintain significant vegetation. The favoured form of this type of development is one building, with shared driveways and gardens to maximise the open space available for vegetation.

Consistent

The proposal will result in three dwellings on the site at a site area of approximately 1000m². This is an increase in density however there is an existing pattern of development of dwellings on the hillside of Jillian Street of dwellings of similar bulk and form. This is especially the case for the existing dwelling at 17-19 Jillian Street. Additionally, the site is large enough for vegetation to be retained and replanted. Conditions will require that the landscaping plan be updated to indicate the trees that are to be removed and retained so that, in the future, a planning permit will be required to remove those trees identified as being retained.

The objective states that the favoured form of development is one building *with shared driveways and gardens to maximise the open space available for vegetation*. The proposal does include a shared driveway and gardens although three buildings are proposed.

It must be acknowledged that the site is large for a general residential zoning and that the density of development is low considering the size of the lot. The proposed density of 1:1180 is less than the surrounding development. Therefore, it is considered that the proposed modest increase in density will allow vegetation to be retained and re-established.

The proposal is considered to be consistent with management objective (d) subject to conditions.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

(e) Subdivisions are to address bushfire safety and vegetation management requirements to achieve visually unobtrusive development with sufficient vegetation coverage to retain the Precinct's character, or allow for the replacement vegetation to meet the character of the Precinct.

Not applicable

No subdivision is proposed.

(f) In the southern part of the Precinct, encourage only sympathetic development that will retain the rural character of the Precinct.

Not applicable

The proposal is not on the southern part of the Precinct.

Therefore, the development has been assessed as complying with (a).

The remainder of the development standards will be addressed below.

(b) As has been established, the site is not on the skyline or ridgeline. From those prominent locations established in the response to (a), the proposal will be largely inevent and will continue an existing pattern of development on the middle ground.

(c) The site is currently vacant.

(d) There is ample room to establish vegetation to provide screening towards the east. A condition will require that an updated landscaping plan be provided to indicate, and therefore protect, trees to be retained.

(e) The site is heavily vegetated so any development of a reasonable scale and density would require some vegetation to be removed. Again, conditions apply.

(f) The site is not subject to any hazards relevant to the planning scheme.

(g) The site is able to be connected to all reticulated services. A condition will require that amended plans be submitted showing the vegetation that is required to be cleared to provide infrastructure services.

(h) There are no specific requirements of the development.

(i) The location of the development will allow for the retention and reestablishment of vegetation. A condition will require that an updated landscaping plan be provided to indicate, and therefore protect, trees to be retained. The retention of trees will be encouraged.

(j) The design of the development has been undertaken to minimise visual impacts. The materials and finishes are considered reasonably muted whilst the proposed earthworks are somewhat inevitable due to the topography of the site. Nonetheless, the earthworks will be mostly inevent.

The surrounding area is characterised mostly by existing residential development whilst a public reserve is to the rear. It is considered that the development will not have a detrimental impact on the physical or natural character of the area as trees will be retained and native species replanted.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

The siting and design of the development is therefore considered to be unobtrusive in the landscape and complementary of the character of the scenic management area so complies with P1.
A2 No vegetation is to be removed.
Relies on Performance Criteria Vegetation is to be removed.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. Conditions recommended in relation to the construction of retaining walls, works within road reserves, protection of the adjoining reserve and the single user sewage pump stations.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Notes provided
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/01895-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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 20 December 2017 to 10 January 2018. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

Issue	Comment
Increase in traffic on Jillian Street.	Increasing the intensity of the use of an existing access is dealt with in clause E4.5.1 under the Road and Railway Assets Code of the Planning Scheme. The application has demonstrated compliance with the acceptable solution of the clause. The three dwellings are likely to generate 5 to 6.5 daily vehicle trips per day according to the RTA Guide to Traffic Generating Developments. The acceptable solution of clause E4.5.1 (A3) requires that the increase must not be more than 20% or more than 40 vehicles per day. The 20% figure is primarily related to sites that have an existing AADT greater than 200 movements per day. Therefore, in this case it is the 40 movements per day figure that is to be used. In this case the three dwellings will generate a maximum of 19.5 vehicle movements per day which complies with A3 and therefore with the intent of the clause which is to "ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions".
Lack of parking on Jillian Street.	The proposed dwellings provide the necessary amount of required parking on site pursuant to the acceptable solution and Table E6.1 of the Parking and Sustainable Transport Code. Therefore, a reliance on street parking is not required.
Delivery of construction materials and potential to disrupt traffic flows on Jillian Street.	The applicant has provided a response to this concern. The key points of that response is as follows: <ul style="list-style-type: none"> • The internal driveway will allow for construction vehicles to park on site • All subcontractors will be directed to park on site • All deliveries will be unloaded on site to avoid 'double handling ' • No unsightly skip bins will be left on site.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

	Infrastructure services have places a condition on the permit to attempt to remediate these concerns
Access to the reserve.	All development will be located within the title boundaries of the subject site so access to the reserve will be unaffected.
Overdevelopment of the site.	The acceptable solution for density of multiple dwellings in the zone is 325m ² . The proposed site area per dwelling is approximately 1000m ² which easily complies.
Stormwater runoff and erosion.	Infrastructure services have conditioned the permit requiring that a soil and management works are undertaken. The applicant has also submitted an infrastructure plan showing how drainage will be dealt with on the site. Additionally, ag drains are proposed for the retaining walls.
Capacity of sewer.	Taswater have provided conditional consent to the development as have infrastructure services.
Clearance of vegetation in reserve and unsightly power lines.	No clearance of vegetation in the reserve is permitted as part of this development. The applicant has stated that there will be a single metal pole on the site for power but this was not shown on the site plan. This was because as it was planned to go underground but the applicant was informed the closest hydro pole already has the maximum of two connections for underground services. It is not considered that the powerlines will cause a loss of residential amenity or scenic significance.
Fire danger on the site.	This is not a matter to be dealt with in the planning scheme. Nonetheless, it will be dealt with at the building stage.
Fencing.	A condition has been placed on the permit regarding fencing.
Stormwater on Jillian Street.	Council is aware of this and has been investigated.
Footpath on Jillian Street.	This is a matter that can be investigated further by Council.

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.

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

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

**8.4 25 Jillian Street, Kings Meadows - Residential - Multiple Dwellings;
Construction of Three Units ...(Cont'd)**

ATTACHMENTS:

1. Locality Map (electronically distributed)
 2. Plans to be amended (electronically distributed)
 3. Plans to be endorsed (electronically distributed)
 4. Representations (electronically distributed)
-

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-construction of the Rear of the Existing Dwelling**FILE NO:** DA0616/2017**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	I 4 Design
Property:	10 Middle Street, Launceston
Zoning:	Inner Residential
Receipt Date:	20/11/2017
Validity Date:	21/11/2017
Further Information Request:	24/11/2017
Further Information Received:	27/11/2017
Deemed Approval:	22/01/2018
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

DA0488/2001 - Construct extension to dwelling and side fence/gate (Heritage Listed Building, vary side setback)

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 DA0616/2017 for Residential - single dwelling; demolition and re-construction of the rear of the existing dwelling at 10 Middle Street, Launceston subject to the following conditions:

1. AMENDED PLANS REQUIRED

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

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

- a. An alteration to the materials and/or treatment of the cladding to provide articulation and decrease the visual impact of the western facade of the extension.
- b. Detail of the junctions between the extensions and the existing building, ensuring the minimisation of impacts on the existing and historically significant building fabric.

2. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

3. ENDORSED PLANS & DOCUMENTS

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

- a. Location Plan, Prepared by i 4 Design, Drawing No. 1/6, Scale: Not to scale; Dated 17/11/2017.
- b. Existing and demolition, Prepared by i 4 Design, Drawing No. 2/6, Scale 1:100; Dated 17/11/2017.
- c. Proposed ground floor, Prepared by i 4 Design, Drawing No. 3/6, Scale 1:100; Dated 17/11/2017.
- d. Proposed upper floor, Prepared by i 4 Design, Drawing No. 4/6, Scale 1:100; Dated 17/11/2017.
- e. Elevations, Prepared by i 4 Design, Drawing No. 5/6, Scale 1:100; Dated 17/11/2017. AMENDED PLANS REQUIRED.
- f. Perspective views, Prepared by i 4 Design, Drawing No. 6/6, Scale 1:100; Dated 17/11/2017.

4. LEGAL TITLE

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

5. 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

6. AMENITY

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

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

7. DEMOLITION

The Developer must:

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

Notes

A. Building Permit Required

Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

B. Occupancy Permit Required

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

C. Plumbing Permit Required

Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2016. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.

D. General

This permit was issued based on the proposal documents submitted for DA0616/2017. 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.*
-

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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 effected, restricted or prohibited by any such covenant.

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

F. Appeal Provisions

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

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

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

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**

The intent is to modify and extend the existing dwelling, which is of historic significance and listed by the planning scheme, to provide a more liveable home. This is to be achieved by demolishing the rear portion of the dwelling, which consists of previous additions to the original section of the cottage, and includes a sunroom, kitchen, deck, and roofed patio (approved by DA0488/2001). An existing shed to the rear of the patio is also to be demolished.

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The remaining section is to be refurbished. Currently it accommodates three bedrooms, a sitting room, bathroom and dining room. Following a minor extension to the bathroom, this area will be used for bedrooms 2 and 3, a study, a TV room, and the dining room will convert to a sitting room. External changes are limited to installation of timber framed French doors to the northern elevation of the new TV room and the same to the northern elevation of the new sitting room. Both sets of doors will access a new deck that will connect the existing cottage and the proposed extension.

Linking the existing and historic cottage will be a new low level deck, the deck averaging approximately 300mm above ground, and a single storey extension from the extended bathroom to provide a small laundry and storage cupboard.

The extension will consist of a two storey section, 9.5m deep x 5.3m wide. At ground level the space is to be used as an open plan kitchen/dining/lounge room. On the upper floor, to a depth of only 6m, will be a mezzanine main bedroom suite.

A deck will be constructed along almost the entire eastern side of the extended dwelling and facilitates linking of the development.

The extension is to have a low pitched roof and be clad in a mix of flat and weatherboard form of 'Cemintel'.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the western perimeter of the central city business area. Middle Street is accessed off the western side of Margaret Street, between Brisbane and York Streets. Development and use of this street block of Margaret Street is predominantly of car sales yards with dwellings either side of the intersection with Middle Street. Being so close to the CBD the area is also one of the oldest parts of the city. The dwellings in this area are mainly heritage listed.

The site is rectangular in shape with an area of 513m². It contains the subject dwelling, which is positioned to the front of the site, and has the traditional four roomed workers cottage form that has been subject to a previous lean-to kitchen and dining area and roofed deck. The development is characteristic of other properties in Middle Street, and the adjoining streets.

It has an existing access directly off the street with a driveway along the eastern side of the site. A large tree, just beyond the middle of the site, and at the end of the drive, is to be retained.

The site is relatively flat and is fully connected to reticulated services.

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3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposed development is consistent with the zone as it upgrades an existing historically significant dwelling to facilitate its future and conditioned use in an efficient manner within the fully serviced area.

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

Objective:

To ensure that the setback from frontages:

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

Consistent

The frontage setback of the existing dwelling is not altering as a result of this proposal.

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.

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Complies
 The front of the dwelling is not parallel to the frontage boundary with the setback varying from 900mm to 1500mm. This is existing, consistent with other dwellings in the street and is not altering as a result of this proposal.

11.4.2 Site coverage and rear setback for single dwellings

Objective:
 To ensure that the location and extent of building site coverage:
 (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.

Consistent
 The proposed development will maintain a suitable site cover of the site meeting the setback requirements and providing north facing private open space.

A1 A site coverage of no more than 50% excluding building eaves and access strips where less than 7.5m wide.

Complies
 The site area is 513m² and the proposed roof coverage is 132.5m². Therefore, the development maintains an appropriate site cover of 25.78%.

A2 A rear setback of no less than 4m, unless the lot is an internal lot.

Complies
 The rear setback is proposed at a minimum of 5.7m from the rear boundary and therefore complies with the acceptable solution.

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
 The proposed redevelopment of the rear of the dwelling is considered to be of an appropriate scale to meet contemporary requirements while minimising impacts to adjoining properties.

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

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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.

Complies

The development proposes a minimum setback of 2.4m from the western boundary, 4m from the eastern side and 5.7m from the rear. Where the setback is 2.4m the dwelling extension is only single storey. At the commencement of the two storey section, the setback is 2.5m, increasing to 2.6m. As the maximum height of the second storey addition is 5.3m the building is able to be contained within the building envelope (b).

11.4.5 Privacy for single dwellings

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.

Consistent

There will be minimal impact on the amenity of neighbours as a result of this approval.

A2 Windows of habitable rooms which have a floor level greater than 1m above natural ground level must:

- (a) have a side setback of no less than 3m; or
- (b) be offset no less than 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or
- (c) have a window sill height of no less than 1.7m.

Complies

The western elevation is setback 2.5m, and contains an upper level window. As the dwelling next door is only single storey the window does not align with a window on the same plan and therefore is considered to comply. In addition, it is to be glazed with translucent laminated glass.

Upper level windows in the extension facing east is setback 5.5m and also complies with the acceptable solution.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of parking facilities are provided to service use and development;
- (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas;
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and

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<p>adequate;</p> <p>(d) ensure that parking does not adversely impact on the amenity of a locality;</p> <p>(e) ensure that parking spaces and accesses meet appropriate standards; and</p> <p>(f) provide for the implementation of parking precinct plans.</p>
<p>Consistent</p> <p>The property is located within close proximity to the city centre, public transport and walking and cycling trails.</p>

E6.5 Use Standards

E6.5.1 Car parking numbers

<p>Objective:</p> <p>To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent</p> <p>Appropriate parking can be provided on site.</p>
<p>A1 The number of car parking spaces must:</p> <p>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</p> <p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(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</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Complies</p> <p>Table E6 requires one car space per bedroom or two spaces for every three cars. Three bedrooms are proposed within the dwelling and two tandem parking spaces can be provided in the driveway.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

<p>Objective:</p> <p>To ensure that parking areas are constructed to an appropriate standard.</p>
<p>Consistent</p> <p>Parking areas will be properly constructed.</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) have a gradient of 10% or less;</p> <p>(b) be formed and paved;</p> <p>(c) be drained to the public stormwater system, or contain stormwater on the site;</p> <p>(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</p> <p>(e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.</p>

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Complies

The site is flat and the driveway is 4m to meet these requirements.

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

Parking will be safe, convenient and efficient parking.

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

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

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

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

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

Complies

Two spaces are required and are provided in tandem within the 4m wide drive.

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area

E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

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

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Consistent

The proposal is considered to upgrade the existing premises which improves the quality of accommodation and facilitates the use and maintenance of the heritage listed dwelling.

E13.6 Development Standards

E13.6.1 Demolition

Objective:

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

Consistent

Demolition of part of the rear of the dwelling is not considered to impact on the historic qualities of the site or surroundings. This section of the dwelling consists of previous extensions.

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:

- (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.

Complies

The section of dwelling being demolished is predominantly that which has been added to the building in recent times and does not contribute to the heritage significance of the place.

E13.6.2 Maintenance and repair

Objective:

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

Consistent

The proposed extension respects the historic qualities of the site and streetscape.

A1 New materials and finishes match or are similar to the materials and finishes that are being replaced.

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Complies

The extension is proposed to be clad in a light weight sheet, 'Cemintal', both with a smooth and weatherboard profile sheeting. The sheeting does not conflict with the existing weather boards.

E13.6.4 Site coverage

Objective:

To ensure that site coverage is compatible with the historic cultural heritage significance of local heritage places.

Consistent

Site coverage is maintained at a suitable level.

A1 No acceptable solution.

Relies on Performance Criteria

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.

Complies

The redevelopment of the rear of the dwelling will result in only a minor extension to the site cover and an increase in deck area. Properties in this vicinity are relatively small and the site cover of their development varies. It is considered that the development of the subject title will not be significantly out of character with the existing pattern evident of the area. This is especially as there no changes proposed to the original section of the building at the front of the site and the streetscape will not alter.

E13.6.5 Height and bulk of buildings

Objective:

To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The extension is not considered to be incompatible with the historic cultural significance of the area.

A1 No acceptable solution.

Relies on Performance Criteria

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

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

(e) the streetscape.
<p>Complies</p> <p>The extension has an overall height of 5.5m. While the building is square in form, the pitched roof of the existing dwelling is 4.8m, the additional relatively insignificant. Other historic homes in the vicinity, while predominantly single storey in Middle and Babington Streets, all have high pitched roofs. There is a modern two storey home constructed at the western end of Middle Street at number 14 and there are two storey buildings along the southern side of Brisbane Street, which the property backs onto. Only the rear extension is two storey and this is not considered to be detrimental to the area or the streetscape.</p> <p>The only concern is the lack of variation in the materials and articulation of the western wall of the extension which is proposed to be clad in flat cement sheet. This causes the wall to appear larger than it might be. From discussion with our heritage planner it is to be recommended that the wall be 'broken' by the use of a variety of the materials or textures to minimise its visual impact.</p>

E13.6.6 Site of buildings and structure

<p>Objective:</p> <p>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</p> <p>The siting of the building is compatible with other such development in the area.</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</p> <p>The rear portion of the site is being redeveloped. As such the front setback is not altering. The western side setback will be 2.5m, eastern side around 4m and the rear setback 5.7m and allowing the development to be compatible with the area. A number of dwellings in the vicinity are constructed up to one side boundary or are co-joined so a setback of 2.5m is generous. Although the rear portion of the dwelling will be two storey, as this, and adjoining lots, run north/south they each have ample opportunity for solar access to the rear of the dwellings and outdoor private open space.</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 roof form, given the position of the development is not considered to be incompatible with the historical cultural heritage significance of the area.
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 The extension will have a low pitched roof that will be shielded by parapet walls. It is at the rear of the site and will be barely visible from the street. As the extension is in effect detached from the original section of the dwelling it appropriately reads as a modern extension and therefore is considered able to support the more contemporary roof form. It also allows a two storey form that is not unnecessarily heightened by a pitched roof.

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 choice of materials is considered appropriate especially given that the extension is partly detached from the original cottage.
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.

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Complies
 The proposed use of 'Cemintel' sheeting is not a concern given the detached form of the extension. As noted previously, the only concern is the blandness of the western wall of the extension which is proposed to be clad in flat cement sheet and which causes the wall to appear larger than it might be. It is to be recommended that the wall be 'broken' by varying materials or textures to minimise any visual impact.

E13.6.11 Driveways and parking

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

Consistent
 The driveway is not to be altered.

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	N/A
Environmental Health	Conditional consent provided. Conditions recommended.
Heritage/Urban Design	The proposal is supported, the development considered an acceptable means of continuing the use and maintaining an historic property.
Building and Plumbing	Standard notes apply.
EXTERNAL	
TasWater	N/A
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 29 November to 13 December 2017. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

ISSUE	COMMENT
<p>The proposed demolition of the kitchen and sunroom is considered to contravene Section E13.6.1.</p>	<p>The kitchen and sunroom are later additions to the original building and are not considered to detract from the heritage qualities of the original front section of the dwelling.</p>
<p>The new development will be a two storey square structure with a flat roof and therefore will be totally out of character of other properties and the architectural style of the area. It will be higher than the original cottage and will be visible from the streetscape and neighbouring properties.</p>	<p>The extension will have a low pitched roof that will be shielded by parapet walls. It is at the rear of the site and will be barely visible from the street. The extension will be visible from the adjoining buildings but this does not necessarily mean that it is inappropriate. The setbacks and orientation will ensure there will be minimal overshadowing to adjoining properties nor overlooking. As the extension is in effect detached from the original section of the dwelling it appropriately reads as a modern extension and therefore is considered able to support the more contemporary roof form. It also allows a two storey form that is not unnecessarily heightened by a pitched roof.</p>
<p>A single storey extension with a gable or pitched roof and clad in weatherboards would be a better alternative.</p>	<p>Applications have to be assessed on their merits against the proposal an applicant chooses to submit.</p>
<p>The height, style and location of the new construction will prevent an enormous amount of sunlight and natural light reaching both of the adjoining properties at 8 and 12 Middle Street.</p>	<p>Under the zone provisions the development meets the necessary requirements that minimise the likelihood of overshadowing to adjoining properties.</p>
<p>From a heritage perspective the proposed construction can be expected to detract from the heritage values of Middle Street for all neighbours, passers-by in Middle Street and the significant number of travellers who view the area from an elevated position as they travel along the West Tamar Highway.</p>	<p>As stated above, the adjoining neighbours will see the development but it not necessarily inappropriate. It will be barely visible from within Middle Street and should not be obtrusive when driving along the West Tamar Highway. There are a number of two storey dwellings fronting the highway that are to the north of the proposal.</p>

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

ISSUE	COMMENT
<p>The construction will also significantly detract from the pleasant aspect in the backyard of 12 Middle Street as it will be boxed in vertically.</p>	<p>Number 14 Middle Street is a two storey dwelling and the approval of this application would result in there being a two storey dwelling to each side. The western facing wall is considered to be imposing and is to be recommended to include additional materials or features to break up the visual impact of the wall. Otherwise the application is considered to be compliant.</p>
<p>The retention of the tree along the eastern boundary, as a means of minimising impacts is questionable as it dangerously overhangs 8 Middle Street and the roots have lifted the footpath. It also overhangs a power pole. The tree at the front has also damaged a power pole and been reported to Aurora.</p>	<p>The 'trees' are not subject to consideration as part of assessment of this application.</p>

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.

8.5 10 Middle Street, Launceston - Residential - Single Dwelling; Demolition and Re-Construction of the Rear of the Existing Dwelling ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans (distributed electronically)
 3. Representations (distributed electronically)
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8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct**FILE NO:** SF6745**AUTHOR:** Ashley Brook (Consultant Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To decide whether the Planning Authority will determine to:

1. Initiate and certify Amendment 43 to modify the prohibition on the Community meeting and entertainment use class in the Riveredge Industrial precinct under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification that allows for a museum in the precinct; and
2. Make a submission to the Tasmanian Planning Commission that, in the opinion of the Planning Authority, the Commission has the power to dispense with the requirements relating to the public exhibition of Amendment 43 in accordance with section 37 (1) of the *Land Use Planning and Approvals Act 1993*.

RECOMMENDATION:

That Council:

1. Pursuant to the former sections 33 (3) and 34 (1) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 43 to the Launceston Interim Planning Scheme 2015 to modify Acceptable Solution A3 of Clause E16.6.1 'Unacceptable Uses' under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification that allows for a museum in the Riveredge Industrial precinct.
 2. Pursuant to the former section 35 (1) of the *Land Use Planning and Approvals Act 1993*, certifies the draft amendment as shown in Attachment 1.
 3. Directs the Director Development Services to arrange for a submission to be made to the Tasmanian Planning Commission to the effect that, in the opinion of the Planning Authority, the Commission has the power to dispense with the requirements relating to the public exhibition of Amendment 43 in accordance with section 37 (1) of the *Land Use Planning and Approvals Act 1993*.
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8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct ... (Cont'd)

Note

Aldermen are advised that under Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015* - Parts 2A and 3 of the *former provisions* remain in force until a Local Planning Schedule comes into effect for the municipal area and this application assessment and recommendation has therefore been made under those transitional provisions.

REPORT:

In accordance with Council Policy the assessment of this application has been outsourced to an independent consultant planner because the application has been lodged on behalf the City of Launceston.

1. Introduction

The application has been lodged under section 33 (1) of the *Land Use Planning and Approvals Act 1993* (the Act) and requests that the Planning Authority amends the Launceston Interim Planning Scheme 2015 (the 'Scheme'). The proposed amendment will modify the prohibition on the Community meeting and entertainment use class in the Riveredge Industrial precinct under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification that allows for a museum in the precinct.

The application indicates that the proposed amendment satisfies the relevant requirements in section 37 (1) of the Act, which affords the Tasmanian Planning Commission (the 'Commission') the power to dispense with the requirements of sections 38, 39, 40 and 41 of the Act relating to the public exhibition process for draft amendments.

This report provides an assessment of the requirements of the Act relevant to the proposed amendment and the proposal to make a request to the Commission that it dispenses with the requirements relating to the public exhibition of the draft amendment.

2. Background

The proposed amendment has been requested to enable a future planning permit application to be lodged to relocate the National Automobile Museum to a site at Invermay. The museum relocation is required to undertake the planned relocation of the University of Tasmania Campus from Newnham to land at Inveresk and Willis Street. The land at Willis Street includes the existing museum.

The new site for the National Automobile Museum will be on land within the Riveredge Industrial precinct of the Invermay/Inveresk Flood Inundation Area. A museum is categorised within the Community meeting and entertainment use class. The use class is prohibited in the precinct under the provisions of the Invermay/Inveresk Flood Inundation Area Code.

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This code includes planning provisions that were introduced following the 2008 Invermay/Inveresk Flood Deed of Agreement (the 'Deed') entered into by Council and the State Government as part of the flood levee reconstruction project. The Deed outlined the following requirements relating to the preparation of planning provisions:

- (i) *prohibit new residential developments.*
- (ii) *prohibit extensions and or modifications to residences that create new floor area under the 1:100 flood level.*
- (iii) *prohibit new schools and other education facilities, aged care homes and any essential services premises or other.*
- (iv) *prohibit new public buildings that would experience significant damage to electrical or other fittings in a 1:100 year flood.*
- (v) *prohibit developments that increase the number of people that are at risk of injury or death in the case of a 1:100 year flood.*
- (vi) *prohibit developments that increase the expected duration of a flood, unless that increase is part of an approved mitigation strategy.*
- (vii) *encourage the conversion of land use to activities that incur low levels of damage in case of flood.*

The planning provisions were subsequently developed by Council in conjunction with the State Government. They were introduced into the Launceston Planning Scheme 1996 and modified during their translation into Clause E16.0 Invermay/Inveresk Flood Inundation Area Code in the current Scheme.

The requirements in items (i) and (iii) of the Deed are given effect by the use standards in Clause E16.6.1 'Unacceptable uses'. The acceptable solutions in these standards identify a number of use classes which must not be established across the flood inundation area or identified precincts therein. There are no corresponding performance criteria and the standards therefore prohibit the use classes in the identified areas.

The Residential use class is prohibited except for dwellings within identified residential precincts or a use that is associated with and supporting the educational activities in the Inveresk Cultural precinct. The Educational and occasional care use is prohibited except in the Inveresk Cultural precinct. The Emergency Services and Hospital Services uses classes prohibited in all precincts.

The proposed amendment relates to Acceptable Solution A3 in Clause E16.6.1, which prohibits the Community meeting and entertainment use class in the Riveredge Industrial or Inveresk Residential precincts. The Scheme defines the use class as follows:

use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.

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The use class definition applies a museum, which is a use that is not identified in the requirements in items (i) and (iii) of the Deed. The application is accompanied by advice from the State Government which identifies that the Deed does not specifically prohibit museums like the National Automobile Museum. Accordingly, there is no need to amend the Deed to give effect to the planned relocation of the museum. The advice also recommends that the proposed amendment is restricted to allow for a museum only through qualification.

The National Automobile Museum is proposed to be relocated to land within the Riveredge Industrial precinct. The proposed amendment therefore seeks to remove the prohibition on a museum as it applies to this precinct. The precinct broadly includes the area west of Goderich Street in Invermay, excluding the North Bank site, residential area east of Montagu Street, residential area Mayne Street and Faulkner Park (Launceston Church Grammar School sport grounds).

Notwithstanding, there is strategic merit in undertaking a broader review of the prohibitions and other standards in the Invermay/Inveresk Flood Inundation Area Code for the following reasons:

- The prohibition on a museum, which is not required to implement the Deed, will be retained in the Inveresk Residential precinct.
- The Deed also does not refer to any of the other uses identified in the Community meeting and entertainment use class definition. However, the prohibition on the use class in the Riveredge Industrial or Inveresk Residential precincts will be retained.
- The flood levee reconstruction project has now been completed and provides an increased level protection for use and development up to a 1:200 year flood. A number of floodplain management plans have also been implemented in Launceston.
- The development associated with allowable uses that is currently being planned or undertaken and is capable of benefitting from the increased level of protection.

There will be opportunities to undertake such a review including the preparation of the Council's Local Provisions Schedule that will accompany the State Planning Provisions.

3. Proposed Amendment

The proposed amendment seeks to modify the prohibition on the Community meeting and entertainment use class in the Riveredge Industrial precinct under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification that allows for a museum in the precinct.

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3.1 Text Amendment

The proposed amendment will be achieved by modifying Acceptable Solution A3 of Clause E16.6.1 'Unacceptable uses' in the Invermay/Inveresk Flood Inundation Area Code to insert the new qualification. The amended standard will read as follows:

E16.6.1 Unacceptable Uses

Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.	
Acceptable Solutions	Performance Criteria
...	...
A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts, unless: (a) a museum in the Riveredge Industrial precinct.	P3 No performance criteria.

3.2 Scheme Operation

The proposed amendment will not alter the functionality of the Scheme. A museum that is proposed to be located within the Riveredge Industrial precinct will need to demonstrate compliance with all other applicable standards and requirements in the zone and code provisions.

This includes Clause E16.7.2 'Flood Impact' Acceptable Solution A3 and Performance Criteria P3 in the Invermay/Inveresk Flood Inundation Area Code. The acceptable solution requires all non-residential buildings to have a floor level of at least 3.4m AHD and restricts the gross floor area of non-residential development to a maximum 400m² or 10% more than that existing or approved on 1 January 2008.

A proposed development that does not satisfy the restrictions in the acceptable solution is required to demonstrate compliance with the corresponding Performance Criteria P3 in Clause E16.7.2 to be able to be approved by the Planning Authority. The performance criteria requires development to be sited and designed in accordance with a hydrological report and emergency management plan prepared by a suitably qualified engineer. These documents are required to detail the risks to life, likely impact on the use or development and how the identified risks will be managed to tolerable levels. They are required to consider a range of issues including the likely depth and velocity of flood waters, the ability of use or development to withstand flood inundation and debris damage and any flood proofing measures required, the likely effect of the proposed use or development on flood characteristics, the need to locate electrical equipment and other fittings above the 1:100

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flood level and the development and incorporation of evacuation plans into emergency management procedures for the precinct.

The ability to establish a museum within the Riveredge Industrial precinct is dependent upon the availability of appropriately zoned land. The underlying zones within the precinct include Commercial, Light Industrial, General Industrial, Rural Resource and Utilities. The Community meeting and entertainment use class is identified as discretionary in the underlying Commercial, Light Industrial and Rural Resource zones. It is prohibited in the General Industrial and Utilities zones.

The Commercial zone within the Riveredge Industrial precinct encompasses an area of 16.25ha across seven land parcels which is located between Lindsay Street and Gleadow Street to the west of Goderich Street. This area is partly developed with a range of bulky goods retail outlets including Bunnings, Officeworks, JB Hi-Fi and Petstock, and the new Boral site under construction in Gleadow Street. The Commercial zone also includes a 2,800m² parcel in Mayne Street that does not contain an existing building although provides vehicular access to an adjoining General Industrial zoned parcel in common ownership.

The Light Industrial zone within the precinct encompasses an area of 3.6ha across 39 parcels (excluding road parcels) located to the north-east of Gleadow Street and Montague Street. The majority of the parcels are developed with light industrial premises and a relatively small number of dwellings. The Light Industrial zone also includes an area of 3,500m² across two parcels and a portion of a third at the northern end of Montague Street. It includes a dwelling, sheds and an undeveloped area used in conjunction with an adjoining parcel in common ownership in an adjoining General Industrial zone.

The Rural Resource zone encompasses an area of 12ha across four parcels (excluding a road parcel) to the west of the Ti-Tree Bend sewerage treatment plant. The land within the zone is owned by Council and developed with stormwater/silt management ponds.

Given that the use class is identified as discretionary in these zones, the Planning Authority would be required to have regard to the relevant purpose statements in determining any future application for a museum within either zone.

The Commercial zone primarily provides for large floor area retailing and service industries, and other large format uses such as car yards, bulky goods sales, warehouse and showrooms. It allows for a range of discretionary use classes which are intended to be capable of supporting rather than threatening the established activity centre hierarchy.

The Light Industrial zone primarily provides for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses. It allows for a

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range of discretionary use classes which are intended to be capable of being complementary to, and compatible with, the primary range of uses.

The Rural Resource zone primarily provides for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing. It allows for a range of discretionary use classes which are intended to be capable of being compatible with resource development uses, adding value to primary industries or servicing rural communities.

There are other code provisions that are relevant to use and development in the Riveredge Industrial precinct however their applicability is not impacted by the proposed amendment.

The proposed amendment is compatible with the operation of the Scheme.

4. Requirements of the Act

The application is required to be determined in accordance with sections 33 (3), 34 (1) and 35 (1) of the Act.

33. Request for amendment of planning scheme

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

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

(a) initiate the amendment under section 34; and

(b) certify the draft amendment under section 35 –

within 42 days of receiving the request or such longer time as the Commission allows.

34. Amendment of planning scheme

(1) *A planning authority may –*

(a) in response to a request under section 33; or

(b) of its own motion –

initiate an amendment of a planning scheme administered by it.

35. Certification of draft amendments by planning authorities

(1) *After preparing a draft amendment of a planning scheme, the planning authority must determine whether the draft amendment meets the requirements specified in section 32 and –*

(a) if satisfied that it does, certify the draft amendment as so meeting those requirements; or

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- (b) if not so satisfied, proceed to modify the draft amendment until it does meet those requirements and then certify the modified draft amendment as so meeting those requirements.*
- (2) For the purposes of subsection (1), the planning authority must certify the draft amendment by instrument in writing affixed with the common seal of the planning authority.*
- (3)*
- (4) Within 7 days after certifying under subsection (1) that the draft amendment of a planning scheme meets the requirements specified in section 32, the planning authority must give a copy of the draft amendment and the instrument containing that certification to the Commission.*

The matters which the Planning Authority must consider when making a decision whether to initiate and certify the proposed amendment are listed in section 32 of the Act and are set out in the subsequent sections of this report.

Section 38 of the Act sets out that after making a decision on a proposed amendment it is required to be publicly exhibited for a period of 28 days, or a longer period agreed to by Planning Authority and the Commission.

The application indicates that the proposed amendment satisfies the relevant requirements in section 37 (1) of the Act, which affords the Commission the power to dispense with the requirements of section 38 and also sections 39, 40 and 41 of relating to the making of representations, consideration by the Commission and modification or rejection of the draft amendment before approval.

Section 37 (1) of the Act states the following:

37. Power of Commission to dispense with certain requirements

- (1) Where, on the submission to the Commission of a draft amendment of a planning scheme, the Commission is satisfied that –*
 - (a) the draft amendment is for the purpose of –*
 - (i) the correction of any error in the planning scheme; or*
 - (ii) the removal of any anomaly in the planning scheme; or*
 - (iii) clarifying or simplifying the planning scheme; or*
 - (iv) removing any inconsistency between the planning scheme and any Act;*
 - or*
 - (v) making procedural changes to the planning scheme; or*
 - (vi) amending the planning scheme to bring it into conformity with the model planning scheme framework; or*
 - (via) the removal or amendment of any local provision of the scheme that is, under section 30EA, inconsistent with another provision; or*
 - (vib) ensuring the effective operation of a planning purposes notice; or*

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- (vic) ensuring that the local provisions of the scheme are consistent with one another and any planning directive, to the extent that the directive applies in relation to the scheme; or*
- (vid) enabling an alteration of the zoning of land to which an interim planning scheme applies, or has applied, so that the zoning that applied to the land before the interim planning scheme applied (the former zoning) may become the zoning that most closely corresponds to the former zoning; or*
- (vie) implementing an agreed amendment; or*
- (vii) for any other prescribed reason; and*
- (b) the public interest will not be prejudiced – the Commission may, by notice in writing given to the planning authority, dispense with the requirements of sections 38, 39, 40 and 41 in relation to the draft amendment and give its approval to the draft amendment in accordance with section 42.*

Section 37 (2) of the Act identifies that the Commission may modify the amendment to correct any errors or remove any anomalies before approving the proposed amendment.

The relevant requirements of section 37 (1) are addressed in a subsequent section of this report.

5. Assessment**Part A: Determining the Application****5.1 Strategic Plan 2014-2024**

The Strategic Plan 2014-2024 seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the City of Launceston. The Strategic Plan essentially indicates the actions and strategies that the Council will implement to deliver on the Greater Launceston Plan goals. The relevant goals are addressed below.

Goal 1 – A creative and innovative city

The proposed amendment will allow for new museum facilities to establish within the Riveredge Industrial precinct where they are compatible with the underlying zone provisions. This will allow for a more varied and vibrant urban environment.

Goal 2 – A city where people choose to live

The proposed amendment will allow for new museum facilities to establish in close proximity of the riverfront in Invermay. This has the potential to enhance that area and allow for a more liveable and amenable built environment.

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Goal 5 – A city that values its environment

The proposed amendment will benefit from floodplain management plans that have been implemented in Invermay and contributed to an enhanced community understanding of hazards associated with the river. This will assist in managing risks associated with future museum use and development.

Goal 6 – A city building its future

The relocation of the National Automobile Museum is required to undertake the planned relocation of the University of Tasmania Campus from Newnham to land at Inveresk and Willis Street. The university relocation is one of two major commitments identified in the Launceston City Deal, the other being the City Heart project. It will involve contributions from the Commonwealth Government, Tasmanian Government and Council. The preparation of a feasibility assessment and concept plan for a university technical campus in Launceston on a prominent and highly visible regionally significant site was originally identified as a project in the Greater Launceston Plan (GLP).

The proposed amendment is sought primarily to allow for the planned museum relocation and therefore assists with strategic planning for the university relocation and in implementing and further progressing a GLP project.

Goal 7 – A city that stimulates economic activity and vibrancy

The proposed amendment will allow for new museum facilities to establish within the Riveredge Industrial precinct with the potential to appeal to tourists. This will allow for an enhanced tourism offering.

5.2 Northern Regional Land Use Strategy

Section 30O (1) of the Act requires the amendment to be, as far as practicable, consistent with the Strategy. The Northern Regional Land Use Strategy was declared by the Minister for Planning on 16 October 2013 pursuant to section 30C (3) of the Act. The regional land use strategy is a policy framework that guides land use, development and infrastructure decisions across the northern region by State and Local Government and other relevant infrastructure providers. The regional land use strategy provided significant guidance for the preparation of the Scheme.

Part D of the regional land use strategy details six desired regional outcomes that have been determined as priorities for the northern region which include:

- Regional strategic planning directions and principles necessary to achieve those outcomes;
 - Specific strategic policies to be applied to guide state and local government planning process and decision-making; and
 - Specific regional planning projects and programs to be implemented over the life of the plan.
-

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The relevant desired regional outcomes are addressed below.

Regional Activity Centres Network

The Riveredge Industrial precinct is located within the Launceston Central Activities District. The proposed amendment will allow for new museum facilities to establish in the precinct which can therefore benefit from its proximity to transport networks, public transport routes, other prominent cultural based facilities and public open space. This will allow for a more attractive, sustainable and vibrant activity centre.

Social Infrastructure and Community

The Riveredge Industrial precinct is centrally located in relation to housing, employment areas and social infrastructure and the proposed amendment will allow for a more liveable community.

Regional Environment

The proposed amendment will not modify the existing standards in the Invermay/Inveresk Flood Inundation Area Code which require development to be sited and designed to ensure the relevant flood risks will be managed to tolerable levels. This will continue to ensure that new use and development minimises the risk to people and property arising from flooding.

5.3 Section 32 of the Act

When making a decision whether to initiate and certify an amendment of a planning scheme, sections 33 (2B) and 35 (1) of the Act requires the Planning Authority to consider and determine whether it meets the following requirements listed in section 32:

32. Requirements for preparation of amendments

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

(a-d)

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

(ea) must not conflict with the requirements of section 300; and

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

These requirements are addressed below.

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5.3.1 Land Use Conflict

The proposed amendment does not seek to modify the underlying zone provisions, which seek to avoid the potential for land use conflict. A museum is a discretionary use within the underlying zones wherein it is allowable. A proposal to establish a museum will need to demonstrate it is a compatible use within the zone that applies to the relevant site. Each zone includes use standards that would apply.

The Commercial zone includes standards in Clause 23.3.2 'Emissions impacting sensitive uses' Acceptable Solution A1 which requires discretionary uses to be setback from sensitive uses a minimum of 100m. The Scheme defines a sensitive use as follows:

means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.

The corresponding Performance Criteria P1 in Clause 23.3.2 otherwise requires that discretionary uses must not adversely impact the amenity of nearby sensitive uses, having regard to issues including the characteristics of the emissions, nature of the proposed use, any proposed mitigation measures and proximity to sensitive uses. Compared to other uses that are allowable within the zone, a museum use is unlikely to generate emissions that would impact the amenity of any nearby sensitive uses.

The Light Industrial zone includes 'Emissions impacting sensitive uses' standards in Clause E24.3.2 Acceptable Solution A1 and Performance Criteria P2 which are identical to those in the Commercial zone.

The Rural Resource zone includes standards in Clause 26.3.1 'Location and intensity' Performance Criteria P1 which applies to all discretionary uses and requires that they are established at a location and at an intensity that is appropriate in the zone.

5.3.2 Section 30O

The relevant sub-sections (1) and (2) in section 30O of the Act allow for an amendment to the Scheme to occur for the purposes of inserting or removing a local provision provided that the amendment:

- is, as far as practicable, consistent with the regional land use strategy
- is not directly or indirectly inconsistent with a common provision in the Scheme
- does not revoke or amend an overriding local provision
- does not result in a conflicting local provision

The proposed amendment is consistent with the regional land use strategy, as discussed in section 5.2.

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The proposed amendment seeks to remove the prohibition on the use of land for a museum in the Riveredge Industrial precinct in the Invermay/Inveresk Flood Inundation Area Code. All other relevant local and common provisions will remain applicable to any future proposed museum use or development. The status of the use within the underlying zones will prevail.

The proposed amendment therefore will not be inconsistent or in conflict with any other relevant local or common provision in the Scheme. It will not revoke or amend an overriding local provision.

5.3.3 Regional Impact

The proposed amendment will not adversely impact the use and development of the region in environmental, economic and social terms on the following basis:

- The development standards in the Invermay/Inveresk Flood Inundation Area Code will ensure that development for a museum will minimise the risk to people and property arising from flooding
- The proposed amendment will allow for new museum facilities to establish within the Riveredge Industrial precinct of the Invermay/Inveresk Flood Inundation Area in accordance with the underlying zone provisions. This will allow for the mix of uses within the Launceston Central Activities District to be strengthened, and for a more attractive, sustainable and vibrant activity centres network
- The precinct is centrally located in relation to housing, employment areas and social infrastructure and the proposed amendment will therefore allow for a more liveable community within the region

5.5 Objectives of the Resource Management and Planning System

5.4.1 Schedule 1 – Part 1

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

The proposed amendment will not adversely impact natural, ecological or physical values. It will allow for a use within the Riveredge Industrial precinct of the Invermay/Inveresk Flood Inundation Area, in the Launceston Central Activities District.

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

The proposed amendment will remove a Scheme provision that is not required to implement the 2008 Invermay/Inveresk Flood Deed of Agreement. It will therefore provide for the fair, orderly and sustainable use and development of land. It will not impact air and water resources.

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

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A museum use is identified as discretionary in the underlying Commercial, Light Industrial and Rural Resource zones. Any application to establish a museum use would therefore be required to be placed on public exhibition in accordance with the requirements in the Act.

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

The proposed amendment will allow for economic investment by broadening the allowable uses within the Riveredge Industrial precinct, to allow for a museum, in a manner that is consistent with Objectives (a), (b) and (c).

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

This is facilitated through the amendment process and application of relevant legislation.

5.4.1 Schedule 1 – Part 2

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

The proposed amendment has been assessed as consistent with Council's Strategic Plan, the Regional Land Use Strategy, the Scheme and Objectives in Schedule 1 of the Act. Co-ordinated action by the State and local government is facilitated through the amendment process and application of relevant legislation.

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

The Act sets out an established process which enables planning scheme amendments to be lawfully considered. The proposed amendment will not substantially alter the functionality of the Scheme. Any future proposal to establish a museum use would be subject to an application for a discretionary permit. It would need to demonstrate compliance with all remaining applicable standards and requirements in the zone and code.

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

The proposed amendment is not expected to have any adverse social and economic impacts on the surrounding area. It is also not expected to have a significant adverse impact on the natural, biological and physical values of the area.

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

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All relevant regional and state policies have been considered in this report.

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

This objective is not relevant to the proposed amendment.

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

The existing use and development standards within the scheme are sufficiently robust to control any future planning applications made as a result of the proposed amendment.

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

The proposed amendment relates to the Invermay/Inveresk Flood Inundation Area Code. Any places of scientific, aesthetic, architectural or historical interest will be managed through the appropriate Codes of the Scheme and other relevant legislation as required.

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

The proposed amendment will not impact any public infrastructure or assets.

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

There is land within the Riveredge Industrial precinct which will be impacted by the proposed amendment which is zoned Rural Resource. However, the proposed amendment does not seek to modify the provisions of the Rural Resource zone including those requiring a consideration of land capability.

5.5 State Legislation & Policies

5.5.1 State Policy on the Protection of Agricultural Land 2009

Any future application seeking planning approval to establish a museum use within the Rural Resource zone in the Riveredge Industrial precinct will be required to demonstrate compliance with the zone provisions that are consistent with the State Policy.

5.5.2 State Policy on Water Quality Management 1997

Any future planning applications made as a result of the proposed amendment will be required to comply with the existing Scheme provisions that are consistent with the State Policy, including the Water Quality Code.

8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct ... (Cont'd)

5.5.3 State Coastal Policy 1996

The relevant provisions are contained in the Invermay/Inveresk Flood Inundation Area Code, which prevail over those in the Coastal Code. The proposed amendment involves a relatively minor amendment to the Code that will allow for one additional use within the Riveredge Industrial precinct whilst retaining the standards requiring development to minimise the risk to people and property arising from flooding.

5.5.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are automatically adopted as State Policies. They outline common environmental objectives for managing the environment.

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure
- National Environmental Protection (Ambient Air Quality) Measure
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure
- National Environmental Protection (National Pollutant Inventory) Measure
- National Environmental Protection (Assessment of Site Contamination) Measure
- National Environmental Protection (Diesel Vehicle Emissions) Measure
- National Environmental Protection (Air Toxics) Measure

The NEPMs are either not applicable or will not be impacted upon by the proposed amendment. Any future planning applications made as a result of the proposed amendment will be required to comply with any applicable Scheme provisions dealing with the NEPMs, such as the Potentially Contamination Code.

5.5.5 Gas Pipelines Act 2000

Any future planning applications made as a result of the proposed amendment will be required to comply with any applicable requirements of the Act.

Part B: Requirements relating to Public Exhibition of the Amendment

5.6 Section 37 (1) of the Act

In order to satisfy section 37 (1) of the Act, a proposed amendment is required to be for one of the purposes listed under sub-section (a)(i)-(vi) and is required to comply with sub-section (b) requiring that the public interest is not to be prejudiced. These matters are addressed separately below.

5.6.1 Purpose of the Amendment

The relevant provisions in section 37 (1)(a) of the Act include:

**8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct
...(Cont'd)**

(a) *the draft amendment is for the purpose of –*

...

(ii) the removal of any anomaly in the planning scheme;

(iii) clarifying or simplifying the planning scheme;

Anomaly in the Scheme

The proposed amendment seeks to remove a provision in the Invermay/Inveresk Flood Inundation Area Code (the 'Code') that is not required to implement the 2008 Invermay/Inveresk Flood Deed of Agreement (the 'Deed') entered into by Council and the State Government. The Deed includes requirements which form the basis for the Code provisions.

The Deed identifies a number uses that are required to be prohibited in the Invermay/Inveresk Flood Inundation Area. This includes new residential developments, new schools and other education facilities, aged care homes and any essential services premises or other. The use standards in Clause E16.6.1 'Unacceptable uses' of the Code identify use classes associated with these uses which must not be established within the inundation area generally or in specific precincts therein. This includes the following uses classes:

- Residential (allowed only within the Invermay Residential precinct if a single dwelling or multiple dwelling, Inveresk Residential precinct if a single dwelling or Inveresk Cultural precinct if associated with and supporting educational facilities within the precinct)
- Educational and occasional care (allowed only within the Inveresk Cultural Precinct)
- Emergency Services
- Hospital Services
- Community meeting and entertainment (not allowed within the Riveredge Industrial or Inveresk Residential precincts)

The proposed amendment relates to the prohibition of the Community meeting and entertainment use class in the Riveredge Industrial precinct. The use class definition includes a reference to a museum. However, a museum is not required to be prohibited under the terms of the Deed.

The proposed amendment will therefore remove an anomaly in the planning provisions for the Invermay/Inveresk Flood Inundation Area. It is therefore for a purpose identified in sub-section 37 (1)(a)(ii) of the Act.

8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct ... (Cont'd)

Simplifying the Scheme

The Deed also required planning controls that are required to be capable of prohibiting developments that will:

- prohibit new public buildings that would experience significant damage to electrical or other fittings in a 1:100 year flood
- prohibit developments that increase the number of people that are at risk of injury or death in the case of a 1:100 year flood
- prohibit developments that increase the expected duration of a flood, unless that increase is part of an approved mitigation strategy
- prohibit extensions and or modifications to residences that create new floor area under the 1:100 flood level
- encourage the conversion of land use to activities that incur low levels of damage in case of flood

The above are issues that are addressed in the development standards in the Code. The applicable standards for non-residential development is contained in Clause E16.7.2 'Flood Impact' Acceptable Solution A3 and Performance Criteria P3. The acceptable solution restricts the gross floor area of development. The corresponding performance criteria otherwise requires development to be sited and designed to ensure the relevant flood risks will be managed to tolerable levels. The standards would apply to any proposed development involved in establishing a museum.

Further, any future proposal to establish a museum will need to comply with all other applicable standards and requirements in the zone and code provisions. A museum use is identified as discretionary within the underlying zones wherein it is allowable (i.e. Commercial, Light Industrial and Rural Resource zone). An application to establish a museum would be required to demonstrate that it is compatible with the applicable zone purpose and use standards.

The proposed amendment will therefore simplify the Scheme by removing a prohibition on a museum which is not required to implement the Deed, and instead rely on the other relevant zone and code provisions. The proposed amendment will remove an unnecessary complication in the Scheme and therefore is for a purpose identified in sub-section 37 (1)(a)(iii) of the Act.

5.6.2 Public Interest

The public interest will not be prejudiced because the prohibition is not required to implement the Deed, which seeks to manage the flood risk in the area. The proposed amendment will broaden the area within the Launceston Central Activities District where a museum is able to establish in accordance with the relevant zone and code provisions.

8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct ... (Cont'd)

The use is identified as discretionary in the underlying zones within the Riveredge Industrial precinct that identify it as being allowable. Any application to establish the use would therefore be required to be placed on public exhibition in accordance with the requirements in the Act. An application involving development would need also to demonstrate that the relevant flood risks are capable of being managed.

6. Conclusion

The application requests that the Planning Authority initiates and certifies an amendment to the Scheme to modify the prohibition on the Community meeting and entertainment use class in the Riveredge Industrial precinct in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification that allows for a museum in the precinct.

The amendment is supported for the following reasons:

- A museum is not required to be prohibited under the terms of the 2008 Invermay/Inveresk Flood Deed of Agreement.
- A museum is identified as discretionary in the Commercial, Light Industrial and Rural Resource and prohibited in the General Industrial and Utilities zones. Any application to establish the use within will need to comply with all applicable standards and requirements in the zone and code provisions.
- The proposed amendment will not alter the functionality of the Scheme or create the potential for land use conflict.
- The proposed amendment has been assessed as consistent with Council's Strategic Plan, the regional land use strategy, the Scheme and Objectives in Schedule 1 of the Act.

The application indicates that the proposed amendment satisfies the relevant requirements in section 37 (1) of the Act, which affords the Tasmanian Planning Commission (the 'Commission') the power to dispense with the requirements relating to the public exhibition process for draft amendments.

The making of a submission to the Commission on behalf of the Planning Authority on that basis is supported for the following reasons:

- The proposed amendment will remove an anomaly in the Scheme and therefore is for a purpose identified in sub-section 37 (1)(a)(ii) of the Act
 - The proposed amendment will simplify the Scheme and therefore is for a purpose identified in sub-section 37 (1)(a)(iii) of the Act
 - Given that the prohibition is not required to implement the Deed and any application to establish a museum would be required to be placed on public exhibition, the public interest will not be prejudiced
-

8.6 Amendment 43 - Text Amendment to the Invermay/Inveresk Flood Inundation Area Code to Allow for a Museum in the Riveredge Industrial Precinct ... (Cont'd)

ECONOMIC IMPACT:

No significant economic impacts have been identified.

ENVIRONMENTAL IMPACT:

No significant environmental impacts have been identified.

SOCIAL IMPACT:

No significant social impacts have been identified.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015
Land Use Planning and Approvals Act 1993
Council's Strategic Plan 2014-2024
Northern Regional Land Use Strategy


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. Instrument of Certification - Amendment 43
-

Attachment 1 – Instrument for Certification – Amendment 43

Launceston Interim Planning Scheme 2015

AMENDMENT 43

Amend Acceptable Solution A3 of Clause E16.6.1 'Unacceptable uses' under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification allowing for a museum within the Riveredge Industrial precinct, which involves modifying the words in the standard to read:

E16.6.1 Unacceptable Uses

Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.	
Acceptable Solutions	Performance Criteria
...	...
A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts, unless: (a) a museum in the Riveredge Industrial precinct.	P3 No performance criteria.

The City of Launceston resolved at its meeting on 22 January 2018 that Amendment 43 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act 1993.

The COMMON SEAL of the
City of Launceston is affixed below,
pursuant to the Council's resolution on
22 January 2018 in the presence of:-

John Davis
Manager
Corporate Strategy
City of Launceston

Leanne Hurst
Director
Development Services
City of Launceston

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

Monday 18 December 2017

- Attended the Glen Dhu Primary School Presentation Evening at the Door of Hope

Tuesday 19 December 2017

- Attended the Mowbray Heights Primary School End of Year Leaver's Assembly
- Attended the Ravenswood Heights Primary School Grade 6 Leaver's Assembly
- Attended the end of year function for Aldermen and Executive Management Committee at the Tramsheds Function Centre

Wednesday 20 December 2017

- Officiated at the launch of the 2017 City of Launceston Christmas Sports Carnival at Jackson Motor Company

Friday 22 December 2017

- Attended and gave "end of year message" at the staff End of Year Function at UTAS Stadium

Monday 25 December 2017

- Officiated at the Launceston Community Christmas at the Albert Hall

Wednesday 27 December 2017

- Started race at the Launceston to Hobart yacht race at Beauty Point

Thursday 28 December 2017

- Attended the Launceston City Cycling Carnival at the Silverdome

Saturday 30 December 2017

- Attended the Big Bash League cricket match between Sydney Thunder and Hobart Hurricanes at UTAS Stadium
-

9.1 Mayor's Announcements ...(Cont'd)

Sunday 31 December 2017

- Attended Royal Eve at the Royal Park

Friday 12 January 2018

- Attended Performance of Monumental, part of Mona Foma 2018, for Friends of TasDance at the Princess Theatre

Saturday 13 January 2018

- Attended launch of Design Tasmania Mates at Design Tasmania
- Attended Esk Beerfest at the Royal Park

Sunday 14 January 2018

- Attended the MOFO Block Party at Inveresk

Sunday 21 January 2018

- Attended the VIP event for the Red Hot Summer Tour at the Country Club Casino
-

10 ALDERMEN'S REPORTS

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

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

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

11.2 Questions without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Launceston Access Advisory Committee Meeting Report - 7 December 2017****FILE NO:** SF0025**AUTHOR:** Sarah McCormack (Community Development Project Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Launceston Access Advisory Committee Meeting held on 7 December 2017.

RECOMMENDATION:

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 7 December 2017.

REPORT:

The Launceston Access Advisory Committee had its regular Meeting on 7 December 2017.

The Committee was updated on the following:

- Angela Saunders, NDIS Community Connector from Baptcare, presented information about the National Disability Insurance Scheme (NDIS) and the work done in the community;
 - The City Heart Project Wayfinding and the Launceston Mall development progress was reported on with a focus on specific access updates.
 - The Tasmanian Government released the Strong, Livable Communities: Tasmania's Active Ageing Plan 2017-2022 last year. The Local Government Association of Tasmania applied to the Liveable Community Grants program from the Department of Premier and Cabinet - Communities, Sport and Recreation to pilot a tool for assessing liveability, particularly as it relates to walkability. LGAT received part of the funding and will work with the City of Launceston and Brighton Council to apply the walkability for transport assessment tool developed by Community Indicators Victoria through partnership with the Healthy Liveable Cities Group at RMIT University. The project will begin late 2017 involving City of Launceston Development Services and Infrastructure Services Directorates.
-

**12.1 Launceston Access Advisory Committee Meeting Report - 7 December 2017
...(Cont'd)**

- The Rural Infrastructure Strategy - Scoping Study (underpinned by proposed Rural Road Strategy) reviews the need for more or less investment on rural roads. The Launceston Transport Strategy project looks at modes of transport including pedestrian and freight etc. and is in the early stage of development.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 3 - A city in touch with its region

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

Key Direction -

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

Priority Area 4 - A diverse and welcoming City of Launceston

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

Key Direction -

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

Greater Launceston Plan Direction

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

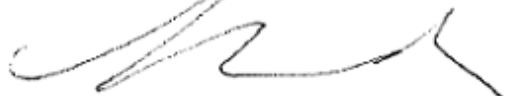
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

13 COUNCIL WORKSHOPS

Council Workshops conducted on 11 and 18 December 2017 were:

- Kings Meadows Traffic Matters
- Show Society Report 2017 Royal Launceston Show
- St Leonards Project
- Cityprom Discussions Regarding Strategy, Budget and Cityprom Agreement 2018-2020
- Public Speaking Permit Review
- General Manager Update
- CBD Bus Stop Investigations

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 QUEEN VICTORIA MUSEUM AND ART GALLERY DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

19 MAJOR PROJECTS DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 CORPORATE SERVICES DIRECTORATE ITEMS

20.1 Quarterly Progress Report - 2017-2018 Annual Corporate Plan Actions for Period Ending 31 December 2017

FILE NO: SF6323

AUTHOR: Leisa Hilkmann (Corporate Planning Administration Officer)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the report on progress against Council's 2017-2018 Annual Corporate Plan Actions for the period ending 31 December 2017.

RECOMMENDATION:

That Council notes progress against 2017-2018 Annual Corporate Plan Actions for the period ending 31 December 2017.

REPORT:

This report provides a quarterly update on the progress of Actions from Council's 2017-2018 Annual Plan for the period ending 31 December 2017.




Progress is summarised in the following table:

Action Status	No. of Actions	%
Completed	1	4
On target (on track) - at least 80% of target achieved (green)	16	61
In progress - 60% and 79% of target achieved (amber)	6	23
*Off target (off track) - less than 60% of target achieved (red)	2	8
*Not yet commenced (no colour)	1	4
Total number of Actions	26	100

* see information contained within report and Attachment 1.

20.1 Quarterly Progress Report - 2017-2018 Annual Corporate Plan Actions for Period Ending 31 December 2017 ...(Cont'd)

Progress against targets set for each Action is indicated with one of the following icons:

	At least 80% of action target achieved
	Between 60% and 79% of action target achieved
	Less than 60% of action target achieved
-	Action not due to start this month

As of 31 December 2017 the following Annual Plan Actions are **off-track** in Cammsstrategy:

Action: *Macquarie House*

Responsible Director: Bruce Maclsaac, Director Facilities Management

% Complete: 10

Action: *Community Engagement Framework*

Responsible Director: Michael Stretton, General Manager

% Complete: 10

As of 31 December 2017 the following Annual Plan Actions are **yet to commence** in Cammstrategy:

Action: *Waste Strategy Review*

Responsible Director: Shane Eberhardt, Director Infrastructure Services

Due to commence: 1 March 2018

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

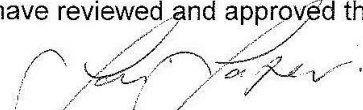
BUDGET & FINANCIAL ASPECTS:

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

ATTACHMENTS:

1. 2017-2018 Annual Corporate Plan Actions - Quarterly Progress Report for period ending 31 December 2017
-

2017-2018 Annual Plan Actions

Quarterly Progress Report

For period ending 31 December 2017

Annual Plan Actions



At least 80% of target achieved



Between 60% and 79% of target achieved




Less than 60% of target achieved

Priority Area 1 - A creative and innovative city

10-Year Goal: To foster creative and innovative people and industries


Key Direction: To support and promote alternative uses of underutilised buildings


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Macquarie House - To complete the redevelopment of Macquarie House to facilitate the Macquarie House Innovation Hub project, and accommodate Enterprise Tasmania as the principal tenant of the site.</p> <p>MEASURES OF SUCCESS - Successful completion of the construction stage of the project - Establish ongoing lease agreements</p>	In Progress	Facilities Management	10	
<p>PROGRESS COMMENTS Tender submissions for the construction stage of the project closed on 25th October 2017, with three conforming tenders received. The Tender Evaluation Committee is currently assessing the conforming tenders, and evaluating cost saving opportunities.</p> <p>Several sub-contractor pricing packages were significantly higher than the pre-tender estimate, and require further review.</p>				

City of Launceston

Progress to 31 December 2017

Key Direction: To contribute towards artistic, cultural and heritage outcomes

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET ACHIEVED
<p>Gallery of the First Tasmanians - Opening of the permanent exhibition gallery titled "Gallery of the First Tasmanians".</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Increased awareness of Tasmanian Aboriginal culture - Increase in visitor numbers to the art gallery - Adoption of gallery into regional schools including site visits 	Completed	Queen Victoria Museum & Art Gallery	100	
<p>PROGRESS COMMENTS</p> <p>The First Tasmanians-Our Story was opened by the Governor of Tasmania on 7 July 2017 as part of the NAIDOC Week celebrations. It is a permanent exhibition that celebrates Tasmanian Aboriginal people and their culture dating back 40,000 years. The exhibition includes an Education program, dedicated phone App and children's trail as well as the standard exhibition mediums with a strong reference to Aboriginal people telling their stories on video.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Cultural Review - Implement the recommendations of the Cultural Review with other cultural providers and assets to develop coherent integrated strategies to leverage these assets more effectively from an economic and social perspective.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Comprehensive and integrated cultural program - Enhanced cultural assets including iconic retained heritage architecture - QVMAG as the lead cultural organisation - Increase in economic return including tourism sector 	In Progress	General Manager	30	
<p>PROGRESS COMMENTS</p> <p>Executive Officer Arts and Culture seconded to March 2018. Liaison underway with University of Tasmania in order to coordinate the significant cultural assets of the University and the Council.</p> <p>Currently developing Project Plan to progress the recommendations of 'Towards a Cultural Strategy for Launceston' (February 2017), culminating in the completion of the City of Launceston Cultural Strategy.</p>				


City of Launceston


Progress to 31 December 2017

Priority Area 2 - A city where people choose to live

10-Year Goal: To promote Launceston as a unique place to live, work, study and play


Key Direction: To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Gorge Reimagining - Implement action plan to support the preferred future for the Cataract Gorge Reserve and Trevallyn Nature Recreation Area.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Path resealing & accessibility along the loop track - Stone edging & safety fencing along tracks - Weed control - Lighting along the Suspension Bridge and Gorge Restaurant entrances - Playground redevelopment to reduce flood impact - Access and Information at Kings Bridge and First Basin entrances 	In Progress	Infrastructure Services	55	
<p>PROGRESS COMMENTS Project on track with final design and planning application completed.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Regional Recreation Strategy - Develop a framework for delivery of a Regional Recreation Strategy in conjunction with sporting clubs, State Government and neighbouring Councils. The strategy development needs to be co-sponsored by the Launceston Regional Council.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Framework adopted by Council - Development of strategy commences in consultation with neighbouring Councils. 	In Progress	Infrastructure Services	50	
<p>PROGRESS COMMENTS Identification and mapping of recreational opportunities within the region has commenced. Stakeholder feedback has been gathered via survey. Commence framework development.</p>				

City of Launceston

Progress to 31 December 2017


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>North Bank Park Precinct - Implement the North Bank Park Precinct Project Plan.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Completion of the playground equipment in the southern area of the site - Completion of the landscaping on the western part of the North Bank Precinct 	In Progress	Major Projects	50	
<p>PROGRESS COMMENTS</p> <p>North Bank Civil Works have currently met the following milestones;</p> <ul style="list-style-type: none"> - Site Set Out - Site Stripping <p>The site has been stripped of organic material for the placement of fill, currently the Contractor is placing fill to shape the site to its final formation (contour) in preparation of the Landscaping and Play Equipment installation. Installation of underground services will commence in January 2018 with the Landscaping works scheduled for February 2018. Final DA has been submitted to seek permit for public use and demolition of Boral.</p> <p>The signature play elements are scheduled for installation 2nd May 2018 in preparation for June Project Completion.</p> <p>The Contractor will de-mobilise for Christmas Break and return 8 January 2018.</p>				


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>North Bank Bridge - Implement the North Bank Bridge Project Plan.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Completion of the pedestrian bridge connecting the North Bank Precinct and the Seaport, in accordance with the Project Management Plan 	In Progress	Major Projects	60	
<p>PROGRESS COMMENTS</p> <p>Piling works have commenced with the North Bank Abutment piles and Pier 1 piles being completed as of 20 December 2017. Pier 2 piles are scheduled for completion prior to Christmas period with the Contractor returning to site 8 January 2018. Noise and vibration monitoring have been continuously monitored during the piling with stakeholders being updated upon any works being undertaken that is deemed as disturbance with stakeholder general updates being provided weekly.</p>				

City of Launceston

Progress to 31 December 2017


Key Direction: To support the CBD and commercial areas as activity places during day and night


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET ACHIVED
<p>Launceston City Heart - Civic Square Redevelopment - Redevelopment of Civic Square as part of the Launceston City Heart Masterplan and Launceston City Deal.</p> <p>MEASURES OF SUCCESS - Successful completion of the redevelopment of Civic Square</p>	In Progress	Major Projects	50	
<p>PROGRESS COMMENTS Demolition and Civil Works have now progressed into Stage 2 of the site with the play space concrete formation (stage 1) being completed with final fit out being undertaken. The lighting poles and street furniture are scheduled for fit out in January 2018.</p> <p>Regular stakeholder engagement is being maintained with excellent support from a broad spectrum of stakeholders, MPD are contributing to the businesses by running radio advertisements to advise pedestrian access changes to business during construction works.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Launceston City Heart - Brisbane Street Mall Redevelopment - Redevelopment of the Brisbane Street Mall as part of the Launceston City Heart Masterplan and Launceston City Deal.</p> <p>MEASURES OF SUCCESS - Commencement and progress in accordance with project milestones</p>	In Progress	Major Projects	35	
<p>PROGRESS COMMENTS The detailed design process is now 100% complete and signed off by the relevant CoL departments. Tender documentation is also complete. Tenders were advertised on 16 December 2017. Tenders will be open for a 6 week period and will close at the start of February 2018.</p>				

City of Launceston

Progress to 31 December 2017


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Launceston City Heart - Wayfinding and Connectivity Implementation - Implementation of wayfinding treatments in the CBD (Launceston City Heart area).</p> <p>MEASURES OF SUCCESS - Implement signage treatments across the Launceston City Heart area</p>	In Progress	Major Projects	50	
<p>PROGRESS COMMENTS No further progress this month due to other urgent major project priorities i.e. Brisbane Street Mall Tender and Building Better Regions Fund Round 2 Application.</p> <p>Update - Four (4) DA's were lodged and stopped clock due to further information requests pertaining to heritage and land owner consent (Crown and Building owners).</p> <p>6ty consultancy is currently working through the further information requests. As previously outlined, to avoid any risks associated to potential scope changes, the MPU will hold off finalising documentation and going to tender until we have received planning consent.</p> <p>Once the DA's are determined, the Tender will include two separate components 'supply/fabrication' and 'installation'. It is anticipated that the tender process will commence in the early part of 2018.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>St John Street Bus Stops Redevelopment - Redevelopment of St John Street (Central North and Central South) including Bus Stops as part of Stage 1 of the Launceston City Heart Masterplan.</p> <p>MEASURES OF SUCCESS - Successful commencement and progress</p>	In Progress	Major Projects	40	
<p>PROGRESS COMMENTS A final investigation report was completed by GHD. The findings of the report were presented at a special SPPC workshop on 18 December 2017. The workshop discussed the 12 identified bus stop location study areas in the LCH area.</p> <p>In early in 2018, the MPU are to undertake further investigation work on 3 preferred options - Paterson Street Central, Paterson Street East and St John Street Central South.</p>				

City of Launceston

Progress to 31 December 2017

Key Direction: To contribute to enhanced public health and amenity to promote a safe and secure environment

<i>ACTION</i>	<i>STATUS</i>	<i>DIRECTORATE</i>	<i>% COMPLETE</i>	<i>TARGET OUTCOME</i>
<p>Municipal Emergency Management Plan - Plan reviewed and in place for a further two years.</p> <p>MEASURES OF SUCCESS - Municipal Emergency Management Plan Reviewed - Municipal Emergency Management Committee endorsement - Council approval</p>	<p>In Progress</p>	<p>Facilities Management</p>	<p>50</p>	
<p>PROGRESS COMMENTS Review commenced with update of key internal and external stakeholder contact information. Terms of Reference reviewed and updated. Plan reviewed, minor updates undertaken by Municipal Coordinator. Consultation to now occur with SES.</p>				


City of Launceston

Progress to 31 December 2017

Priority Area 3 - A city in touch with its region

10-Year Goal: To ensure Launceston is accessible and connected through efficient transport and digital networks

Key Direction: To improve and maintain accessibility within the City of Launceston area, including its rural areas

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Community Engagement Framework - Further development and implementation of organisation framework including: - Service level reviews - Digital process - Social media</p> <p>MEASURES OF SUCCESS - Commence first stages which includes ISD Infrastructure Service levels and strategic asset management</p>	<p>In Progress</p>	<p>General Manager</p>	<p>10</p>	
<p>PROGRESS COMMENTS</p>				


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Priority Area 4 - A diverse and welcoming city

10-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: *To support the delivery of programs and events for people to connect with each other through participation in community activities and civic life*

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Events Sponsorship Program - Support economic and social development in the Launceston region through the implementation of the Events Sponsorship Policy.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Events sponsorship programs are administered in accordance with policy and budget allocations - A diverse calendar of events is supported through direct sponsorship by the City of Launceston - Events sponsorship by the City is recognised and acquitted as per funding agreement conditions 	<p>In Progress</p>	<p>Development Services</p>	<p>50</p>	
<p>PROGRESS COMMENTS</p> <p>The Events Sponsorship Program has supported a wide range of events to date this financial year and allocation is on track with the annual budget. Each sponsored event has recognised the City of Launceston as per the sponsorship agreement and acquitted as per the funding agreement.</p>				


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Priority Area 5 - A city that values its environment

10-Year Goal: To reduce the impacts on our natural environment and build resilience to the changing intensity of natural hazards

Key Direction: To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Tamar River Health and Amenity - In partnership with key stakeholders, prioritise and implement recommendations of the Water Quality Improvement Plan.</p> <p>MEASURES OF SUCCESS - TasWater, State Government, NRM North, Launceston Flood Authority and Council collaborating on prioritisation and implementation</p> <p>PROGRESS COMMENTS There are two work groups reporting to the Tamar Estuary Management Taskforce, landuse practices and Combined Sewage Overflow improvements. CoL are represented on the landuse practices work group which is being development through the current NRM North arrangements. CoL are leading the Combined Sewage Overflow working group in conjunction with TasWater. The work on the combined sewage overflows has been complete and is currently going through technical review processes.</p>	In Progress	Infrastructure Services	90	


Key Direction: To manage the risks of climate-related events particularly in the area of stormwater management

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Stormwater Management Plan - Analyse results of hydraulic modelling developed over the past 3 years to prepare stormwater management plans for key catchments.</p> <p>MEASURES OF SUCCESS - Completion of hydraulic modelling for all catchments - Commence community engagement on Stormwater Management Plans</p> <p>PROGRESS COMMENTS Hydraulic models and supporting documentation for 4 catchments complete. Models built for remaining catchments but analysis and reporting yet to be done. Some progress has been made by the consultant with most initial modelling now nearing completion, however reallocation of resources onto the combined system modelling and planning will likely result in a 4 - 5 month delay on original forecasted completion date. 27-9-17</p>	In Progress	Infrastructure Services	25	

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Key Direction: To reduce our and the community's impact on the natural environment

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>LED Street Light Project - Continuation of the 2016-17 project to replace existing local street lighting with more efficient and clearer light LEDs.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Replacement of existing local street lights with LEDs - Improved lighting levels in local streets - Reduced on-going street lighting costs 	In Progress	Infrastructure Services	95	
<p>PROGRESS COMMENTS Installation complete for City of Launceston.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Waste Strategy Review - Undertake review of CoL Waste Strategy following completion of actions in 2011 Interim Waste Strategy.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - New Waste Strategy adopted by Council 	Yet to Commence	Infrastructure Services	-	-
<p>PROGRESS COMMENTS This action is not due to start until March 2018.</p> <p>Waste team to review and report on the actions of the 2011 waste strategy.</p>				


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Priority Area 6 - A city building its future

10-Year Goal: To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Direction: To advocate and collaborate to address regionally significant infrastructure and transport solutions


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Traffic Master Plan (City Precinct) - Develop an Inveresk / Invermay Traffic Master Plan that considers the interface of the precinct with the CBD and as part of the Launceston City Deal.</p> <p>MEASURES OF SUCCESS - Master Plan adopted by Council</p>	In Progress	Infrastructure Services	40	
<p>PROGRESS COMMENTS Engagement of a contractor to support the work of Council officers has been undertaken. A framework for the planning is in development. Department of State Growth have engaged a consultant to update the traffic model so mitigating options can be modelled to determine effect.</p>				

Key Direction: To ensure the planning system at a local and regional level is effective and efficient

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Northern Suburbs Revitalisation Plan - Facilitate the implementation of the Northern Suburbs Revitalisation Plan in conjunction with relevant stakeholders and as part of the Launceston City Deal.</p> <p>MEASURES OF SUCCESS - Assets Based Community Development Engagement model rolled out to at least one other site within the Northern Suburbs (August 2017) - Key community projects identified for early implementation in the Northern Suburbs Revitalisation Plan are progressed</p>	In Progress	Development Services	30	
<p>PROGRESS COMMENTS The ABCDE learning site for Rocherlea has been completed with the final report and community celebration taking place mid-September 2017. The new ABCDE learning site in Ravenswood has commenced and a "community connector" from Community Housing Limited engaged to assist with facilitation with this learning site. Recruitment for the Northern Suburbs Project Officer is underway, with an appointment expected in January 2018. A project plan for development of the Northern Suburbs Revitalisation Plan will then follow.</p>				

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ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Launceston Planning Scheme - Prepare the local provisions of the Launceston Planning Scheme for translation to the new statewide planning scheme framework.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - Local provisions prepared - Community consultation undertaken - Local provisions endorsed by Council for submission to the Tasmanian Planning Commission 	In Progress	Development Services	42	
<p>PROGRESS COMMENTS</p> <p>The work program has been outlined and conformed following consultation with the Council. It is anticipated that the Local Provisions Schedule including zoning and overlay maps will be ready for informal advertising with the community by mid-2018. Submission to Tasmanian Planning Commission anticipated by Christmas 2018. The following projects are underway -</p> <ol style="list-style-type: none"> 1. Industrial Zones Review Project - Engaged SGS Economics & Planning to undertake project to analyse existing General Industrial Zones which adjoin residential zoned land and make recommendations. Project inception meeting held 9 August. Final Draft Report provided 22 September. Feedback provided to SGS. Project Deadline: 30 November 2017 2. Agriculture/Rural Zones Project - Engaged AK Consultants to undertake project. Project inception meeting held 15 September 2017. Decision Rules developed and investigations underway. Project Deadline: Christmas 2017 3. Residential Zones Analysis Project - Project divided into 3 parts: Part A - General/Inner Residential Zone Review (Project Deadline: Christmas 2017), Part B - Low Density Residential Zone Review (Project Deadline: 31 January 2018), Part C - CBD Urban Mixed Use Zone Review (Project Deadline: 31 January 2018) 4. Flood Hazard Code Mapping Review - Project officer briefed. Preliminary meeting scheduled with LFA & Infrastructure Department to review and compare the flood mapping obtained from June 2016 flood event to the current flood overlay map in the LIPS 2015. Project Deadline: 28 February 2018 5. Rural Living Zone Review - Final Draft Report and maps completed 6. Spot Local Business Zones Review - Project officer briefed and investigations underway. Project Deadline: 31 January 2018 7. Tamar River Open Space Zoning Review - Project officer briefed and investigations underway. Project Deadline: 31 January 2018 8. Attenuation Code Review - Project officer briefed. <p>Local Provisions Schedule Translation. Task underway to translate existing Codes, Specific Area Plans and Particular Purpose Zones into new LPS template (85% complete).</p>				


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

10-Year Goal: To develop a strategic and dedicated approach to securing economic investment in Launceston

Key Direction: To provide an environment that is conducive to business and development


ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Economic Development Strategy Prospectus - Development of a City of Launceston Investment Prospectus</p> <p>MEASURES OF SUCCESS - Prospectus produced and published</p>	In Progress	Development Services	40	
<p>PROGRESS COMMENTS The process to undertake this task has been developed. Initial discussion with the Chamber of Commerce have been undertaken. A review of other prospectuses prepared by regional economic development bodies and local government has been undertaken. A two page project proposal was approved on 28th September. The Chamber of Commerce has commenced initial discussion with members to implement a targeted "lifestylepreneur" migration project. We are awaiting progress from the Chamber before moving to the next stage. A meeting has been held with Office of Coordinator General.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>University of Tasmania (UTAS) Relocation - Engage with the UTAS on the project to relocate to Inveresk to ensure it integrates with the precinct and City in a planned manner.</p> <p>MEASURES OF SUCCESS - Commitments made by UTAS regarding project delivery - Appropriate arrangements for infrastructure augmentation including traffic flows - High level of urban planning to ensure an effective and well designed interface with the CBD - Good pedestrian way finding between the precinct and the CBD</p>	In Progress	General Manager	30	
<p>PROGRESS COMMENTS Currently liaising closely with UTAS and other stakeholders to develop and implement a detailed project plan to methodically work through the actions around land transfer; land use planning; transport; parking; asset construction etc</p>				

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Key Direction: To facilitate direct investment in the local economy to support its growth

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>City Deal Agreement - To work with the Commonwealth and State Government under the City Deal program to deliver a range of economic and social benefits to the City.</p> <p>MEASURES OF SUCCESS</p> <ul style="list-style-type: none"> - City Deal Agreement executed by Prime Minister, Premier and Mayor - Implementation Plan adopted - Ongoing monitoring of measures in place 	<p>In Progress</p>	<p>General Manager</p>	<p>30</p>	
<p>PROGRESS COMMENTS</p> <p>The City Deal Agreement signed by the Prime Minister, Premier and Mayor in April 2017. A number of projects within the City Deal agreement are currently being actioned including:</p> <ul style="list-style-type: none"> - University of Tasmania Inner City Campus - Tamar Estuary Taskforce to determine priority projects aimed at improving the health of the Tamar Estuary - Employment of a Education and Jobs Pathway Project Director as part of the jobs and skills objective - Progress with the City Heart Project, particularly in Civic Square and also in St John Street. - Progress with the Cultural Strategy. - Northern Suburbs Revitalisation Strategy. 				


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Priority Area 8 - A secure, accountable and responsive Organisation

10-Year Goal: To continue to meet our statutory obligations and deliver quality services

Key Direction: to strategically manage our assets, facilities and services

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>Inveresk Masterplan - Engage with UTAS and precinct stakeholders to conclude the development of the Inveresk Masterplan.</p> <p>MEASURE OF SUCCESS - Inveresk Master Plan completed and signed off - Implementation of the plan commenced</p>	In Progress	Facilities Management	80	
<p>PROGRESS COMMENTS - IMP Review Stakeholder Document completed; - Outline Plan completed by PLA; - IMP broad costing plan completed: - Gate 1 CDG funding received and project has gone to tender; - First meeting with UTAS Architects completed - exchange of information and sub group identified; - Work ongoing.</p>				

ACTION	STATUS	DIRECTORATE	% COMPLETE	TARGET OUTCOME
<p>York Park Stadium - Finalise the arrangements for the reconstruction of the playing surface consistent with its asset management plan and secure turf supply.</p> <p>MEASURE OF SUCCESS - Arrangements in place for the renewal of the surface</p>	In Progress	Facilities Management	55	
<p>PROGRESS COMMENTS Turf Farm construction commenced. Design work progressing.</p>				

21 GENERAL MANAGER'S DIRECTORATE ITEMS**22 URGENT BUSINESS**

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

23 CLOSED COUNCIL

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

23.1 Confirmation of the Minutes**23.2 City Deal - Greater Launceston Transformation Project****RECOMMENDATION:**

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

23.1 Confirmation of the Minutes

Regulation 34(6)

23.2 City Deal - Greater Launceston Transformation Project

Regulation 15(2)(c)(d)

- (c) commercial information of a confidential nature that, if disclosed, is likely to:
 - (i) prejudice the commercial position of the person who supplied it; or
 - (ii) confer a commercial advantage on a competitor of the council; or
 - (iii) reveal a trade secret;

- (d) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

24 MEETING CLOSURE
