



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
MONDAY 30 JULY 2018
1.00pm**

City of Launceston

COUNCIL AGENDA

Monday 30 July 2018

Notice is hereby given that the Ordinary Meeting of the City of Launceston Council will be held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 30 July 2018

Time: 1.00pm

Section 65 Certificate of Qualified Advice

Background

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

Declaration

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



Michael Stretton
General Manager

20 July 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, 30 July 2018 commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Alderman A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES**2 DECLARATIONS OF INTEREST**

Local Government Act 1993 - section 48

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

3 CONFIRMATION OF MINUTES

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

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 18 July 2018 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

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

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

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

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

7.2 Public Questions without Notice

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

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

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

8 PLANNING AUTHORITY

8.1 123 Westbury Road, South Launceston, 28 Eurella Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works

FILE NO: DA0676/2017

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:	Chloe Lyne - Kreglinger (Australia) Pty Ltd
Property:	123 Westbury Road, South Launceston 28 Eurella Street, Kings Meadows 105 Normanstone Road, South Launceston and 103 Normanstone Road, South Launceston
Zoning:	Low Density Residential
Receipt Date:	18/12/2017
Validity Date:	13/04/2018
Further Information Request:	17/04/2018
Further Information Received:	17/05/2018
Deemed Approval:	30/07/2018
Representations:	Five

PREVIOUS COUNCIL CONSIDERATION:

DA0380/2008 - Removal of vegetation - 11 trees (Scenic Protection; Heritage Listed Place) at Mt Pleasant 9 Luxmore Place Prospect and 123 Westbury Road, South Launceston (Approved 25 August 2008).

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

Dispensation LAU D2/2013 - Launceston Interim Planning Scheme 2012 - Application to dispense with the provisions of the Low Density Residential zone, Scenic Management Area overlay and Priority Habitat overlay and to apply General Residential zone (Refused by TPC 4 April 2014).

DA0574/2014 - Residential - tree removal; removal of four pine trees and four eucalyptus trees (Withdrawn 22 January 2015).

DA0422/2015 Natural and Cultural Values Management - vegetation removal; removal of 95 trees at 123 Westbury Road, South Launceston.

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 DA0676/2017 Residential - Construction of 16 additional dwellings and associated works at 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Cover Page, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No, DA000, Drawing No DA000 Revision No. 6
 - b. Location Plan, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA00, Drawing No, DA001, Revision No. 6, Scale 1:2000, Date 1/5/18
 - c. Site Plan, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA00, Drawing No, DA002, Revision No. 6, Scale 1:1000, Date 1/5/18
 - d. Site Set-Out Plan, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA00, Drawing No, DA003, Revision No. 6, Scale 1:1000, Date 1/5/18
 - e. Site Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA01, Drawing No, DA011, Revision No. 6, Scale 1:500, Date 1/5/18
 - f. Entry Gates; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA02, Drawing No, DA021, Revision No. 6, Scale 1:100, Date 1/5/18
 - g. Entry Gates; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA02, Drawing No, DA022, Revision No. 6, Scale NTS, Date 1/5/18
 - h. Ground Floor, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA10, Drawing No, DA101, Revision No. 6, Scale 1:100, Date 1/5/18
 - i. First Floor, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA10, Drawing No, DA102, Revision No. 6, Scale 1:100, Date 1/5/18
 - j. Perspective, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA10, Drawing No, DA103, Revision No. 6, Scale NTS, Date 1/5/18
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8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

- k. North & East Elevations, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA10, Drawing No, DA104, Revision No. 6, Scale 1:100, Date 1/5/18
 - l. South & West Elevations, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA10, Drawing No, DA105, Revision No. 6, Scale 1:100, Date 1/5/18
 - m. Lot 1 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA11, Drawing No, DA110, Revision No. 6, Scale 1:200, Date 1/5/18
 - n. Lot 3 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA12, Drawing No, DA120, Revision No. 6, Scale 1:200, Date 1/5/18
 - o. Lot 4 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA13, Drawing No, DA130, Revision No. 6, Scale 1:200, Date 1/5/18
 - p. Lot 7 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA14, Drawing No, DA140, Revision No. 6, Scale 1:200, Date 1/5/18
 - q. Lot 10 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA15, Drawing No, DA150, Revision No. 6, Scale 1:200, Date 1/5/18
 - r. Lot 13 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA16, Drawing No, DA160, Revision No. 6, Scale 1:200, Date 1/5/18
 - s. Ground Floor, Typical Type 2 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA20, Drawing No, DA201, Revision No. 6, Scale 1:100, Date 1/5/18
 - t. First Floor, Typical Type 2 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA20, Drawing No, DA202, Revision No. 6, Scale 1:100, Date 1/5/18
 - u. Perspective, Typical Type 2 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA20, Drawing No, DA203, Revision No. 6, Scale NTS, Date 1/5/18.
 - v. North & East Elevations, Typical Type 2 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA20, Drawing No, DA204,
 - w. South & West Elevations, Typical Type 2 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA20, Drawing No, DA205, Revision No. 6, Scale 1:100, Date 1/5/18
 - x. Lot 5 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA21, Drawing No, DA210, Revision No. 6, Scale 1:200, Date 1/5/18
 - y. Lot 8 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA22, Drawing No, DA220, Revision No. 6, Scale 1:200, Date 1/5/18
 - z. Lot 15 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No 23, Drawing No, DA230, Revision No. 6, Scale 1:200, Date 1/5/18
 - aa. Lot 17 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA24, Drawing No, DA240, Revision No. 6, Scale 1:200, Date 1/5/18
 - bb. Ground Floor, Typical Type 3 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA30, Drawing No, DA101, Revision No. 6, Scale 1:100, Date 1/5/18
 - cc. First Floor, Typical Type 3 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA30, Drawing No, DA302, Revision No. 6, Scale 1:100, Date 1/5/18
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8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

- dd. Perspective, Typical Type 3 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA30, Drawing No, DA303, Revision No. 6, Scale NTS, Date 1/5/18
- ee. North & East Elevations, Typical Type 3 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA30, Drawing No, DA304, Revision No. 6, Scale 1:100, Date 1/5/18
- ff. South & West Elevations, Typical Type 1 House; Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA30, Drawing No, DA305, Revision No. 6, Scale 1:100, Date 1/5/18
- gg. Lot 2 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA31, Drawing No, DA310, Revision No. 6, Scale 1:200, Date 1/5/18
- hh. Lot 6 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA32, Drawing No, DA320, Revision No. 6, Scale 1:200, Date 1/5/18
- ii. Lot 9 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA33, Drawing No, DA330, Revision No. 6, Scale 1:200, Date 1/5/18
- jj. Lot 11 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA34, Drawing No, DA340, Revision No. 6, Scale 1:200, Date 1/5/18
- kk. Lot 14 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA35, Drawing No, DA350, Revision No. 6, Scale 1:200, Date 1/5/18
- ll. Lot 16 Elevations, Prepared by Cumulus Studio, Project no. T17322, Drawing Set No DA36, Drawing No, DA360, Revision No. 6, Scale 1:200
- mm. Landscape Concept Plan. Prepared by LANGE design, Date 16 February 2018.
PLAN TO BE AMENDED
- nn. Site Plan, Strata Master Plan, Prepared by PDA Surveyors, Drawing 17008 - 01F, Scale:1000@A3, Date 14 December 2017. PLAN TO BE AMENDED
- oo. Traffic Impact Assessment. Prepared by GHD, July 2018. Amended as per conditions

2. AMENDED PLANS REQUIRED

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

- a. The Traffic Impact Assessment must be amended to include 2016 data.
- b. The master bedroom window of lot 5 is to be relocated from the eastern elevation to the northern elevation to minimise overlooking onto adjoining properties.
- c. Proposed strata lots 12 and 18 must be combined.

The Traffic Impact Assessment listed as endorsed in Condition 1 reflects the change stipulated in (a) of this condition.

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

3. CUT AND FILL BATTERS

- a. All faces of cut and fill created by the excavation work must be covered with approximately 100mm of top soil and re-vegetated to promote rapid regeneration of the site to its natural state.
- b. All scarring or physical disturbance of the land surface during any excavation work must be restricted to only that which is shown on the approved plan as required for building or access purposes. All exposed faces around such scarred areas and spoil must be screened with trees and shrubs and planted with suitable ground covers to the satisfaction of the Manager City Development within three months of the date of undertaking the excavation work.
- c. No contaminated material, organic material (such as trees, roots or timber), building debris, metals or plastics must be used as fill.

4. NON REFLECTIVE EXTERIOR FINISH

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

5. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00035-LCC) (attached).

6. SITE LANDSCAPING PLAN

Prior to the commencement of any work, the landscape plan must be amended and resubmitted for approval by the Manager City Development. The plan must be prepared by a suitably qualified person, must be drawn to scale and must include the following details:

- a. Major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
 - b. Removal of the *Leyland Cypress* species and replacement with a native species that will grow to a mature height of 4m; and
 - c. Existing and proposed garden areas and plantings (including a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity); and
 - d. Any stabilisation works required as a result of tree or vegetation removal; and
 - e. All proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
 - f. Planting of six large tree species that reach 5-6m and a further six tree species that reach 3-4m when mature on each lot, and
 - g. Suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas.
-

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

Once approved by the Manager City Development the plan will be endorsed and will form part of the permit. The landscaping must be:

- h. Installed in accordance with the endorsed plan; and
- i. Completed prior to the use commencing or sealing of each relevant stage of the strata title; and
- j. Maintained as part of the residential development. Landscaping must not be removed, destroyed or lopped without the written consent of the Manager City Development.

7. 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*.

8. NATIVE VEGETATION REMOVAL

As part of the approval to remove native vegetation as shown on the endorsed plan, the following applies:

- a. Damage/disturbance to other vegetation within the area must be kept to a minimum.
- b. Stock piling soil around the base of trees must be avoided during works on site.
- c. Heads and branches from felled trees must be mulched and spread on site.
- d. Replanting must be undertaken to compensate for any tree loss to the satisfaction of Manager City Development.
- e. Upon completion of works, remaining native trees must be protected by uncompacted soil mounds from the base of the tree and extend to the drip line.
- f. No ripping may be undertaken within 20m of any remnant tree. Auger or hand digging for compensatory plantings is acceptable within this zone.
- g. The remnant native vegetation or area set aside for compensatory plantings must be fenced off from stock.
- h. Machinery and equipment must be stored well away from tree drip lines.
- i. Use of indigenous seed material is required for all compensatory plantings and the use of compensatory plantings must be completed prior to the use commencing.
- j. Irrigation drainage water must not enter the designated area set aside to protect remnant trees.
- k. All compensatory replanting must be completed prior to the commencement of the use or sealing of each relevant stage of the strata title.
- l. The developer must notify the Council in writing at least seven days prior to the removal of the native vegetation.

9. FENCING

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

8.1 123 Westbury Road, South Launceston, 28 Eurella Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

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

10. LEGAL TITLE

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

11. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

12. ON-SITE STORMWATER MANAGEMENT

The development must ensure that 20% AEP (Annual Exceedance Probability) peak flow is maintained at the pre-development level for post-development flows of up to a 10% AEP. This can be achieved either by implementation of a detention system and/or the application of Water Sensitive Urban Design (WSUD) treatments for the development. Design of the detention system or WSUD treatment must be undertaken by a civil engineer eligible for membership of IE Aust or equivalent.

Prior to the commencement of works, appropriate plans and calculations must be submitted to the Director Infrastructure Services for approval.

On completion, an *as constructed* plan must be submitted, complete with levels, and a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

Note: Water Sensitive Urban Design (WSUD) treatments measures are encouraged and can be applied to meet the above requirements.

13. REFUSE AND RECYCLING COLLECTION ARRANGEMENT

Prior to the commencement of works, the applicant and or developer must provide written evidence of an agreement between the owner and a relevant contractor for the collection of refuse and recycling from the site. The relevant contractor may be the Council appointed contractor for refuse and recycling collection or other contractor engaged in the collection of refuse and/or recycling.

Collection will not be permitted to occur directly from Westbury Road and bins must be located within the property boundary in the areas set aside for collection.

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

14. DAMAGE TO COUNCIL INFRASTRUCTURE

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

15. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

16. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

17. VEHICULAR CROSSINGS

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

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

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

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

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

18. SOIL AND WATER MANAGEMENT CONTROL PLAN

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Director Infrastructure Services. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

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.

8.1 123 Westbury Road, South Launceston, 28 Eureka Street, Kings Meadows, and 105 Normanstone Road, South Launceston - Residential - Construction of 16 Additional Dwellings and Associated Works ...(Cont'd)

20. NO BURNING OF WASTE

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

Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.
- B. Occupancy Permit Required
Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2016. Section 225. A copy of this planning permit should be given to your Building Surveyor.
- C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.
- 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 DA0676/2017. 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:*
- The 14 day appeal period expires; or*
 - Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
-

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- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

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

F. Restrictive Covenants

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

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

G. Appeal Provisions

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

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

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:

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<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
1	1	1/123 Westbury Road, South Launceston
2	2	2/123 Westbury Road, South Launceston
3	3	3/123 Westbury Road, South Launceston
4	4	4/123 Westbury Road, South Launceston
5	5	5/123 Westbury Road, South Launceston
6	6	6/123 Westbury Road, South Launceston
7	7	7/123 Westbury Road, South Launceston
8	8	8/123 Westbury Road, South Launceston
9	9	9/123 Westbury Road, South Launceston
10	10	10/123 Westbury Road, South Launceston
11	11	11/123 Westbury Road, South Launceston
12	12	12/123 Westbury Road, South Launceston
13	13	13/123 Westbury Road, South Launceston
14	14	14/123 Westbury Road, South Launceston
15	15	15/123 Westbury Road, South Launceston
16	16	16/123 Westbury Road, South Launceston
17	17	17/123 Westbury Road, South Launceston

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

REPORT:

1. THE PROPOSAL

The 3.8ha site is proposed be developed with 16 additional dwellings to the existing dwelling that is sited in the south western rear corner of the site. Each dwelling will be strata titled with access off a central spine driveway. The driveway extends through to the rear strata lot, lot 18, where future development has not yet been nominated. As it is not possible to create a vacant strata lot the applicant has agreed that lot 18 be combined with lot 12 for the purpose of this application. Lot 12 contains the existing dwelling.

The dwellings are based on three proto-type, partly two storey designs, with each dwelling able to be individualised by the future residents.

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Dwelling type 1:

- proposed for dwellings 1, 3, 4, 7,10 and 13;
- ground floor - a two car garage, adjacent store room, main bedroom suite, laundry, pantry, kitchen, dining and living area;
- upper floor - three equivalent bedrooms, a study and bathroom.

Dwelling type 2:

- proposed for dwellings 5, 8, 15 and 17;
- ground floor - a two car garage, a study, a bathroom, toilet, laundry, pantry, kitchen, dining and living area. A 4.11m wide deck is proposed off the dining area adjacent a 3m wide x 9m long swimming pool;
- upper floor - a main bedroom suite, three bedrooms, a bathroom and toilet.

Dwelling type 3:

- proposed for dwellings 2, 6, 9, 11,14 and 16;
- ground floor - a two car garage, a study, a bathroom, toilet, laundry, pantry, kitchen, dining and living area. A 4.11m wide deck is proposed off the dining area with a 3m wide x 9m long swimming pool off the end of the deck;
- upper floor - a main bedroom suite, three bedrooms, a bathroom and toilet.

A number of trees and lower vegetation have to be removed to allow for the development. A previous application for removal of 95 trees, DA0422/2015, required the lodgement of a landscaping plan which must be developed to meet the requirements of that permit. The approved landscaping plan of DA0422/2015 is the basis for the current landscaping plan.

Setback 6.8m from the existing Westbury Road frontage the site will be secured by a brick wall and steel gates. Landscaping will be installed in front of the wall and a parking space is proposed on the eastern side.

The application also proposes reinstatement of a grand access to the southern neighbouring site of Mount Pleasant Homestead, a grand property of heritage significance. This will provide the homestead with views down the Tamar.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the southern side of Westbury Road, in South Launceston, just to the west of the junction with Normanstone Road. It generally rises up from Westbury Road to the south western corner with a slope of 1:14 to a more level area approximately two thirds of the depth of the site. At this point the tree cover thins out. The hill face is moderately covered with primarily native species. Along the eastern side of the site the land falls away again to the south eastern corner.

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The site is fully serviced to reticulated systems.

The surrounding land is developed for residential purposes, primarily single dwellings, although the site opposite is developed with multiple dwellings. The immediately adjoining land is zoned both General and Low Density Residential therefore the density of development varies in the surrounding area. In addition, a motel is just to the north along Westbury Road is zoned Inner Residential. A nursing home is to the east with a frontage onto Normanstone Road. Beyond the residential properties to the west of the site is the Southern Outlet road corridor, Westbury Road travelling via an overpass over the main road. To the south is a rural charactered property that supports a large homestead and vineyard.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

12.0 Low Density Residential Zone

12.1.1 Zone Purpose Statements

- 12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.
- 12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.
- 12.1.1.3 To provide for development that is compatible with the natural character of the surrounding area.

Consistent

The proposal is considered to meet objectives 12.1.1.1 and 12.1.1.3 by providing a low density residential proposal on an environmentally constrained site.

12.4 Development Standards

12.4.1 Site Coverage

Objective:

To ensure that site coverage:

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

Consistent

The proposed development provides for infill residential development, residential development being the dominant form of development in the area. The dwellings are proposed with an abundance of open space and area for landscaping. Landscaped areas will provide pervious surfaces to minimise runoff from the site.

A1.1 Site coverage must be no greater than 50%; and

A1.2 Not less than 25% of the site must be free from impervious surfaces.

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Complies

The site cover of the proposed development would be approximately 11.66% and while each dwelling will have a separate drive off the private road off Westbury Road, more than 25% of the site will be pervious.

12.4.2 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 lots.

Consistent

The proposed dwellings will be compatible with, and have a minimal amenity impact on, the adjoining development.

A1 Building height, other than for outbuildings, must be no greater than 8m.

Relies on Performance Criteria

The proposed two storey dwellings will be compatible with the adjoining development but the following dwellings do exceed the maximum height (from natural ground to the height of the ridge) of 8m:

- Lot 13 (house type 1) - south western elevation - 8.405m
- Lot 5 (house type 2) - western elevation - 8.406m
- Lot 8 (house type 2) - eastern elevation - 8.577m
- Lot 15 (house type 2) - south western elevation - 9.336m
- Lot 17 (house type 2) - northern elevation - 9.035m
- Lot 2 (house type 3) - northern elevation - 8.937m
- Lot 6 (house type 3) - eastern elevation - 8.269m
- Lot 9 (house type 3) - eastern elevation - 8.700m
- Lot 11 (house type 3) - eastern elevation - 8.250m
- Lot 16 (house type 3) - northern elevation - 8.037m

The dwellings must be assessed against 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 apparent height when viewed from roads and public places; and
- (e) any overshadowing of adjoining lots or public places.

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Complies

The application is considered to be compatible with the surrounding area with regard to the following:

(a) the topography of the site;

The site rises to the south east from Westbury Road before rising further to the south west but falling away to the south eastern corner of the site. As such the heights of the dwellings vary so as to provide level access to the dwellings and to minimise site works.

(b) the height of buildings on the site, adjoining lots and adjacent lots;

The dwellings are all principally two storey although the garage sections of dwellings type 2 and 3 are single storey. Surrounding dwellings are at least partially two storeys reflecting the terrain with dwellings to the east in Westbury Road relatively larger than others in the vicinity. Where the heights of the proposed dwellings are greater than 8m it is generally only one end of the dwelling and not adjoining an adjacent dwelling or property.

(c) the bulk and form of existing and proposed buildings;

Dwellings to the east along Westbury Road tend to be more modern and bulkier than those to the west. To minimise the height the proposed type 1 and 2 dwellings incorporate the height within the roof pitch. Dwelling types 2 and 3 have single storey elements.

(d) the apparent height when viewed from roads and public places; and

As most of the development of the subject site will be setback from the street and, the site is positioned well above the height of the road pavement, any variances will be barely visible and not out character with the general area.

(e) any overshadowing of adjoining lots or public places.

The dwellings are well setback from adjoining properties. Where the heights do exceed 8m that part of the dwelling is well setback from other dwellings. The highest elevations of lot 9 and 11 are relatively close to lot 7 and 10 respectively but in both cases are located south west of the next door property so will not impact on the level of sunlight reaching those dwellings including in the middle of winter.

A2.1 Setback from a primary frontage must be no less than:

(a) 8m; or

(b) for infill lots, within the range of the setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.2 below; and Figure 12.4.2 - Primary Frontage Setback for Infill Lots.

A2.2 Setback from a frontage other than a primary frontage must be no less than 3m.

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<p>Complies Dwelling lots 1, 2 and 3 all have a degree of frontage to Westbury Road. The setback for dwelling lot 1 is the least at 17.4m and sits within the conceptual setback set by development on either side to comply with (a) and (b).</p>
<p>A3.1 Setback from a side boundary must be no less than 3m plus 0.5m for every metre of building height over 3m, or part thereof. A3.2 Setback from a rear boundary must be no less than 5m.</p>
<p>Complies Dwelling 7 is closest to the eastern side boundary. The maximum height of the dwelling is 7.157m requiring a setback of 5.5m. As the setback is 6.684m, it meets the acceptable solution. In respect of the western side boundary dwelling 13 has a maximum height of 8.406m and requires a setback of 6m. The proposed setback is 6.516m and therefore also complies.</p>

E4.0 Road and Railway Assets Code

<p>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.</p>
<p>Consistent The proposal was submitted with a Traffic Impact Assessment, which has been subsequently upgraded following concerns of the representations, with both maintaining that the driveway access to the multiple dwellings will be within accepted safety and efficiency levels.</p>

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
<p>Consistent The safety and efficiency to Westbury Road should not be significantly reduced by the access to the existing and extra sixteen dwellings.</p>
<p>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.</p>
<p>Complies Westbury Road is not a category 1 or 2 road.</p>
<p>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</p>

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<p>60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Complies Westbury Road has a speed limit of 60km/h.</p>
<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 access currently serves the existing dwelling that has an anticipated nine traffic movements per day. Given the size of the dwellings and low density nature of the proposal a similar number of movements is predicted for each dwelling. The submitted reports have anticipated a slightly heavier load of 10 vehicles and include the future use of the driveway for the Mount Pleasant homestead.</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 planning submission included a Traffic Impact Assessment (TIA). Well aware of characteristics of the site, the neighbours who lodged representations questioned the content of the TIA. Issues raised include the use of 2012 data, the location of data being recorded and the estimated wait times to allow vehicles to enter Westbury Road off the side streets. The TIA has been updated with 2016 data during the assessment process and has been endorsed as per the recommended conditions.</p> <p>The TIA discusses the status of Westbury Road and includes consideration of the adjoining intersection 50m to the west of Caroline Street. Westbury Road is a much utilised link between the city centre via Wellington Street, downhill to the north, and the Bass Highway west beyond the suburb of Prospect. The report notes recent upgrading of the nearby section of Westbury Road where a lane has been removed and there is now only one lane in each direction.</p>

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(a) the increase in traffic caused by the use;

The increase in traffic is nominally nine vehicle movements per dwelling to result in an additional 144 movements per day in addition to the existing dwelling to total 153. The TIA offers a more conservative estimate at 10.7 per dwelling to total 182 movements per day. An increase of 150 vehicles is anticipated along Westbury Road assuming 80% of traffic is to and from the north which is an increase of approximately 1.3% and is considered capable of being absorbed.

The additional number of vehicles is not considered likely to cause any safety concerns with this supported by the TIA and Council's Infrastructure Department. The TIA maintains that safety should not be compromised given that sight distances are appropriate (subject to trimming of vegetation in the road reserve), and the recent road upgrade in Westbury Road.

(b) the nature of the traffic generated by the use;

The traffic utilising the site will be residential and primarily residents living within the proposed gated development. Residents will become familiar with traffic flows and design their travel to align with their needs as necessary.

The TIA predicts that the generation and distribution will be similar to the table below (Table 3 from the TIA):

Peak Period	Total movements	Right in	Left out	Right out	Left in
AM	16	1	2	10	3
PM	17	2	1	4	10

(c) the nature and efficiency of the access or the junction;

The driveway is existing and is located on the outer southern side of a wide corner just west of the junction of Westbury Road with Normanstone Road. It is currently a single dwelling driveway which is to be upgraded to provide for 17 dwellings with the possible use in the future by the Mount Pleasant Homestead. The access will have a controlled nature being a security coded gateway that will be setback 11.109m from the frontage, 16m from the road. The crossover and the drive are proposed to be 7.2m wide with a 1.2m wide footpath to either side. Each footpath has a pedestrian secured gate. Off the eastern side of the drive, forward of the gates, a parking bay is proposed which will allow visitors to park clear of the vehicle path.

The TIA states that there is a low probability of queuing extending from the gate onto Westbury Road and that, while close to Caroline Street *is not likely to cause any significant safety or traffic efficiency issue due to the low turning volumes and low probability of any queuing on Westbury Road.*

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(d) the nature and category of the road;

Westbury Road is described in the TIA as a sub arterial road. It supports a full array of traffic types. While the Southern Outlet was purported at the time of construction to be the preferred route through to the Prospect from other areas of the city, Westbury Road has continued to be a major route.

(e) the speed limit and traffic flow of the road;

Westbury Road is a 60km/hour road and is subject to relatively high traffic levels. The updated TIA refers to Council traffic data collected in October 2016 in the vicinity of 123 Westbury Road of 18,000 movements per weekday with peaks of 1,570 per hour. At a growth rate of 0.7% per year this is considered to generate an estimated traffic volume of 18,540 per weekday in 2018 with peak flows of 1,600 per hour. From the consultants data of 2015 the anticipated volumes for 2018 are estimated at 1961 vehicles per hour (two-way) in the morning peak and 1,972 vehicles in the afternoon.

(f) any alternative access to a road;

There is not alternative access to a road available.

(g) the need for the use;

The site is zoned Low Density Residential where the zone purpose is for development for residential purposes.

(h) any traffic impact assessment; and

As previously stated a Traffic Impact Assessment was provided and has been subsequently updated to reflect more recent data. The report states that *the proposed access will operate satisfactorily now and into the future based on the anticipated traffic volumes as exiting delays will impact users of the site only. The median turn lane on Westbury Road will allow right turning vehicles to prop without impacting on through traffic travelling towards Launceston.*

(i) any written advice received from the road authority.

Council's Infrastructure Department have reviewed the various TIA's and considered the application on its merits and has not raised any concerns in relation to the access. The performance criteria are considered to be addressed.

E4.6 Development Standards

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

Objective:

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

Consistent

The existing access is considered to have sufficient sight distances for vehicles.

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<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Complies</p> <p>The sight distance requirement is 105m which can be provided. With removal of vegetation the TIA estimates a sight distance of 150m to the east and 200m to the west. If a permit is issued the TIA will form part of the endorsed documents and the requirement for the vegetation to be trimmed will be imposed.</p>

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent</p> <p>A suitable level of parking and provision of access, including alternatives, can be provided. The site is within walking distance of services in Prospect Vale, has access to cycle routes and is served by the state run Metro bus service. Parking and access are considered to meet the necessary standards.</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>An appropriate level of parking is provided for the intended use.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.

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Relies on Performance Criteria

Table E6.1 requires that parking be provided to meet:

One space per bedroom or two spaces per three bedrooms + one visitor space for every five dwellings.

Each dwelling has four bedrooms to require three car spaces each to total 51 spaces. As each has a two car garage with space forward of the garage for visitor parking the requirement for each dwelling is met.

For 17 dwellings four visitor spaces are required by Table E6.1. Given the design of the development it is likely that a visitor to an individual dwelling would drive, subject to access to the site, to each individual dwelling and that there is potential for 17 spaces. In this circumstance the parking is in excess of (c) and relies on the performance criteria.

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

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

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

- (a) the intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the locality; or

P1.3 The number of car parking spaces complies with any relevant parking precinct plan.

Complies

Assessment against only P1.2 is required. The area of the site and characteristics of the development are considered suitable for the provision of additional parking to address visitors to the site. The level of parking is considered appropriate and complies with P1.2.

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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 Bicycle parking can be provided for each dwelling.
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 Subject of Clause E6.3.2 Bicycle parking is not required for the use of multiple dwellings.

E6.5.4 Motorcycle parking

Objective: To ensure that motorcycle parking is provided to meet the needs of the use.
Consistent Motorcycle parking can be provided on site. Clause E6.2.3.4 (b) states that the requirement for motorcycle parking applies for Residential - multiple dwellings.
A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.
Complies The development requires a total of 54 car spaces. Three motorcycle spaces are required to meet the acceptable solution. As the proposal is for individual dwellings that each have their own on-site car parking with garage opportunities, motorcycle parking will be provided as needs require associated with each dwelling. The acceptable solution is considered to be met.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent Parking areas will be constructed to an appropriate standard in conjunction with development of the dwellings.
A1 All parking, access ways, manoeuvring and circulation spaces must: <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

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(e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

Relies on Performance Criteria

The parking for each dwelling is primarily provided by two car garages integral with the dwelling on a level concrete floor. The third space will be located forward of the garage within the sealed and drained driveway on the approach to the level garage. The car parking spaces, therefore, comply with acceptable solutions.

While the main access and individual driveways will be drained and sealed the drives will have grades of approximately 13% and must be considered against the performance criteria.

Given the nature of the development point (e) is also not met.

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:

- (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.

Complies

The parking and access for the development will be useable in all weather conditions, particularly in regard to:

(a) the nature of the use;

The gated residential development provides independent access for the 17 dwellings. Residents will become familiar with the character of the main drive and evolving habits of others in the community. Use of each drive will be private and unique with residents utilising the most appropriate way of accessing their sites and parking areas.

(b) the topography of the land;

The site rises up from Westbury Road perpendicular to the contours to a level area before falling away to the south east. Respecting the slope the main drive winds slightly across the slope. Driveways for individual dwellings generally run more along the contours where possible.

(c) the drainage system available;

The site is able to be drained. Impervious surfaces will be directed to the stormwater system via a mains connection through 26 Eureka Street.

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(d) the likelihood of transporting sediment or debris from the site onto a road or public place;

The driveways, both common and private, will be suitably sealed and drained to minimise surface flow. The front entrance is proposed to be fenced with a solid masonry type wall and gated, the fence also having to be drained. This is considered suitable to minimise erosion.

(e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.

The driveways, both common and private, will be suitably sealed and drained and so should not create dust.

(f) the nature of the proposed surfacing and line marking.

As the proposed use is a low density residential development, where car parking is dislocated, being principally located with the dwellings, line marking is not necessary.

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 areas are sited in a safe, convenient and efficient manner integral to each dwelling.

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

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

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

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

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

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Complies

Car parking is able to comply with the following:

(a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces;

Domestic vehicles will be able turn on their individual lots and other large vehicles that will serve the site, including garbage collection will be manoeuvrable via a turning head at the end of the main drive.

(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;

A minimum width of 5.5m is required with 7.2m provided.

(c) have parking space dimensions in accordance with the requirements in Table E6.3;

Parking spaces for 90 degree parking must be 2.6m wide x 5.4m long. Each garage has a width of 8m and length of 7.2m.

(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

Each driveway has a turning bay adjacent to their garage. A condition will be recommended to ensure these areas are provided to Standard.

(e) have a vertical clearance of not less than 2.1m above the parking surface level.

Garages and open space car spaces will have heights in excess of 2.1m.

A1.2 and A1.3 are not applicable in this proposal.

It is considered the performance criteria are met.

E6.6.3 Pedestrian access

Objective:

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

Consistent

Pedestrian access is provided.

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

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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 The proposal includes a 1.2m wide footpath down each side of the main driveway from the Westbury Road frontage. A1.2 and A1.3 do not apply.

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 acknowledges the scenic values of the site and while the application requires removal of vegetation, the placement of the dwellings and planting schedule will minimise impacts of the proposal on the setting.

E7.6 Development Standards

E7.6.2 Scenic management areas

Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.
Consistent The proposed dwellings and replanting of vegetation are considered to complement the character of the area.
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;

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- (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 proposed development must be considered against the following:
 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;

The site is covered within the Western Hillside Scenic Management Precinct. The objectives state:

- (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.*

The proposed dwellings are sited along the contours where possible and as a result of the terrain they are partially two storey. The density of development is low and allows for planting of larger species of vegetation which require a suitable area to enable roots to spread and trees to be maintained. The landscaping plan proposes planting and enhancement of vegetation on the higher points of the site.

- (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.*

To develop the site vegetation removal is required from particularly the front northern part of the site. 15 trees are to be removed. The species include 11 natives, with eucalyptus, having dropped limbs. The health of some of the vegetation has been compromised following the previous approval to remove pine trees from the site. The pines had provided a wind buffer to the site. The trees are to be replaced with intensive planting which will be additional to the necessary planting required of the previous approval. The replanting is required to commence within 9 months of the tree removal being completed. The existing requirement is for 90 trees to be planted within a 20m buffer around the perimeter of the site. Planting is about to commence.

- (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.*

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The replanting includes a range of native species and includes *Eucalyptus* species including White Gum and Black Peppermint.

(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.

The proposed development of the site complies with the associated Low Density Residential zoning with the density lower than the minimum 1500m² allowed by the zone. This allows for the maintenance of vegetation on the site.

(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.

Subdivision is not proposed.

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

The Western Hills Precinct extends from West Launceston, from the southern side of the South Esk River bank, to Kings Meadows just south of the Kings Meadows Connector. The subject land is in the central portion of that area and to a degree separates residential development from the more rural character to the south. Since the Precinct was established the area to the south which was rural in character, except for Connector Park has now been developed in the vicinity of Southgate Drive.

(b) the impact on skylines, ridgelines and prominent locations;

The site is located at the high point of the valley effectively resulting from the development of the Southern Outlet and the river below. It is visible from South Launceston with distant view lines from the Tamar River. The proposed development and landscaping is considered to have an acceptable level of impact on the subject skyline.

(c) the nature and extent of existing development on the site;

The site is zoned for Low Density development as has been proposed. 16 additional dwellings are proposed with densities lower than allowed by the zone provisions. While 50% of the site could be developed only 11.6% is proposed to be. While 15 trees are proposed to be removed additional planting is proposed on the ridge of the hillside to minimise visual impact of the site.

(d) the retention or establishment of vegetation to provide screening;

Trees are being retained where possible but 15 trees in the front portion have to be

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removed, to allow the development and minimise impacts on remaining vegetation following construction. Planting is soon to commence of the landscaping required to meet the requirements of the previous permit around the perimeter of the site. Some planting of the perimeter has occurred, this with *Leyland Cypress*, a species that is not recommended for such application and not liked by neighbours. During the preparation of this report the owner has agreed to their removal and planting of a different species and a condition will be included in the permit as part of the landscaping requirements.

(e) the need to clear existing vegetation;

Vegetation is required to allow the development of the front dwellings, the main access and driveways. A condition to minimise tree removal will be imposed. Extensive replanting is proposed.

(f) the requirements for any hazard management;

A number of eucalypts have lost substantial limbs, evident by their presence on the ground. A large tree not sought for removal on the ridge line is also dead and will have to be removed.

(g) the need for infrastructure services;

Connections to the sewer and stormwater require use of third party land. Use of 103 Normanstone Road was initially to be utilised for a sewerage connection but its use is no longer necessary. Connections through 28 Eureka Street are required for both sewer and stormwater and 105 Normanstone Road for sewer.

(h) the specific requirements of the development;

It is proposed to utilise the development opportunities of the vacant residential site which is able to be fully serviced and is in close proximity to the services the city provides.

(i) the location of development to facilitate the retention of trees; and

The design requires removal of some vegetation which equates to one tree per dwelling. The heaviest vegetation is on the face of the hill and clumped together. As the site is to be developed in a low density nature the existing poorer quality vegetation is able to be replaced with more suitable species which will have space to grow.

(j) design treatment of development, including:

(i) the bulk and form of buildings including materials and finishes;

The dwellings will be partly two storey in response to the terrain. Dwellings are also aligned along or relatively aligned with contours to minimise earthworks.

(ii) any earthworks for cut or fill;

There is no evidence of extensive earthworks being required. Installation of the driveways will require some reshaping. These areas are well clear of boundaries and structure elements will be determined by engineer certification

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as necessary.

(iii) *the physical (built or natural) characteristics of the site or area;*

The development steps up the hillside as the terrain provides, the design taking the terrain into account and working with the slope to provide dwellings with privacy and views down the river. It is considered suitable for the area.

(iv) *the nature and character of the existing development; and*

There is a mix of larger and modest homes in the area on a variety of lot sizes reflecting both the Low Density and General Residential zones which apply to the area. The development is to be strata titled into lots which are at least 1500m² in area with medium to larger sized homes. Therefore the proposal is considered to be in keeping with the existing development.

(v) *the retention of trees.*

Trees will be retained where possible but more vegetation is to be planted to compensate for the species that are being removed.

The proposal is considered to comply with the performance criteria.

E8.0 Biodiversity Code

E8.1 The purpose of this provision is to:

- (a) support the conservation of biodiversity in the planning scheme area and the northern region, including the extent, condition and connectivity of important habitats and priority vegetation communities, and the number and status of threatened species; and
- (b) consider and manage the impact of use or development on biodiversity through:
 - (i) minimisation of vegetation and habitat loss or degradation; and
 - (ii) appropriate location of development.

Consistent

The front northern portion of the site is covered by the Biodiversity Code. The application addresses the code and proposes that the flora species identified as being important are not compromised. It is submitted that the replanting of the site will enhance the nature of the site and provide a better means of managing the site's biodiversity.

E8.6 Development Standards

E8.6.1 Habitat and vegetation management

Objective:

To appropriately protect or manage vegetation identified as priority habitat and priority vegetation communities.

Consistent

The maintenance and future enhancement of vegetation on the site is considered a means of providing an appropriate habitat on the site.

A1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan.

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Relies on Performance Criteria

0.04 ha of the site is identified as being part of the threatened community of *Eucalyptus amygdalina*. While two existing species were previously identified as threatened, the Chocolate Lily is no longer and the second, Spreading Knawel, has been removed by a DPIPWE permit.

Of the 15 trees to be removed 11 are native and must be addressed by the code.

P1 Clearance or disturbance of native vegetation within priority habitat or areas identified as priority vegetation communities does not compromise the adequacy of representation of species or vegetation communities, having regard to:

- (a) the quality of the site to provide habitat of significance to the maintenance or protection of biodiversity in the planning scheme area;
- (b) the need for the clearance or disturbance of the vegetation;
- (c) the method of clearance or disturbance of the vegetation;
- (d) the extent and quality of the vegetation or habitats affected by the proposal;
- (e) the value of the vegetation as a wildlife corridor;
- (f) the value of riparian vegetation to the protection of habitats and wildlife corridors;
- (g) any rehabilitation and maintenance measures;
- (h) the impacts of development and vegetation clearance, in proximity to the priority habitat or priority vegetation communities;
- (i) any conservation outcomes achieved and the long term security of any offset for the loss of the vegetation, provided in accordance with the General Offset Principles document published by the Department of Primary Industries, Parks, Water and Environment, available at <http://dpiuwe.tas.gov.au/Documents/General-Offset-Principles.pdf>;
- (j) any agreement under section 71 of the Act relating to vegetation management;
- (k) any conservation covenant made under the *Nature Conservation Act 2002*, that exists on or adjacent to the site of the proposed development; and
- (l) any recommendations or advice contained in a flora and fauna report.

Complies

The proposed development is not considered to compromise the vegetation and biodiversity on the site.

- (a) *the quality of the site to provide habitat of significance to the maintenance or protection of biodiversity in the planning scheme area;*

There have been two flora and fauna studies conducted for the site, the most recent was submitted with the application. 0.4ha of *Eucalyptus amygdalina* inland forest community (DAZ) remains but is in poor quality with a number of limbs on the ground. This is a threatened community under the *Tasmanian Nature Conservation Act 2002*. Their health has also possibly been impacted by the loss of a number of trees over the time which has opened the site to wind exposure up the valley. Other communities identified on the site in the report have been removed via the previous approval but were not protected. As noted a permit from DPIPWE removed the Spreading Knawel.

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(b) *the need for the clearance or disturbance of the vegetation;*

Development of the site to its intended density requires removal of at least some vegetation at the front of the site. While some trees might be able to be retained nearby development would ultimately impact on the health of the remaining stand.

(c) *the method of clearance or disturbance of the vegetation;*

The trees are likely to be removed by qualified professionals.

(d) *the extent and quality of the vegetation or habitats affected by the proposal;*

11 native trees are to be removed. Their health is considered to be compromised evident of failed limbs. It is likely that development nearby will further compromise the health of any left standing.

(e) *the value of the vegetation as a wildlife corridor;*

Given the density of development in the vicinity and road layout there is limited opportunity for corridors in the vicinity.

(f) *the value of riparian vegetation to the protection of habitats and wildlife corridors*

There is no riparian vegetation on the site.

(g) *any rehabilitation and maintenance measures;*

Replanting of the site is considered to address rehabilitation and maintenance for vegetation on the site. A minimum of 90 species are required to address the previous approval with a number to be planted over the site proposed by this proposal. It is considered that the site could sustain further planting given the density of development proposed. It appears that each lot is to have five or six trees planted on site on each lot. It is considered that this should be enhanced and that a condition should stipulate planting of at six larger species that reach 5-6m and a further six species that reach 3-4m when mature.

(h) *the impacts of development and vegetation clearance, in proximity to the priority habitat or priority vegetation communities;*

To quote the planning report, "*the on-ground survey has confirmed that there is only 0.4ha of priority community (Eucalyptus amygdalina inland forest - DAZ) on site and that the quality of this community is low. It is submitted that the removal of the 11 trees and development of the site for multiple dwellings at a low density will have a negligible impact on the abundance of the priority community in the broader area. A review of the TASVEG mapping shows that the DAZ community is well represented in the broader area with Kate Reed Reserve having large tracts of it which will be protected by virtue of the underlying zoning and ownership vested in the Crown.*"

(j),(k) and (l) are not considered relevant to this application.

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	<p>Conditional consent provided. The infrastructure of the area is considered capable of sustaining the additional dwellings. Reticulated service connections are available and have been provided with reference to TasWater in respect of stormwater.</p> <p>The Traffic Impact Assessment has been reviewed in association with subsequent upgrades including the inclusion of the most recent data, particularly requested following concern of representors who live in the vicinity. While waiting times from the site might be delayed the relatively percentage increase in vehicle numbers are not considered a safety issue in Westbury Road.</p> <p>Conditions recommended.</p>
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Submission to Planning Authority Notice TWDA 2018/00035-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

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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 19 May to 4 June 2018. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

A meeting was held with three of the representors. Their concerns were reiterated and followed up with the applicant.

ISSUES	COMMENTS
Request that the dwelling proposed for Lot 7 be moved to enable a greater setback from premises at 20-22 Eurella Street. The beauty of this development is space and minimum neighbours.	The overall height of the dwelling is 8.5m, this being to the maximum height of the high pitched roof. The side setback requirement “ <i>must be no less than 3m plus 0.5m for every metre of building height over 3m, or part thereof.</i> ” Therefore, a side setback of 6m is required to meet the acceptable solution. As the north eastern corner of the dwelling is setback 7.5m the setback complies. The dwelling is angled to the side boundary so there should be no overlooking between dwellings.
Request a 1.8m high fence be installed along the boundary.	A standard condition, reflecting a policy of Council, requires a minimum height 1.8m fence be installed. If a neighbour does not wish to have a fence an agreement between property owners can be reached to otherwise allow a strata plan to be signed off.
Vegetation should be planted along boundaries as per Council recommendations of the previous approval - DA0422/2015. When is this to be undertaken?	The documentation for the current application includes the landscape plan endorsed in the previous application. The planting is to commence in the next couple of weeks. In addition, the completion of this development requires landscaping to be installed prior to the issuing of strata titles.
Additional traffic levels in Normanstone Road and Westbury Road are substantial. This pressures the intersection of Normanstone Road and Eurella Street. The proposal does not appear to have considered this.	A traffic management report was prepared for the lodgement of the application and included forecasts of traffic. The road system is considered to have the capacity to incorporate the proposed development. Concerns raised in the representations about the currency of this information as resulted in an update of the TIA to include 2016 statistics including recording of data closer to the site.

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ISSUES	COMMENTS
<p>Water runs off the site through properties in Eurella Street. Council is aware of issues as they have installed additional stormwater drains along the street but didn't stop the run off at its source at Mount Pleasant and the subject site. The additional development will increase the amount.</p>	<p>The development should manage a high proportion of water falling to the site. Water will be collected from the roofs and sealed areas and be directed to the reticulated stormwater system.</p>
<p>The cypress trees planted by the developer along the southern boundary to provide a screen are not appropriate. They grow too high for the residential setting, provide a screen that is too dense and they are an exotic species.</p>	<p>The developer has agreed to remove the cypress and a condition will be included if the application is approved.</p>
<p>The traffic statements are misleading or inaccurate:</p> <ul style="list-style-type: none"> • figures used six years without comment of the bike lane; • there is no detail of where the figures were collected nor what time of the year; • acronyms are used but are not defined; the addition of 16 dwellings will exceed the AADT figures recommended in table 4.3.1; • the delay times at 4.1.1 table 3 are unrealistic with wait times often requiring a turn west through to the Olde Tudor roundabout; • the road serves for schools; • the development will increase the risk of the accepted fact that the road has a high crash frequency. 	<p>As noted an upgraded TIA has been received. The report does include 'specific' language as do most professional reports. The road system is considered able to support traffic generated from the proposal without significantly impacting on traffic wait time or traffic issues.</p>
<p>What will the impact be of removing a further 30 trees?</p>	<p>A landscaping plan is provided that includes the plan endorsed as part of the previous approval along with planting of additional native species. It is considered that the conditions require specific planting requirements for each proposed dwelling. Such a condition will be imposed.</p>

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ISSUES	COMMENTS
Request that the master bedroom window of lot 5 be relocated to the northern elevation to prevent overlooking into the master bedroom and bathroom of the existing dwelling.	The applicant is willing to relocate the larger window and alter the eastern window to one with a higher sill.
Are dwellings able to have a height of 8.4m?	The acceptable solution limits the height of residential single and multiple dwellings to 8m but this can be exceeded if the development can meet the performance requirements. The heights have been assessed previously in this report. Given the terrain, character of the area - where there is a predominance of larger two storey dwellings, the limit of overlooking or overshadowing is minimal and the development is not considered to be out of character with the area.
Seek clarification of the dwelling on lot 17.	Lot 17 is to have a house type 2 which is partly two storey with the upper level having a pitched roof and the lower level a flat roof. The overall proposed height of the pitched roof is noted as 9.1m. The higher portion of the dwelling is sited away from adjoining properties so as not to impact on the extents overshadowing or overlooking.
Requirements for firefighting are not included.	This is not a planning requirement for development of multiple dwellings in a residential area.

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

ATTACHMENTS:

1. Locality Map (distributed electronically)
 2. Plans of Proposal (distributed electronically)
 3. Planning Reports (distributed electronically)
 4. Revised Traffic Impact Statement (distributed electronically)
 5. TasWater SPAN (distributed electronically)
 6. Representations (distributed electronically)
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8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding**FILE NO:** DA0276/2018**AUTHOR:** Luke Rogers (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Prime Design
Property:	15 Lamont Street, Invermay
Zoning:	General Residential
Receipt Date:	22/05/2018
Validity Date:	25/05/2018
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	30/07/2018
Representations:	Five

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted, for DA0276/2018 residential - construction of an ancillary dwelling and outbuilding at 15 Lamont Street, Invermay subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan, Prepared by Prime Design, Drawing No. PD18119 01, Revision No. 05, Dated 02/07/2018, Plan amended as per conditions
 - b. Floor Plan, Prepared by Prime Design, Drawing No. PD18119 03, Revision No. 05, Dated 02/07/2018, Plan amended as per conditions
 - c. South Eastern and South Western Elevation, Prepared by Prime Design, Drawing No. PD18119 04, Revision No. 05, Dated 02/07/2018, Plan amended as per conditions
 - d. North Eastern and North Western Elevation, Prepared by Prime Design, Drawing No. PD18119 04, Revision No. 05, Dated 02/07/2018, Plan amended as per conditions
 - e. Roof Plan, Prepared by Prime Design, Drawing No. PD18119 04, Revision No. 06, Dated 02/07/2018, Plan amended as per conditions
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2. AMENDED PLANS REQUIRED

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

- a. A reduction in the height of the roof to a maximum of 4.33m and associated change in slope and/or design of the roof.

The plans listed as endorsed in Condition 1 reflect the change stipulated in this condition.

3. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/00831-LCC) (attached).

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

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

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

7. 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.

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8. 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.

9. 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.

10. NO BURNING OF WASTE

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

Notes

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

D. General

This permit was issued based on the proposal documents submitted for DA0276/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

E. Restrictive Covenants

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

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

F. Appeal Provisions

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

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

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

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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 proposal is for the construction of a building containing an ancillary dwelling and a double garage at an existing residential single dwelling. The ancillary dwelling and garage will have an overall floor area of 95.27m², which will include 41.34m² of habitable ancillary dwelling, 41.34m² of non-habitable garage and 13.8m² of porch. The building will include a combined living room and kitchen, a bathroom and a single bedroom, as well as a porch and a garage with two car parks. The height of the proposed development is 5.53m at the highest point of the gable roof and has a wall height of 2.4m.

In order to bring the proposal further in alignment with the Scheme and in response to representations, amended plans have been supplied and will be referred to in the assessment and representation table.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located on the south eastern and higher side of Lamont Street, between Invermay Road and Oswald Street. It is a regular rectangle in shape with a site area of 613m². The surrounding area is comprised of predominantly single residential dwellings on the south eastern side of Lamont Street. A light industrial precinct is located to the north west of Lamont Street, a commercial and retail area is along Invermay Road to the west and Heritage Forest is at the end of Lamont Street to the north east.

Access to the site is directly off Lamont Street over an existing concrete crossover. The site is relatively level with a slope of approximately 3% rising to the south western and rear boundary. The site is developed with a residential single dwelling, landscaping and an existing outbuilding that is to be removed in association with the proposed development. All relevant residential infrastructure services are available and connected on the site.

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3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposed development is in association with a single dwelling, a no permit required use. As such, the proposal is considered to be consistent with the purpose of the 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.

Consistent

The siting and scale of the proposed development provides a reasonable degree of separation between dwellings on adjacent sites and does not impact on the frontage setback. There is a consistency with scale, bulk, massing and proportion of dwellings and other buildings in the area and sufficient separation for solar access to habitable rooms and private open space.

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

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<p>(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</p> <p>(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</p> <p>(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</p> <p>(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 proposed development will not impact upon the frontage setback.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the facade of the dwelling; or</p> <p>(b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(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 The proposed garage is set back from the primary frontage by approximately 32m.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(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:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(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</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>

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Relies on Performance Criteria

The proposed ancillary dwelling and garage is to be located approximately 1.94m from the north eastern side boundary, and approximately 0.75m from the south western side boundary. The proposed wall height in adjoining the rear boundary is 2.4m. The proposed gable roof has a pitch of 25 degrees and a maximum height of 5.54m. The building will be located 1m from the rear boundary at the closest point, as such the proposal relies on 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

The siting and scale of the proposed ancillary dwelling and garage is not considered to cause an unreasonable loss of amenity to any adjoining dwelling or lot. There are no habitable room windows within 10m of the proposed development. There will be some degree of overshadowing and visual impact on the private open space of the properties adjoining to the south and south east, however, this is not considered to be unreasonable due to a confluence of factors reducing the impact.

The height of the proposed building is to be reduced via amended plans to 4.33m at the ridge of the roof, which is located 4.3m from the rear boundary at the closest point. In addition there is a considerable degree of existing shading and screening via a rear boundary fence, vegetation screening and outbuildings in the northern corner of 16 Mann Street, along the rear boundary of 18 Mann Street and in the eastern corner of 20 Mann Street.

The size of the private open space of the adjoining dwellings will also ensure that only a small percentage will be shaded above and beyond what would currently be shaded on any given day. The site also rises to the rear with a gradient of approximately 3%, somewhat lessening the impact of the proposed building.

Dwellings with outbuildings or other structures within the rear setback, or on the rear boundary, are more common than not in the immediate locality, and as such the proposal is compatible with the surrounding area.

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10.4.3 Site coverage and private open space for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; and (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is integrated with the living areas of the dwelling; and (d) private open space that has access to sunlight.
<p>Consistent The proposed development still allows for the provision of open space for the outdoor recreation and operational needs of the residents. There is ample space for landscaping, the planting of gardens, and private open space which is integrated with the living areas of the dwelling while having access to sunlight.</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 The proposed development will cover a total area of 95.27m², which will increase the overall site coverage to 228.73m² or 37.32%. The overall cover of impervious surfaces will increase to approximately 365m², or 59.5%.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.

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Complies
 There remains an area of private open space that is connected to the existing dwelling that has an area well in excess of 24m². The area is relatively level, has access to sunlight and is appropriately dimensioned.

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide: (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
<p>Consistent The proposed ancillary dwelling provides the opportunity for sunlight to enter the proposed habitable room (other than a bedroom).</p>
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Relies on Performance Criteria The proposed ancillary dwelling has windows that face approximately 40 degrees west of north, and as the existing dwelling does not have a habitable room with windows that face within 30 degrees of north, the proposal relies on performance criteria.</p>
<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>Complies The proposed ancillary dwelling faces in a north westerly direction and includes windows to the living area and kitchen. These windows will allow sunlight to enter the ancillary dwelling and similar windows are provided in the existing dwelling.</p>

10.4.5 Width of openings for garages and carports for all dwellings

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

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10.4.6 Privacy for all dwellings

<p>Objective: To provide reasonable opportunity for privacy for dwellings.</p>
<p>Consistent The proposal will not have an unreasonable impact upon the privacy of any dwellings.</p>
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
<p>Complies There is no balcony, deck, roof terrace, parking space or carport proposed that has a finished surface or floor level more than 1m above natural ground level.</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.

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Complies
 There is no habitable room proposed that has a floor level more than 1m above natural ground level.

10.4.11 Outbuildings, swimming pools and fences

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

Consistent
 The proposal includes an outbuilding which will not detract from the character of the surrounding area, is appropriate to the site, respects the amenity of adjoining lots, and is not the dominant built form on the site.

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 proposal is for a garage and an ancillary dwelling. While both are detached from the existing dwelling on the site, only the garage is considered an outbuilding, as the ancillary dwelling is habitable and associated with the habitable use of the existing dwelling. The floor area of the garage portion of the building is 39m². The garage, however, is located 1m from the boundary at the closest point, and thus the proposal relies on 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.

Complies
 The siting and scale of the proposed outbuilding will not detract from the surrounding area or cause an unreasonable loss of amenity to adjoining lots. There will be minimal overshadowing and visual impact on the private open space of the properties adjoining to the south and south east.

 There is a considerable degree of existing shading and screening via a rear boundary fence, vegetation and outbuildings in the northern corner of 16 Mann Street and along the rear boundary of 18 Mann Street. The height of the proposed building has been reduced via amended plans to 4.33m at the ridge of the roof, which is located 4.3m from the rear boundary at the closest point

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All of the lots adjoining the site have outbuildings, which range in size and all are located on or near a side or rear boundary. The site also rises to the rear with a gradient of approximately 3%, somewhat lessening the impact of the proposed outbuilding. The existing dwelling on the site will remain the dominant built form.

10.4.13 Location of car parking

Objective: To:
(a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
Consistent The proposal includes convenient car parking for residents and visitors which will not generate unreasonable vehicular noise or visual impact on the streetscape.
A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.
Complies The proposed car parking is not located in the primary front setback and no turning areas are proposed.

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 The proposal provides an appropriate level of parking facilities to service the needs of the use and development. The parking spaces and associated areas provided will meet appropriate standards and will not adversely impact on the amenity of the locality.

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.
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<p>Consistent The proposal provides an appropriate level of car parking to meet the needs of a single dwelling, which includes both the existing main dwelling and proposed ancillary dwelling.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.
<p>Complies The proposal includes a double garage, providing two car parking spaces, which is 100% of the requirements of Table E6.1.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

<p>Objective: To ensure that parking areas are constructed to an appropriate standard.</p>
<p>Consistent The parking areas proposed are to be constructed to appropriate standards.</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>Complies The parking areas, access ways and manoeuvring spaces have a gradient less than 10% and area formed, paved, sealed and drained to the public stormwater system.</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 parking areas provided are designed and laid out appropriately to provide parking that is safe, efficient and convenient.</p>

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

<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; (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. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies</p> <p>The proposal provides car parking, access and manoeuvring spaces that have dimensions that meets the requirements of Table E6.2 and Table E6.3. While the driveway on the site is 2.38m at the narrowest point this is the existing driveway and will not be impacted by an intensification of use and, as such, is not subject to assessment. The proposed garage has a vertical clearance of 2.1m.</p>

E6.7.1 Precinct 1 - Launceston Central Business District Parking Exemption Area
E16.0 Invermay/Inveresk Flood Inundation Area Code

<p>E16.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area; (b) ensure that new development is sited and designed to minimise the impact of flooding; and (c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.
<p>Consistent</p> <p>The proposed development is sited and designed to minimise the impact of flooding and will not cause undue risk or hazard to structures or residents in the Invermay/Inveresk Flood Inundation Area. Consideration has been given to the proposed development and the likelihood of flood inundation and the siting, design and emergency response capability required.</p>

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

E16.6 Use Standards

E16.6.1 Unacceptable uses

<p>Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent The proposal will not establish an unacceptable use in an area that is subject to inundation from, or isolation by, flood waters.</p>
<p>A1 Must not be: (a) Education and occasional care, except in the Inveresk Cultural precinct; (b) Emergency services; or (c) Hospital services.</p>
<p>Complies The proposal is not for an emergency services, hospital services or education and occasional care use.</p>
<p>A2 Must not be Residential, unless: (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts; (b) a multiple dwelling in the Invermay Residential Precinct; or (c) associated with and supporting the educational activities within the Inveresk Cultural precinct.</p>
<p>Complies The proposal is for a residential use in the Invermay Residential Precinct.</p>
<p>A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.</p>
<p>Complies The proposal is not for a community meeting and entertainment use.</p>

E16.7 Development Standards

E16.7.1 Intensification of residential development

<p>Objective: To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent The proposal will not intensify residential development in an area subject to inundation from, or isolation by, flood waters.</p>
<p>A1 Except within the Invermay Residential Precinct, new residential development or extensions of existing residential buildings: (a) must not increase the gross floor area of individual dwellings or total gross floor area by 10% more than that existing or approved on the 1 January 2008; (b) must not result in more than 200m² of gross floor area on a single title; or (c) must be for residential uses associated with the educational activities within the Inveresk Cultural Precinct.</p>

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

Complies
The site of the proposed development is located in the Invermay Residential Precinct.

E16.7.2 Flood Impact

<p>Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</p>
<p>Consistent The proposed new building is sited to avoid the risk and impacts of flooding.</p>
<p>A1 Floor levels of all habitable rooms within the Residential use class must be at least 3.7m AHD.</p>
<p>Complies The ground level of the site is over 3.7m AHD, as is the floor levels of all existing and proposed buildings.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided
Environmental Health	Conditional consent provided
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2018/00831-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/
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 9 June to 25 June 2018. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

A meeting was held at a property adjoining the site on Tuesday, 3 July 2018 to discuss the concerns of the representors. The meeting was attended by one available representor acting on behalf of other representors who were unable to attend.

ISSUE	COMMENTS
Height, bulk and set back from the boundaries of the proposed ancillary dwelling and garage causing unreasonable impact on visual amenity and overshadowing.	The impact of the siting and scale of the proposed building was discussed in Clauses 10.4.2 P3 and 10.4.11 P1 of the Scheme. In order to lessen the impact of the proposal, amended plans have been supplied to reduce the height and bulk of the building. The significant screening from existing structures and vegetation will further reduce the impact on amenity and overshadowing. The amended plans are considered to meet the relevant performance criteria.
Privacy impact of the proposed ancillary dwelling.	The impact of the proposed building on privacy was discussed in Clause 10.4.6 A1 and A2 of the Scheme. The proposal does not include an above ground deck, balcony or similar structure that provides the opportunity for overlooking. The windows and porch area provided in the proposal are at ground level, and as such, comply with the acceptable solution.
Decrease of house prices.	The planning scheme does not address the potential impact of proposed development on surrounding house prices.
The ancillary dwelling being used for visitor accommodation or rented.	The ancillary dwelling is associated with the existing residential use on the site. To be used as visitor accommodation an application for the change of use would be required and is not included in the proposal. As a single dwelling the property can be rented, the planning scheme does not address the control of rentals or tenants.
The building should have black walls and roof, with a flat roof design.	The proposed development is not subject to a code under the Scheme that addresses colour schemes. The design of the roof can only be addressed in so far as its impact on amenity and overshadowing, this has been discussed in Clauses 10.4.2 P3 and 10.4.11 P1 of the Scheme.

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

ISSUE	COMMENTS
The removal of the brick wall at the rear of the site.	The brick wall that forms part of an existing outbuilding on the site is subject to an emergency order requiring its removal. In addition, this wall is not included in the title and as such is not a party wall. The removal of this wall is not considered as part of the proposal or this assessment.
The siting of the proposed ancillary dwelling and outbuilding. The building should be located along the south eastern boundary.	The assessment has been conducted against what has been proposed, and amended plans provided.
The proposal is not in keeping with the character of the area.	The proposal is associated with a no permit required use and as such is seen as consistent with the purpose of the zone. There are multiple other examples of buildings associated with residential single dwellings in the rear setback and on boundaries in the immediate vicinity. The proposal is considered to be in keeping with the character of the surrounding area.
Security concerns due to overlooking.	The impact of the proposed building on overlooking was discussed in Clause 10.4.6 A1 and A2 of the Scheme. The proposal does not include an above ground deck, balcony or similar structure that provides the opportunity of overlooking, as such there is not considered to be an unreasonable impact on security for residents.
Approval of the proposed dwelling would set a bad precedent for development in the area.	The proposed building is subject to assessment under the Scheme. Similarly, future development is required to be in compliance with the Scheme.
The appearance of the structure is an eyesore and not in keeping with the historic nature of the streetscape.	The surrounding area is not recognised as a heritage precinct under the Scheme. As such, the proposal cannot be assessed on heritage or historic impact.

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.

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(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

8.2 15 Lamont Street, Invermay - Residential - Construction of an Ancillary Dwelling and Outbuilding ...(Cont'd)

ATTACHMENTS:

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

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Thursday 26 July 2018

- Attended the official opening of the Prospect High School - Capital Works Refurbishment and Redevelopment at Prospect High School
- Attended afternoon tea to celebrate the new shed extension at the Veterans and Community Wood Centre, Kings Meadows
- Attended the official welcome at Peppers Silo Hotel and preceding welcome dinner at Still Water Restaurant for the Australian Rally Championship

Friday 27 July 2018

- Attended the Tamar Community Peace Trust - Tea Party for Peace and Jean at Cataract on Paterson
- Officiated at the launch of the Boral Launceston Concrete Plant in Invermay
- Officiated at the Super Special Stage for the 2018 Subaru Rally Tasmania at Inveresk Showgrounds

Saturday 28 July 2018

- Officiated at the 10th Anniversary of the Encore Theatre Company at Earl Arts Centre
-

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 Northern Youth Coordinating Committee Meeting Report - 5 July 2018****FILE NO:** SF0136**AUTHOR:** Claudia Garwood (Youth Development Officer)**DIRECTOR:** Leanne Hurst (Director Developmental Services)

DECISION STATEMENT:

To receive a report from the Northern Youth Coordinating Committee's regular Meeting held on 5 July 2018.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 5 July 2018.

REPORT:

The Northern Youth Coordinating Committee met on Thursday, 5 July 2018 and the following business was conducted:

- A presentation from Taylor Made Change on leadership and success coaching programs for young people in Launceston. Details were provided on the school program which teaches techniques for children to foster emotional intelligence, leadership training and development in order to assist with career planning.
 - An update by the peak body, Youth Network of Tasmania (YNOT) was received on: *The YNOT Youth Health and Wellbeing Forum*
The Tasmanian Youth Forum (TYF) is a state-wide youth forum co-sponsored by the City of Launceston. TYF was held in Launceston on 8 June 2018. Over 200 young people aged 12 to 25 years in Tasmania participated to discuss the factors that contribute to the experience of mental health and wellbeing issues. The forum also included representatives from the Department of Premier and Cabinet, Department of Education, local councils, peak bodies and youth organisations. The outcome of the forum will be to provide an official report of the consultation to the State Government.
-

**12.1 Northern Youth Coordinating Committee Meeting Report - 5 July 2018
...(Cont'd)**

Forum on Unaccompanied Young Children Under 16

YNOT, in partnership with the Commissioner for Children and Young People, Anglicare's Social Action Research Centre and the Australian Research Alliance for Children and Youth (ARACY) are planning a second forum aimed at strengthening non-statutory care for children under the age of 16 years in Tasmania. The forum will provide government and community sector participants with the opportunity to hear from, and engage with, those currently responding to this group in New South Wales and Victoria. Participants will learn about service policy, program and service design and service delivery challenges and outcomes.

Federal Budget

YNOT prepared questions for Greens' Senators Nick McKim and Jordan Steele-John to raise in estimates. Questions related to income support for young people, re-instatement of funding for a national youth peak body and National Youth Week.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in Report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

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 -

4. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community
-

**12.1 Northern Youth Coordinating Committee Meeting Report - 5 July 2018
...(Cont'd)**

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.

Youth Engagement Framework 2016-2019

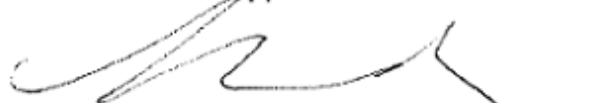
BUDGET & FINANCIAL ASPECTS:

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 Workshop conducted on 30 July was:

- Launceston General Hospital Car Parking

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 Launceston CBD Building Height and Massing Study****FILE NO:** SF6749**AUTHOR:** Damien Fitzgerald (Team Leader Strategic City Planning)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the findings of the draft Paul Davies Launceston CBD Building Height and Massing Study 2018 (ECM Document No. 4436512) for public consultation.

RECOMMENDATION:

That the findings of the draft Paul Davies Launceston CBD Building Height and Massing Study 2018 be released for public consultation.

REPORT:

The City of Launceston (CoL) engaged Paul Davies, heritage architectural consultant, to study the central Launceston City area and to provide advice to the Council on how building height and setback controls may be developed to support future development.

The study area is contained within the Launceston Central Activities District (LCAD) boundary area shown in Figure 1 below:

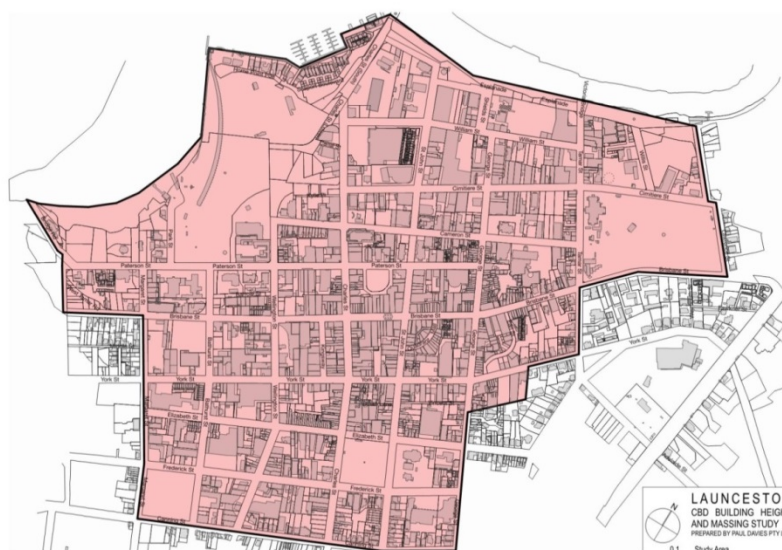


Figure 1 - Launceston Central Activities District Boundary (Paul Davies Study Area)

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

The aim of the study is to provide developers certainty around building heights and massing within 'building envelopes', to enable a positive, constructive discussion with all stakeholders regarding development in Launceston.

Study Precincts

The study identifies four precincts within the study boundary that have differing characteristics and where controls should be varied to respond to the specific character of the area. Figure 2 outlines the key study precinct areas.

The precincts are not aligned with the current zones within the Launceston Planning Scheme. The four precincts are:

- Precinct A: Western Edge
- Precinct B: Northern River Flats
- Precinct C: Central City area; and
- Precinct D: Southern Fringe

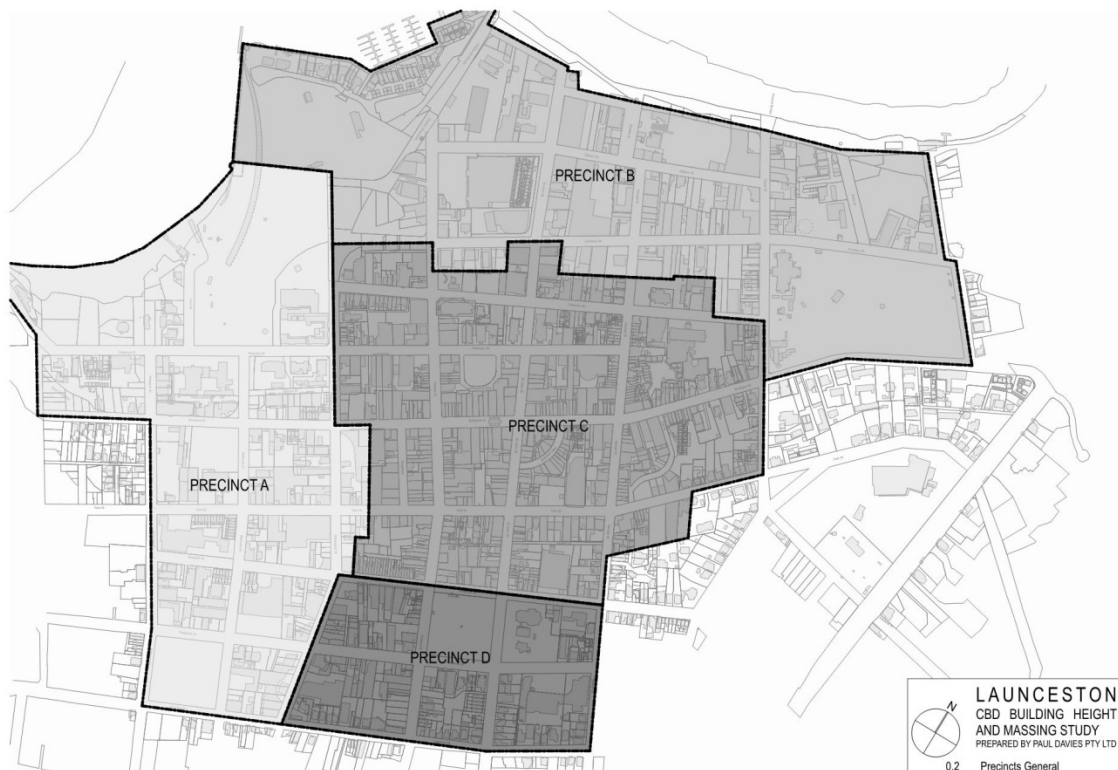


Figure 2 - Launceston Building and Massing Study Precincts areas

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

In summary, each precinct has the following themes:

- Topography
- Heritage places
- Vacant sites/ redevelopment potential
- Landmarks
- Consistency of streetscapes
- Residential uses
- Civic/community uses/parks

Each precinct then has recommended building envelope controls, each of which is subsequently divided into three separate controls - specific height, maximum height and amendment.

Building Height Methodology (Building Envelope)

The study report proposes a number of 'building envelope' controls on height:

- Specific Height - Acceptable solution based on the characteristics.
- Maximum Height - Absolute maximum over which no building can be approved.
- Proposal seeking height higher than the maximum height will require a planning scheme amendment.
- Additional controls are proposed for:
 - Height in relation to setback from the street.
 - Proposals next to heritage places.
 - Development next to residential properties.

Height	Precinct A	Precinct B	Precinct C	Precinct D
Maximum (Absolute)	30m	24m	24m	24m
Precinct (Acceptable)	15m	12m	12m	12m
Street Front	15m	12m	12m	12m

Table 1 - Proposed Building Envelope Heights vs Precinct Areas

The current Planning Scheme applies a 12 and 14.5m *deemed to comply* height across the major zones of the study area (Central Business and Urban Mixed Use). There is then a discretion, based on a merit assessment, for heights proposed in excess of those heights. There is no actual height limit within the Launceston Planning Scheme. The proposed building envelope heights prescribed in Table 1 above provides guidance to assist and facilitate appropriate development within the city.

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

The next stage of the Launceston building heights and massing study project will be to develop a set of control planning provisions. This body of work will require the City of Launceston to work with the Tasmanian Planning Commission. A planning scheme amendment process will then be determined once the provisions have been endorsed and form part of the Planning Scheme. Further consultation will be undertaken once this work is completed.

Study Objectives

The study sets clear objectives within the precinct areas to protect the historic character of Launceston and to manage the potential increase in demand for development that may seek greater height and scale. The study also aims to provide building envelopes that respect the fabric of Launceston's streetscape, while giving certainty to people wanting to develop in the City.

The objectives of the study focus on:

- The protection of the historic character of Launceston;
- The protection of amenity and other values set out in the Launceston Planning Scheme;
- The management of the potential increase in demand for development in the city with buildings that may seek greater height and scale; and
- To facilitate appropriate and contextually designed developments.

Proposed Community Consultation Process

The study report will inform residents about the instrument Council will use going forward and a mechanism by which Council can communicate what is possible in terms of height and mass.

It is intended that the consultation process will commence from 31 July and close on 24 August 2018.

Key Study Messages - City of Launceston:

- It is about scale, skylscapes, streetscapes, amenity and protecting what we already have.
 - Yes, we are open to development, but the right development in the right place is paramount.
 - Development in Launceston is highly desirable but it needs to retain the quality of Launceston's exceptional existing architecture.
-

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

Consultation Approach:

- Targeted, public meetings or Workshops
- Media releases
- Social media campaign
- Media opportunities with local media
- *Your Voice Your Launceston*
 - A series of targeted questions to be available for comment.
 - 3D model fly-throughs of each precinct area to be available to the public.
- Structured presentation workshops to groups of approximately 10-15 people, running for about 90 minutes.

The format of these briefings will include:

- An overview of the draft proposal by Paul Davies;
- Site examples from the report; and
- Question and Answer.

Next Steps - Indicative Dates

- *Your Voice Your Launceston* online engagement to commence on 31 July and conclude 24 August 2018.
- Focussed Workshops with Paul Davies, City Development Strategic Planning team and external stakeholders - 22-24 August 2018.
- Presentation to the next Launceston Heritage Advisory Committee - 23 August 2018.
- Compile and prepare a summary engagement feedback report - September 2018.
- Council Workshop to provide feedback on consultation process - September 2018.
- Amend report if required. Issue final report - September/October 2018.
- Agenda Item - seek endorsement on final report - October 2018.

Launceston Interim Planning Scheme 2015 Definitions:***building envelope***

means the three-dimensional space within which buildings are to occur.

building footprint

means the area of land enclosed by the external walls of a building, measured at finished ground level.

building height

means the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point, excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents.

setback

means the distance from any lot boundary to a building on the lot.

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

site coverage

means the proportion of a site (excluding any access strip) covered by roofed buildings.

Streetscape

*a view or scene of streets, especially in a city
(Oxford and Collins English Dictionaries)*

Character

*the particular combination of qualities in a person or place
(Cambridge English Dictionary)*

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 2 - A city where people choose to live

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

Key Direction -

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

Priority Area 6 - A city building its future

Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions

Key Directions -

2. To develop and take a strategic approach to development sites to maximise public benefits of development

3. To ensure that the planning system at a local and regional level is effective and efficient

BUDGET & FINANCIAL ASPECTS:


Not considered relevant to this report.

15.1 Launceston CBD Building Height and Massing Study ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

15.2 Interim Hire Charges - City Heart Activation Spaces**FILE NO:** SF2968**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider an interim arrangement for the cost of hiring the major public realm spaces in the Launceston City Heart area for activation purposes.

RECOMMENDATION:

That Council:

1. under section 205 of the *Local Government Act 1993*, agrees to set a flat hire fee of \$500 per event (plus \$500 bond) for the hire of Civic Square, Quadrant Mall and Brisbane Street Mall, for events and major activations.
 2. determines this fee structure remains in place until the annual fee review for these spaces is conducted.
-

REPORT:

The City Heart Project Masterplan Stage 1 (Public Realm - Major Public Spaces) document, adopted in December 2015, envisaged central Launceston as the premier business, retail and lifestyle hub of Northern Tasmania, cementing the City's reputation as the most liveable regional centre in Australia. Through the Launceston City Heart Project, the goal is that Launceston will become a living space with a unique and diverse retail centre, promoting social interaction and supporting liveability that will ensure its place as premier experience destination. The key focus areas are:

- Building upon past success
- Improving public amenity
- Creating flexible, safe, pedestrian spaces
- Working in partnership with business and the community
- Better connectivity and mobility
- Events and activation

As well as a number of infrastructure projects identified, the City Heart Project masterplan also outlines the need to update a range of policies and strategies to ensure their alignment with and support of the vision and to encourage activation of the City's unique spaces.

15.2 Interim Hire Charges - City Heart Activation Spaces ...(Cont'd)

With the first two major public spaces redevelopments - Quadrant Mall and Civic Square - now completed, creating high quality infrastructure, there is an increased interest from the community and private sector in coordinating activities that take advantage of those spaces. As well as updated strategies and policies that support a vibrant city, the fees and charges policy for the hire and use of these public spaces for organised activities will also need to be reviewed. Currently the applicable fees for bookings include a per structure charge which, for larger events with multiple stallholders (for example) can lead to prohibitive hire fees for these spaces, which is contrary to what the City Heart Project seeks to promote.

In order to maximise the opportunities presented by the newly developed spaces, it is recommended that Council approves a flat rate interim pricing policy for the hire of the Quadrant Mall, Civic Square and (when completed) Brisbane Street Mall. The number and type of use and the available space for proposed activations will still be subject to negotiation with Council officers. However, the application of a single fee will reduce some of the administrative and cost burden to facilitate such activations. This also recognises the reality that event organisers have a number of other costs associated with staging occasional events in outdoor spaces. It is recommended that a fee of \$500 per event (of up to eight hours) be applied, to offset the cost of power and additional rubbish removal. A refundable bond of \$500 should also be applied to allow for repair of any damage or extraordinary cleaning that may be incurred as a result of the activity.

The interim pricing structure will remove a potential barrier to the activation of the upgraded spaces, and allow time for Council Officers to undertake a review of relevant policies to ensure that they are consistent with the vision and intent of the City Heart Project.

ECONOMIC IMPACT:

The Launceston City Heart Project is a priority project within the City of Launceston's Greater Launceston Plan. The Project aims to revitalise the inner city area of Launceston as the primary service and retail centre for the greater Launceston and northern Tasmania region, and promote appropriate, planned and desirable commercial and council development opportunities in the area.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

In addition to the infrastructure enhancements and improvements that the Launceston City Heart Project will provide, it also supports a city activation program of events and activities. This in turn will enhance the city's liveability and encourage increased inner city living.

15.2 Interim Hire Charges - City Heart Activation Spaces ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 2 - A city where people choose to live

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

Key Direction -

2. To support the CBD and commercial areas as activity places during day and night

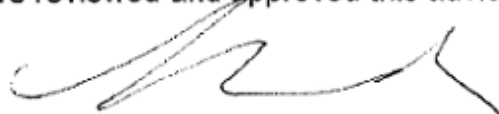
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item

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



Leanne Hurst: Director Development Services

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

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 Annual Remissions Rates and Charges - Year Ended 30 June 2018

FILE NO: SF0523

AUTHOR: Leticia Woodward (Rates Coordinator)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the approval of the Schedule of Rate Remissions for 2017/2018.

This decision, pursuant to section 129(4) of the Local Government Act 1993, requires an absolute majority.

PREVIOUS COUNCIL CONSIDERATION:

Considered annually

RECOMMENDATION:

That, pursuant to section 129 of the *Local Government Act 1993* and by absolute majority, Council in accordance with its policies, approves the schedule of Rates Remissions for 2017/2018, totalling \$1,025,884.29 and indicated in the table hereunder.

Description	Penalty and Interest	General Rate	General Charge	Service Rates	Amount of Remission
General Rates Foregone on Charitable Organisations	-	167,491.94	30,792.85	-	\$198,284.79
General Rates Foregone on Manses, Church Owned Vacant Land	-	5,095.65	1,375.00	-	\$6,470.65
Approved by Council - Aged Care	-	558,153.83	139,425.00	108,472.38	\$806,051.21
CBD Levy Foregone on Private Residences	-	2,391.38	-	-	\$2,391.38
Individually Approved by Council	-	4,400.00	745.14	429.00	\$5,574.14
Other	533.36	4,045.83	1,815.82	717.11	\$7,112.12
Totals	\$533.36	\$741,578.63	\$174,153.81	\$109,618.49	\$1,025,884.29

20.1 Annual Remissions Rates And Charges - Year Ended 30 June 2018 ...(Cont'd)

REPORT:

The schedule, as presented, is based on the application of Council's current rating remissions practices and specific remissions policies.

- (a) Rating Exemptions and Remissions for Crown Lease Jetties and Slipways Policy (23-PI-008)
- (b) Property Debt (Small Charge) Remission Policy (23-PI-006)
- (c) Rating Exemption for Properties Owned and Occupied by Charitable Organisations

The remissions have been based on written application as per section 129(2) of the *Local Government Act 1993* except in limited circumstances where a verbal request is considered appropriate.

The variance to budget is attributable to an offsetting variance in rate revenue due to an underestimate of the amount of the revenue and the same remission for retirement homes.

ECONOMIC IMPACT:

Each year the Council collects rate revenue to aid provision of services to the community. Rate remissions reduce the revenue available to Council to fund service provision.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To continue to ensure the long-term sustainability of our Organisation
Key Direction -
6. To maintain a financially sustainable organisation

20.1 Annual Remissions Rates and Charges - Year Ended 30 June 2018 ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

Remission of rates and charges of:

	Actual	Budget	Variance
Total	\$1,025,884.29	\$992,113.00	(\$33,771.29)

The key drivers of the variance are an increase in the amount of fire levy remissions related to aged care.

The Council's revenue includes these amounts as rate revenue with an offsetting expense for the same amount. Were these remissions not provided either in part or in full, the expense would be reduced and the rates required to be levied could also be reduced.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

21 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

22 URGENT BUSINESS

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

23 CLOSED COUNCIL

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

23.1 Confirmation of the Minutes**23.2 Disposal of Land at Munford Street, Kings Meadows****23.3 Annual Remissions Rates and Charges - Year Ended 30 June 2018****23.4 Pound and Shelter Services Review****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 Disposal of Land at Munford Street, Kings Meadows

Regulation 15(2)(f) proposals for the council to acquire land or an interest in land or for the disposal of land.

23.3 Annual Remissions Rates and Charges - Year Ended 30 June 2018

Regulation 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

23.4 Pound and Shelter Services Review

Regulation 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

24 MEETING CLOSURE

UNCLASSIFIED AGENDA ITEMS:
