



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 12 DECEMBER 2019
1.00pm**

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: 12 December 2019

Time: 1.00pm

Certificate of Qualified Advice

Background

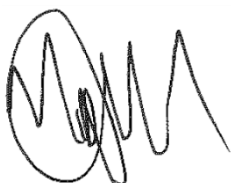
To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
 - (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the agenda item.



Michael Stretton
General Manager

City of Launceston

COUNCIL AGENDA

Thursday 12 December 2019

22 November 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 council meetings

- (1) *The mayor of a council may convene -*
- (a) *an ordinary meeting of the council; and*
 - (b) *a special meeting of council.*

I request that you make the necessary arrangements for the Ordinary Meetings of Council to be convened on the following Thursdays for 2019: 24 January; 7 and 21 February; 7 and 21 March; 4 and 18 April; 2, 16 and 30 May; 13 and 27 June; 11 and 25 July; 8 and 22 August; 5 and 19 September; 3, 17 and 31 October; 14 and 28 November and 12 December commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Councillor 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.)

20.1 Appointment of Acting Chief Executive Officer**FILE NO:** POS0136**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To consider the appointment of an Acting Chief Executive Officer.

This Agenda Item has been moved forward in the Agenda to allow for its early determination.

RECOMMENDATION:

That, in accordance with section 61B of the *Local Government Act 1993* (Tas), Council appoints the General Manager of Infrastructure and Assets Network, Mr Shane Eberhardt as the Acting Chief Executive Officer on 12 December 2019 and during the period 2 January to 22 January 2020 inclusive.

REPORT:

During the period from the 11 December to 13 December 2019 inclusive and 2 January to 22 January 2020 inclusive, the Chief Executive Officer will be on annual leave. It is recommended that the General Manager of Infrastructure and Assets Network, Mr Shane Eberhardt, be appointed by Council as Acting Chief Executive Officer during this period in accordance with section 61B of the *Local Government Act 1993* (Tas) (the Act).

Section 61B(2) of the Act gives power to the Mayor to appoint a temporary Acting General Manager (CEO) in such a situation. However, as there is time for Council to decide on this matter and Councillors have expressed a willingness to do so, a decision is sought from Council.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.1 Appointment of Acting Chief Executive Officer ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

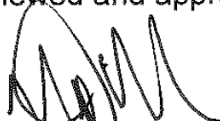
BUDGET & FINANCIAL ASPECTS:

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.



Michael Stretton: General Manager

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 28 November 2019 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 Councillors.)

6.1 Ms Rebecca Hughes (Playgroup Development Officer) - Teddy Bears' Picnic

Ms Hughes will provide Council with information on the 2019 Teddy Bears' Picnic.

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

7.1.1 Public Questions on Notice - Mr Ray Norman - 4 December 2019**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following questions, submitted in writing to Council on 4 December 2019 by Mr Ray Norman, have been answered by Mr Shane Eberhardt (Director Infrastructure Services).

Questions:

Against the background of information currently circulating on social media and the personal representations made to the '**Concerned Citizens Network**' relative to the reported removal of mature trees at Churchill Park a number of questions arise. In particular the questions are relative to Council's reported declaration of a Climate Change Emergency.

1. Does Council's determination of a Climate Emergency have any currency at all within Council operations or any practical implications in regard to the realisation of Council works carried out on the ground within its jurisdiction?

Response:

The Climate Emergency Declaration provided direction to the recently endorsed Sustainability Strategy. The Sustainability Strategy is implemented through changes or development of policy and procedures which influences the Council's operations.

2. Does Council's determination of a Climate Emergency have any veracity as a City of Launceston policy?

Response:

As answered above, the Sustainability Strategy is the key Council policy position on how the Declaration is to be implemented.

7.1.1 Public Questions on Notice - Mr Ray Norman - 4 December 2019 ...(Cont'd)

3. Beyond the rhetoric, does Council's determination of a Climate Emergency have any strategic importance going forward and if so where can the city's citizenry find documentation of this policy to guide them in their strategic decision making?

Response:

The Climate Emergency Declaration has given direction to the recently endorsed Sustainability Strategy. Initial actions contained within the Sustainability Strategy are underway to assess the Council's baseline carbon footprint and community action planning to work with our community in addressing climate impacts and issues. These actions build on the past decade of the Council's energy efficiency and renewable energy use, demonstrating cost saving and a commitment to sustainability across the breadth of the Council's operations, including building and assets, traffic, transport and parking, cultural and sporting services and facilities, procurement and waste management. As a significant and complex challenge, climate change requires a well-considered and persistent response, which is the Council's approach. The Sustainability Strategy is available on Council's website.

4. Who within Council has delegated authority backed by the relevant expertise to determine a course of action in the realisation Council development relative to declared policies? Also, what experience and expertise do they have in order to qualify them to make appropriate determinations in this area of Council's operations?

Response:

The Council has a diverse range of employees with qualifications and experience relative to the roles they undertake within the Council. Where necessary, formal delegations support decisions being made in accordance with legislative requirements.

5. In regard to the Churchill Park carpark development who authorised the removal the removal of trees to facilitate the development? Given that a decision was made on what basis was it made?

Response:

Following extensive public consultation, the Churchill Park Masterplan for the precinct was approved in an open Council Meeting on 16 July 2018. The Masterplan identified the trees to be impacted.

7.1.1 Public Questions on Notice - Mr Ray Norman - 4 December 2019 ...(Cont'd)

The Churchill Park Masterplan includes a current commitment of over \$2 million (2018/2019 and 2019/2020 financial years), including:

- *upgrade of the existing car parking to address safety and capacity issues;*
- *construction of two additional playing fields; and*
- *relocation of the centre car parking area to allow for the additional grounds.*

6. Does Council have an up to date register of significant trees and groupings of trees and associated vegetation that documents the significance of the tree, trees and/or the placescaping and cultural landscaping within which they exist? If so where can the city's citizens and others gain access to the register? If there is no such register why does it not exist?

Response:

Council maintains an extensive register of trees but this register does not apply criteria for significance. This information is available on the Tree Explorer App, accessible through the Council's website.

Excluding the Council's bushland reserves, the Council maintains approximately 30,000 trees in municipal parks and streets. Trees within the streets and parks are managed in accordance with the Council's Tree Management Policy which is available on the Council's website.

This Tree Management Policy provides a clear and consistent management approach to ensure that the City of Launceston's trees are:

- *recognised as valuable community assets;*
- *adequately protected from works and development;*
- *maintained in a healthy condition to increase useful life expectancy; and*
- *removed only under defined conditions.*

7. Is the significance of the mature trees removed at Churchill Park acknowledged in any way and especially so in regard to the role they play in environmentally securing the now defunct landfill site?

Response:

The health and condition of the trees was assessed by an arborist to with the aim to retain as many trees as possible. Due to the existing site conditions these trees have been in decline for a number of years. A number of dead and dying trees have been removed over the past decade in this space. Replacement plantings are planned for this area.

7.1.1 Public Questions on Notice - Mr Ray Norman - 4 December 2019 ...(Cont'd)

8. How many trees have actually been removed and how many more in the area are intended to be removed for any reason? Indeed, what trees elsewhere are currently under threat of removal?

Response:

The trees within the footprint of the Stage 2 carpark have been removed. The remaining trees will be retained and protected. Trees may be periodically removed when identified as unsafe in our accordance with the Council's Tree Management Policy.

9. What mitigation is intended to overcome the consequences of the removal of the trees that have removed and upon what expert advice is Council relying in regard to such mitigation?

Response:

A qualified arborist undertook the assessment. Due to natural loss of vegetation due to site conditions revegetation at Heritage Forest is an ongoing process.

10. Is this an instance where SECTION 62 of the Tasmanian Local Government Act 1993 when the General Manager will determine a way forward or is it an instance where Council will decide the matter and/or reinforce its policy determination in open Council?

Response:

The Climate Emergency Declaration and Sustainability Strategy were endorsed in open Council Meetings and the General Manager is implementing these in accordance with functions and powers outlined in section 62 of the Local Government Act 1993 (Tas).

7.1.1 Public Questions on Notice - Mr Ray Norman - 4 December 2019 ...(Cont'd)

11. What is the estimated cost to ratepayers in regard to resolving this matter and when will it be provided to ratepayers in order that interested parties can be informed relative to their planning in like situations?

Response:

The matter relates to an approved DA for a high use recreation area and ongoing parks maintenance, subject to existing policies and procedures. The Council's staff are undertaking the tree management work. There are no additional costs attached to this other than that already budgeted for the project, which was developed in response to demand by the community to improve the playing field facilities for the substantial number of families that participate in sporting activities at the site.

ATTACHMENTS:

1. Public Questions on Notice - Mr Ray Norman - 4 December 2019
-

Attachment 1 - Public Questions on Notice - Mr Ray Norman - 4 December 2019

From: Ray Norman <raynorman7250@bigpond.com>
Sent: Wednesday, 4 December 2019 9:07 PM
To: Mayor <Mayor@launceston.tas.gov.au>
Cc: Michael Stretton <Michael.Stretton@launceston.tas.gov.au>; Contact Us <contactus@launceston.tas.gov.au>; Eve Gibbons <Eve.Gibbons@launceston.tas.gov.au>
Subject: QUESTIONS ON NOTICE TO COUNCIL Climate Emergency Policy

Against the background of information currently circulating on social media and the personal representations made to the 'Concerned Citizens Network' relative to the reported removal of mature trees at Churchill Park a number of questions arise. In particular the questions are relative to Council's reported declaration of a Climate Change Emergency.

- Does Council's determination of a Climate Emergency have any currency at all within Council operations or any practical implications in regard to the realisation of Council works carried out on the ground within its jurisdiction?
- Does Council's determination of a Climate Emergency have any veracity as a City of Launceston policy?
- Beyond the rhetoric, does Council's determination of a Climate Emergency have any strategic importance going forward and if so where can the city's citizenry find documentation of this policy to guide them in their strategic decision making?
- Who within Council has delegated authority backed by the relevant expertise to determine a course of action in the realisation Council development relative to declared policies? Also, what experience and expertise do they have in order to qualify them to make appropriate determinations in this area of Council's operations?
- In regard to the Churchill Park carpark development who authorised the removal the removal of trees to facilitate the development? Given that a decision was made on what basis was it made?
- Does Council have an up to date register of significant trees and groupings of trees and associated vegetation that documents the significance of the tree, trees and/or the placescaping and cultural landscaping within which they exist? If so where can the city's citizens and others gain access to the register? If there is no such register why does it not exist?
- Is the significance of the mature trees removed at Churchill Park acknowledged in any way and especially so in regard to the role they play in environmentally securing the now defunct landfill site?
- How many trees have actually been removed and how many more in the area are intended to be removed for any reason? Indeed, what trees elsewhere are currently under threat of removal?
- What mitigation is intended to overcome the consequences of the removal of the trees that have removed and upon what expert advice is Council relying in regard to such mitigation?
- Is this an instance where SECTION 62 of the Tasmanian Local Government Act 1993 when the General Manager will determine a way forward or is it an instance where Council will decide the matter and/or reinforce its policy determination in open Council?
- What is the estimated cost to ratepayers in regard to resolving this matter and when will it be provided to ratepayers in order that interested parties can be informed relative to their planning in like situations?

Ray Norman
For and on behalf of LLCN



Launceston based network of concerned citizens working collaboratively to reimagine local government and bring about real change

7.2 Public Questions Without Notice

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

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

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

8 PLANNING AUTHORITY

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling

FILE NO: DA0443/2019

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Prime Design
Property:	2 Hart Street and 4 Hart Street, Newstead
Zoning:	General Residential
Receipt Date:	6/09/2019
Validity Date:	9/10/2019
Further Information Request:	09/10/2019
Further Information Received:	17/10/2019
Deemed Approval:	13/12/2019
Representations:	Eight

STANDARDS REQUIRING COUNCIL DISCRETION

10.4.2 Setbacks and building envelope for all dwellings
10.4.3 Site coverage and private open space for all dwellings
10.4.9 Site facilities for multiple dwellings
E6.5.1 Car parking numbers

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

RECOMMENDATION:

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 DA0443/2019 - Residential - Construction of a second dwelling at 2 and 4 Hart Street, Newstead subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan, prepared by Prime Design, Project/Drawing No. PD19150-01, Revision 03, dated 03/09/2019;
 - b. Locality Plan, prepared by Prime Design, Project/Drawing No. PD19150-02, Revision 03, dated 03/09/2019;
 - c. Site Landscaping Plan, prepared by Prime Design, Project/Drawing No. PD19150-03, Revision 03, dated 03/09/2019;
 - d. Site Stormwater Plan, prepared by Prime Design, Project/Drawing No. PD19150-04, Revision 03, dated 03/09/2019;
 - e. Ground Floor Plan, prepared by Prime Design, Project/Drawing No. PD19150-06, Revision 03, dated 03/09/2019;
 - f. Elevations, prepared by Prime Design, Project/Drawing No. PD19150-09, Revision 03, dated 03/09/2019;
 - g. Elevations, prepared by Prime Design, Project/Drawing No. PD19150-10, Revision 03, dated 03/09/2019;
 - h. On Site Turning, prepared by Prime Design, Project/Drawing No. PD19150-13, Revision 03, dated 03/09/2019;
 - i. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-14, Revision 03, dated 03/09/2019;
 - j. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-15, Revision 03, dated 03/09/2019;
 - k. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-16, Revision 03, dated 03/09/2019;
 - l. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-17, Revision 03, dated 03/09/2019;
 - m. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-18, Revision 03, dated 03/09/2019; and
 - n. Shadow Diagrams, prepared by Prime Design, Project/Drawing No. PD19150-19, Revision 03, dated 03/09/2019.
-

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Council to replace the approved plans 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 proposed dwelling must be setback at minimum 4.722m from the rear boundary; and
- b. The removal or relocation of the visitor car parking space.

3. 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.

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01328-LCC, dated 17/09/2019 and attached to the permit.

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. FENCING

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

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

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes (including the right of way) as shown on the endorsed plans must:

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

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

9. DAMAGE TO COUNCIL INFRASTRUCTURE

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

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. 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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

12. 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.

13. NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, 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), reclaimed or recycled.

14. DEMOLITION

The Developer must:

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

Notes

- A. All building and demolition work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any building or demolition work must be determined using the Building Control's Determination for Categories of Building and Demolition Work. It is recommended that a licensed building practitioner such as a building surveyor or a building designer or a registered architect be consulted to determine the requirements for any such work under the Building Act 2016.
 - B. Occupancy Permit Required
Occupancy permit required for new or altered habitable buildings: pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.
-

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

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

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

D. General

This permit was issued based on the proposal documents submitted for DA0443/2019. 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 enquiries 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.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

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

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.

H. Heat Pump Use

Use of the heat pump will be subject to the Environmental Management and Pollution Control (Noise) Regulations 2016 or as amended.

I. Street addresses for Multiple Dwellings

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>1 (existing)</i>	<i>2</i>	<i>2/4 Hart Street, Newstead</i>
<i>2 (proposed)</i>	<i>1</i>	<i>1/4 Hart Street, Newstead</i>

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

REPORT:

1. THE PROPOSAL

It is proposed to construct a double storey, three bedroom second dwelling at 4 Hart Street, Newstead. This will result in each dwelling having a site area of 435m². The second dwelling will be located in what is now the yard area for the existing dwelling. It will be setback 2.9m from the rear boundary, more than 20m to the front boundary, 3.5m to the eastern side boundary, and 4.27m to the western side boundary. The new dwelling will have a maximum height of 7.0m above natural ground level.

The development will include a double lockup garage for the proposed unit, a visitor car parking space, and will maintain two existing car parking spaces for the existing dwelling.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Access to the existing dwelling will be maintained via an existing crossover along Hart Street. Access to the new dwelling will be via a 3m right of way over 2 Hart Street.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	2 and 4 Hart Street, Newstead
Zone	General Residential
Size	2 Hart Street: 531m ² and 4 Hart Street: 870m ²
Access	4 Hart Street gains access via an existing cross over. There is also a right of way over 2 Hart Street, 3m wide and 74m ² in area that permits a legal right of access into 4 Hart Street.
Shape	Rectangular
Slope	Flat
Existing structures	Single dwelling and outbuilding
Vegetation	Planted residential
Connection to services	Connected to all reticulated services
Surrounding land	A mix of lots of differing sizes containing predominately single dwellings.
Overlays	Nil

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

<p>10.1.1 Zone Purpose Statements</p> <p>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.</p> <p>10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>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.</p> <p>10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</p> <p>10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</p>
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8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Consistent

Consistency with the zone purpose has been achieved as the proposal is for a residential use that adds to a range of dwelling types that respects the existing character of the zone.

Character is the distinctive nature of something. When relating to development the area must be sufficiently large to enable an assessment of the prevailing characteristics but not so large as to dilute the character of the area around the development and alongside which the development will sit.

The character of the area is considered to be that of a residential area, noting that there is also a tennis and squash centre approximately 100m south along Olive Street and the Launceston Preparatory School 50m north along Olive Street. The following table outlines characteristics of the immediate adjoining and adjacent properties along Hart Street.

Address	Size (m ²)	Buildings
3 Hart Street	473	Single dwelling and shed
1 Hart Street	491	Single dwelling
123 Elphin Road	693	Single dwelling
125 Elphin Road	597	Single dwelling and garage
127 Elphin Road	835	Single dwelling and outbuilding
129 Elphin Road	913	Single dwelling
2 Hart Street	531	Single dwelling
6 Hart Street	852	Single dwelling and garage
44 Olive Street	731	Single dwelling

The subject site is 870m² in size, and could be considered on the larger size in comparison to surrounding properties. Unlike the majority of adjoining properties however, the site contains a large backyard which it can be concluded surrounding residents have become accustomed to. The result of the proposal will be each dwelling has a site area per dwelling of 435m². Whilst lower than the smallest adjoining property (3 Hart Street) is not so small that it is considered out of character with the area. This can be further supported by considering other nearby properties within 100m of the dwelling, including multiple dwellings at 26 Olive Street (less than 300m² per dwelling) and 16 Hart Street (less than 400m² per dwelling).

Therefore, the proposal is considered to be respectful of the character of the area, as it is reflecting a range of lot sizes and providing a dwelling which is the consistent form of development in this area.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

<p>Objective: To provide for suburban densities for multiple dwellings that:</p> <ul style="list-style-type: none"> (a) make efficient use of suburban land for housing; and (b) optimise the use of infrastructure and community services.
<p>Consistent</p>
<p>A1 Multiple dwellings must have a site area per dwelling of not less than:</p> <ul style="list-style-type: none"> (a) 325m² or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.
<p>Complies</p> <p>The site is 870m² in size. The construction of second dwelling will result in a site area per dwelling of 435m².</p>

10.4.2 Setbacks and building envelope for all dwellings

<p>Objective: To control the siting and scale of dwellings to:</p> <ul style="list-style-type: none"> (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal provide reasonable separation between dwellings, consistency with the proposed bulk and proportion of dwellings in consideration to surrounding buildings, and provides for reasonable sunlight to surrounding dwellings.</p>
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<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 new building is setback more than 20m from the frontage.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.
<p>Complies The new garage is setback more than 20m from the frontage.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).
<p>Relies on Performance Criteria As the dwelling is outside of the building envelope reliance on the performance criteria is required.</p>
<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Complies

The dwelling protrudes outside of the building envelope. In particular, portions of the rear bottom level and top floor are outside, as illustrated by the following image.

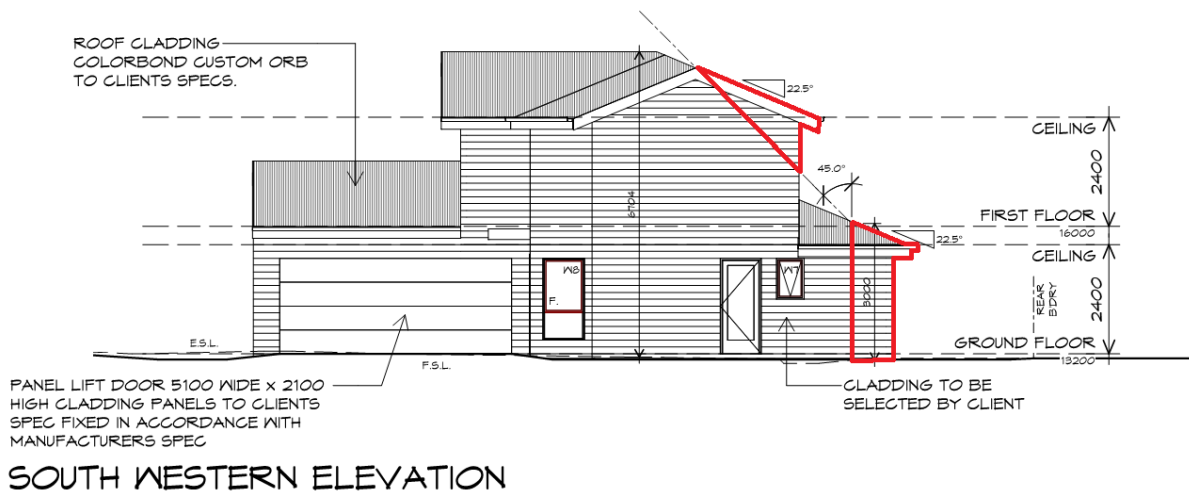


Figure 1 - Areas outside of the building envelope in red

The performance criteria requires that the dwelling must not cause an unreasonable loss of amenity through the following provisions.

Reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot.

The applicant provided shadow diagrams as a response to overshadowing concerns. The shadow diagrams illustrate the worse situation, being on 21 June, the shortest day of the year. Due to the sites angle and the proposed location of the dwelling, the greatest shadow impact will be at 44 Olive Street. This adjoining property contains a single dwelling, garage, and private open space at the rear. The northern facing wall of the adjoining dwelling contains two large windows that provide direct light into their dining and living room areas.

9.00am

There will be no overshadowing of a habitable room.

10.00am

There will be no overshadowing of a habitable room.

11.00am

There will be no overshadowing of a habitable room.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

12.00pm (noon)

Shadow touches the adjoining dwelling, however, no overshadowing of any windows.

1.00pm

The south western window will be completely covered overshadowed.

2.00pm

The south western window will be completely covered overshadowed and the north eastern window will be partially covered.

3.00pm

Both the south western window and the north eastern window will be completely covered overshadowed.

The provision does not contain a set amount of hours where it is considered overshadowing is reasonable, unlike other zones that state three hours between 9.0am and 5.00pm. Instead, it simply states there is no unreasonable loss of amenity. As a result of the proposal, between the hours of 9.00am and 12.00pm midday, both northern facing habitable room windows of the adjoining property will maintain three hours of sunlight. From 1.00pm onwards the south western window will be completely covered, and by 3.00pm both windows will be completely void of sunlight.

As such, whilst understanding there will be a loss of sunlight, both windows having direct morning sunlight until 1.00pm and some sunlight to one of the windows until 3.00pm is not considered to be unreasonable.

Overshadowing the private open space of a dwelling on an adjoining lot.

Again focusing on 44 Olive Street, the shadow analysis diagrams demonstrate the impact the dwelling will have on adjoining private open space located at the rear of the adjoining dwelling.

9.00am

No overshadowing of the private open space.

10.00am

No overshadowing of the private open space.

11.00am

No overshadowing of the private open space.

12.00pm (noon)

No overshadowing of the private open space.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

1.00pm

Approximately 2.5m of a deck located to the rear of the adjoining dwelling will be overshadowed.

2.00pm

Approximately 5.6m of a deck located to the rear of the adjoining dwelling will be overshadowed, as well as some encroachment into the rear yard.

3.00pm

A more substantial shadow is cast into the rear yard and the deck is fully overshadowed.

Of particular importance when viewing the overshadowing into private open space is the location of an existing shed at 44 Olive street, which provides most of the overshadowing of the grassed back yard. It is therefore considered that as private open space area will receive direct sunlight until 1.00pm, that this is not an unreasonable loss of amenity.

Visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.

The proposal is a one storey single dwelling, covering 155m² of site area, with a maximum height of 7.03m above natural ground level.

At ground level, the dwelling will be setback 2.9m from the southern rear boundary, 3.5m from the eastern side boundary and 4.287m from the western side boundary. It will be setback more than 10m from the frontage, and behind the existing dwelling. The top level will be setback 5.16m from the rear boundary, 3.5m from the northern side boundary, and 4.287m from the southern side boundary.

The applicant has adopted a 'step' approach to help reduce the bulk of the building and lessen the visual scale of the building.

It is noted that there will be a visual impact when viewing the building from an adjoining lot. However, again what needs to be taken into consideration is any unreasonable loss of amenity caused by the visual impact. It could be argued that any development in the rear yard is considered to be unreasonable as it would be replacing what is a green and planted backyard garden. However, it could also be argued that the owner has a right to develop their backyard. The height and separation of the dwelling is not inconsistent with surrounding dwellings. The adjoining property at 6 Hart Street contains a building of similar height that is setback closer to the boundaries to what is proposed. Therefore, it is not considered unreasonable that a dwelling be constructed in the rear yard as its visual impact is new, not out of place.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

The dwelling is proposed to be setback 2.9m from the southern rear boundary, 3.5m from the eastern side boundary and 4.287m from the western side boundary. This is considered to be consistent, and at some points provides for greater separation between dwellings on the ground level.

The existing dwelling on the subject site has a 600mm setback to the northern side boundary. The northern adjoining property contains a dwelling setback 2.6m from the western side boundary, and a shed 2.45m from the western side boundary and 800mm from the northern side boundary. The adjoining property to the west contains a shed built to the rear and southern side boundaries.

Therefore, the dwelling separation is wholly consistent and compatible with adjoining lots.

Revised Plans.

During public notification eight representations were received. The representations held a strong focus on building bulk and the dwelling not fitting in with the character of the area.

As a response to the representations, revised drawings from the applicant were received. The revised drawings placed the dwelling 4.722m from the rear boundary, which subsequently placed the dwelling wholly within the building envelope and resulted in a compliant proposal against the acceptable solution. Assessment must be made against the advertised plans, however it is appropriate, particularly if agreed to by the applicant to amend the proposal in response to the representations. These changes can be implemented by a condition of approval.

The condition will require that prior to the issuing of a building permit, revised plans are provided that demonstrate the new dwelling to be wholly contained within the building envelope.

This will allow the proposal to be contained within the building envelope and subsequently reduce the concerns surrounding its scale and bulk and impacts on neighbours. Taking into account the proposed condition, the proposal complies with the performance criteria.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

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 Consistency with the objective has been achieved as the proposal ensures there is adequate private open space for each dwelling that contains reasonable 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 combined site coverage of both dwellings is 310.82m² (35.73%), with 41.29% free from impervious area. Furthermore, each dwelling has 60m² of private open space.</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.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Relies on Performance Criteria

The following outlines the dedicated areas of private open space for each dwelling.

Proposed dwelling:

131.80m² of private open space located to the east, south, and west of the proposed dwelling. At least 24m² of this area has a minimum horizontal dimension of 4m, and is directly accessible from the dining habitable room. Whilst some of the area is located to the south of another dwelling, at least 24m² will receive adequate sunlight from 9.00am - 12.00pm (three hours). The areas are flat and will not be used for vehicle parking.

The proposed dwelling complies with the acceptable solution.

Existing dwelling:

210m² of private open space, located between the dwelling and Hart Street, to the east and west of the dwelling, and to the rear of the dwelling, noting the rear space is a deck. At least 24m² of this area has a minimum horizontal dimension of 4m. Useable space is located to the north of the dwelling and receives adequate sunlight, and the area between the dwelling and frontage is orientated between 30 degrees west of north and 30 degrees east of north. The areas are flat and will not be used for vehicle parking.

However, the private open space is not directly accessible from a habitable room and as such reliance on the performance criteria is sought.

P2 A dwelling must have private open space that:

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

Complies

The existing dwelling is proposing private open space surrounding the dwelling. A 31.5m² deck is located at the rear of the dwelling and is directly accessible from a habitable room. This is an existing deck and currently used as private open space. There is also space between the dwelling and the frontage, with new vegetation to be planted to act as a buffer. Between both of these areas, the dwelling will be able to accommodate an outdoor area for relaxation and entertainment, whilst accessing sufficient sunlight, complying with the performance criteria.

10.4.4 Sunlight and overshadowing for all dwellings

Objective:

To provide:

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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>Consistent</p> <p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Complies</p> <p>The front dwelling is existing, and the proposed dwelling will have a window to the dining room that faces between 30 degrees west of north and 30 degrees east of north.</p>
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p>(i) at a distance of 3m from the window; and</p> <p>(ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause the habitable room to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</p>
<p>Complies</p> <p>The existing dwelling is located 5.7m north of the proposed dwelling. As the closest point of the proposed dwelling will be the double garage, the multiple dwelling will not cause a habitable room to receive less than three hours of sunlight.</p> <p>Under the revised plans, the distance between the dwellings will be 4.355m, and as such still able to comply with the acceptable solution.</p>
<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.</p>

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Complies

The existing dwelling is located 5.7m north of the private open space for the proposed dwelling. Notwithstanding, the private open space associated with the proposed dwelling will maintain three hours of sunlight, between 9.00am and 12.00pm on 21 June.

Under the revised plans, the distance between the dwellings will be 4.355m, and as such still able to comply with the acceptable solution by maintaining three hours of sunlight.

10.4.5 Width of openings for garages and carports for all dwellings

Objective:

To reduce the potential for garage or carport openings to dominate the primary frontage.

Consistent

A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).

Complies

The garage is setback more than 12m from the frontage.

10.4.6 Privacy for all dwellings

Objective:

To provide reasonable opportunity for privacy for dwellings.

Consistent

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

(a) The window or glazed door:

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

(b) The window or glazed door:

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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>Complies The proposed dwelling contains six windows on the first floor, located more than 1m above natural ground level. Each window is located more than 3m from all side boundaries, more than 4m from the rear boundary, and more than 6m from the existing dwelling and private open space associated with the existing dwelling.</p>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.
<p>Complies The right of way will be utilised as an access driveway for the new dwelling and is considered to be a shared driveway. It is however sufficiently separated by more than 2.5m from a habitable room window of a multiple dwelling.</p>

10.4.8 Waste storage for multiple dwellings

<p>Objective: To provide for the storage of waste and recycling bins for multiple dwellings.</p>
<p>Consistent A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of at least 4.5m from a frontage; and (ii) is at least 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.
<p>Complies Each dwelling contains a 1.5m² area for waste and recycle bins.</p>

10.4.9 Site facilities for multiple dwellings

<p>Objective: To provide adequate site and storage facilities for multiple dwellings.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal provides adequate site and storage facilities for multiple dwellings.</p>
<p>A1 Each multiple dwelling must have access to 6m³ of secure storage space not located between the primary frontage and the facade of a dwelling.</p>

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>Relies on Performance Criteria Each dwelling contains a 2m x 2m storage shed. As this to 4m² the proposal is reliant on the performance criteria.</p>
<p>P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents, having regard to: (a) the location, type, and size of storage provided; (b) proximity to the dwelling and whether the storage is convenient and safe to access; (c) any impacts on the amenity of adjacent sensitive uses; and (d) the existing streetscape.</p>
<p>Complies A 4m² outdoor storage shed is provided for each dwelling. This is considered suitable as each dwelling will also have at least 2m² of internal storage, meeting the reasonable storage needs of the residents.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p>Complies Mailboxes are located at the frontage.</p>

10.4.10 Common property for multiple dwellings

<p>Objective: To ensure that common areas are easily identified.</p>
<p>Consistent</p>
<p>A1 Site drawings must clearly delineate private and common areas, including: (a) driveways; (b) parking spaces, including visitor parking spaces; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.</p>
<p>Complies Site plans clearly identify driveways, parking spaces, landscaping, mailboxes, and storage.</p>

10.4.11 Outbuildings, swimming pools and fences

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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Complies
The combined gross floor area of all outbuilding will be 8m².

10.4.12 Earthworks and retaining walls

Objective:
To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.

Consistent

A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:

- (a) be located no less than 900mm from each lot boundary;
- (b) be no higher than 1m (including the height of any batters) above existing ground level;
- (c) not require cut or fill more than 1m below or above existing ground level;
- (d) not concentrate the flow of surface water onto an adjoining lot; and
- (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.

Complies
No earthworks exceeding 600mm are proposed.

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

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

Complies
The shared right of way driveway is more than 1.5m from a window to a habitable room.

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 existing dwelling will contain two car parking spaces in tandem, with no turning within the primary setback proposed.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Consistent

Consistency with the code purpose has been achieved as the proposal protects the safety and efficiency of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

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

Complies

As a result of the new dwelling, there will be an increase to the right of way access only. Assuming that the occupiers of the new dwelling will have two cars, it can be assumed there will be an increase of 13 trips per day, based on the 'guide to traffic generating developments, version 2.2, dated October 2002, prepared by the RTA'.

E4.6 Development Standards

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

Consistency with the code purpose has been achieved as the proposal provides for safe and appropriate car parking and access.

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.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the proposal provides for safe and appropriate car parking and access.</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>Relies on Performance Criteria Table E6.1 requires three bedroom dwellings in the General Residential Zone to provide two spaces per dwelling, plus one visitor car parking space per four dwelling, rounded to the nearest whole number.</p> <p>Accordingly, the proposal requires a total of five car parking spaces. The submitted application has provided a total of five car parking spaces.</p> <p>However, revised drawings as a response to the representations has resulted in a change of car parking numbers. In particular, to ensure the dwelling is wholly within the building envelope, the visitor car parking space has been removed.</p> <p>Due to the amended plan condition requiring the change in setbacks which in turn will result in the space being removed, in order to ensure that the proposal meets the needs of the use, assessment against the performance criteria has been undertaken.</p>
<p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>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:</p> <ul style="list-style-type: none"> (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 <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>
<p>Complies</p> <p>The submitted plans demonstrate a compliance with the acceptable solution by providing a visitor car parking space. However, due to the requirement of amended plans, the following assessment is based on a shortfall of one visitor car parking space.</p> <p>Noting that Hart Street only contains parking on the northern side, the reliance of on-street carparking is limited to Olive Street. Olive Street is located approximately 40m west of the subject site. There is considerable car parking availability on both sides of the street, and a walk of less than 100m from a car park to the site is considered reasonable. Considering each dwelling is able to provide for two parking spaces, and being a residential development in a residential neighbourhood, the use of on-street car parking is considered appropriate and reasonable for the use. The proposal therefore complies with the performance criteria.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies</p> <p>No accessible car parking spaces for a person with a disability are required for this type of development Part D3 of the National Construction Code 2014.</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</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.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

Complies

All parking spaces, access ways, manoeuvring and circulation spaces will:

- Have a gradient of 10% or less;
- Be formed and paved with an impervious all weather seal; and
- Drain to a reticulated stormwater system.

E6.6.2 Design and layout of parking areas

Objective:

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

Consistent

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

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

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

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

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

Complies

Parking for the dwelling will be able to enter and exit the site in a forward direction along internal access lanes that meet the dimensions under Table E6.2, and have a gradient no greater than 10%. All parking spaces will have dimensions in accordance with Table E6.3, and a vertical clearance of not less than 2.1m.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01328-LCC, 17/09/2019.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 25 September to 9 October 2019. Eight 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 representor meeting was held on 21 November 2019 on site to further discuss the concerns of the submitters.

<p>Issue 1: The proposal is too high and too bulky for the area, and will diminish the character of the immediate area and have an intrusive impact on adjoining houses. It is intimidating and intrusive.</p>
<p><i>Response 1:</i> <i>The planning scheme allows for applications to be made. Clause 10.4.2 outlines building height and setback requirements. The original plans have justified the application against performance criteria due to the building being within the rear boundary. Revised plans indicate that the proposal is able to achieve compliance with the acceptable solution and a condition has been recommended to that affect.</i></p>

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

<p>Issue 2: The proposal will overshadow adjoining houses, especially living areas.</p>
<p><i>Response 2:</i> Shadow diagrams have been provided which show the effect of overshadowing. It has been considered that overshadowing is reasonable in this situation.</p>
<p>Issue 3: The construction will lower the value of surrounding properties.</p>
<p><i>Response 3:</i> The value of homes due to construction is not a consideration under the planning scheme.</p>
<p>Issue 4: There are privacy concerns. The dwelling is too close to the boundaries and being a double storey will overlook into neighbouring yards, including previously private areas as well as into windows of adjoining homes.</p>
<p><i>Response 4:</i> The proposal meets all acceptable solution provisions for privacy. Whilst acknowledged not all representors agree with the provisions, it nonetheless meets the acceptable solution, which is the permitted solution for privacy design by the planning scheme.</p>
<p>Issue 5: There is no regard to the design and heritage nature of the area.</p>
<p><i>Response 5:</i> The site and surrounding sites are not within a heritage precinct as prescribed by the scheme.</p>
<p>Issue 6: There are concerns around even more vehicles entering the property via a right of way. This will also cause further issues to Hart Street which has limited parking and quite narrow.</p>
<p><i>Response 6:</i> The right of way allows legal access to the rear of the site. The owner is permitted by law to use this right of way. It has been considered that there is sufficient parking on site and other streets (other than Hart Street) to accommodate the needs of the use.</p>
<p>Issue 7: There are security and safety concerns. Namely, it is unclear who will use the property or if it will be used as an Air BNB.</p>
<p><i>Response 7:</i> This cannot be a planning consideration. It is noted that the proposal is for a residential use only and if the owner intends to use the property for a visitor accommodation this will be subject to a further application or exemption.</p>
<p>Issue 8: No one was aware of the proposal until the site notice went up. Surely Council and the developers have a legal responsibility to notify surrounding residents.</p>
<p><i>Response 8:</i> Notification of the application was undertaken in accordance with the requirements of the Land Use Planning and Approvals Act 1993. The Council cannot advertise a proposal</p>

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

any earlier and cannot control how or when a developer may wish to make neighbours aware of a proposal.

Issue 9:

Why does the owner need to build another dwelling? It is greedy and will ruin the character of the area.

Response 9:

The Council cannot make comment on why a developer may wish to make an application. The Council is governed entirely by the planning scheme and the provisions within it. Assessment has concluded that the proposal is not out of character with the surrounding 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.

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not relevant to this report.

8.1 2 and 4 Hart Street, Newstead - Residential - Construction of a Second Dwelling ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map - 2 and 4 Hart Street, Newstead (*electronically distributed*)
 2. Plans to be Endorsed - 2 and 4 Hart Street, Newstead (*electronically distributed*)
 3. TasWater SPAN - 2 and 4 Hart Street, Newstead (*electronically distributed*)
 4. Representations - 2 and 4 Hart Street, Newstead (*electronically distributed*)
-

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 additional Tenancies, New Amenities and Signage and Changes to the Parking Layout

FILE NO: DA0349/2019

AUTHOR: Duncan Payton (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	S Group
Property:	Kmart 15 Racecourse Crescent Launceston and 5 Racecourse Crescent Launceston
Zoning:	Commercial
Receipt Date:	22/07/2019
Validity Date:	17/10/2019
Further Information Request:	05/08/2019
Further Information Received:	17/10/2019
Deemed Approval:	13/12/2019
Representations:	Four

PREVIOUS COUNCIL CONSIDERATION:

DA0187/2014 provided for the subdivision of the site into two, separating the plaza buildings from most of the car park, although parking and access easements were maintained.

DA0198/2015 provided for the establishment of a bottle shop.

DA0150/2018 was for a similar extension to the current proposal, however it was withdrawn prior to exhibition.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

23.3.2 Emissions impacting sensitive uses
23.4.2 Streetscape
23.4.4 Site landscaping
E18.5.2 Design and siting of signage
E4.5.1 Existing road accesses and junctions
E4.6.2 Road accesses and junctions
E6.5.1 Car parking numbers
E6.6.5 Bicycle facilities

RECOMMENDATION:

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 DA0349/2019 - General Retail and Hire - construction of alterations and additions to existing shopping centre to provide 12 additional tenancies, new amenities and signage and changes to the parking layout at 15 Racecourse Crescent, 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, prepared by S Group, drawing 005432 - A000, 15 Racecourse Crescent, Churchbridge Capital, revision -, undated.
 - b. Site plan, prepared by S Group, drawing 005432 - A101, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - c. Existing & Demolition plan, prepared by S Group, drawing 005432 - A201, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - d. Proposed Floor Plan - Stage 1, prepared by S Group, drawing 005432 - A202, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - e. Proposed Floor Plan - Stage 2, prepared by S Group, drawing 005432 - A203, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - f. Existing Elevation, prepared by S Group, drawing 005432 - A301, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - g. Proposed Elevation, prepared by S Group, drawing 005432 - A302, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - h. Preliminary Stormwater Services, prepared by S Group, drawing 005432 - A801, 15 Racecourse Crescent, Churchbridge Capital revision -, undated
 - i. Traffic Impact Assessment, prepared by Midson Traffic Pty Ltd, Launceston K-Mart Redevelopment, 15 Racecourse Crescent, dated October 2019
-

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

2. 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.

3. 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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01066-LCC, dated 06/08/2019 and attached to the permit.

5. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

6. DAMAGE TO COUNCIL INFRASTRUCTURE

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

7. 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.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

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.

8. VEHICULAR CROSSINGS

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

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

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

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

9. 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.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

10. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

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
Occupancy permit required for new or altered habitable buildings:- Pursuant to section 216 of the Building Act 2016, it is recommended that a licensed building surveyor be consulted to determine if an occupancy permit is required for the building before the building or a part of the building can be, or can continue to be, occupied.
- C. All plumbing work is to comply with the Building Act 2016 and the National Construction Code
Prior to acting on this permit, the risk category of any plumbing work must be determined using the Director of Building Control's Determination for Categories of Plumbing Work. It is recommended that a licensed building practitioner such as a plumbing surveyor or a plumber be consulted to determine the requirements for any such work under the Building Act 2016.
- D. General
This permit was issued based on the proposal documents submitted for DA0349/2019. 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.
-

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

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 enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

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

F. Appeal Provisions

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

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

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

G. Permit Commencement

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

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

REPORT:

1. THE PROPOSAL

It is proposed to construct alterations and additions to the existing Launceston Plaza shopping centre to:

- provide for eleven new retail tenancies at ground level and a further single tenancy at first floor level, at the southern end of the existing building;
- provide for new public facilities and security administration; and
- alterations to the existing car parking at the south-western end of the site, including a reduction in overall parking numbers and the inclusion of dedicated motor cycle and bicycle parking;
- replacement signage - removing existing fascia and wall signs and replace with one fascia sign.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The Launceston Plaza is currently made up of two titles, one containing only car parking and access ways and the other containing some car parking, access and the shopping complex building. The proposal is contained within the latter and described in CT16894/1.

The site is bounded therefore by Racecourse Crescent to the south and Boland Street to the north. Its western boundary is the plaza car park (bounded by Racecourse Crescent and Boland Street) and to the east is the NTCA Cricket Ground and a vacant block associated with the adjoining indoor sports centre.

Beyond these, the site is surrounded by a mix of residential, commercial, retail and sporting facilities.

The site is not far from the CBD and form an integral part of the retail hierarchy as described at clause 3.2.1.1. The character of the area is predominately commercial.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

23.0 Commercial Zone

23.1.1 Zone Purpose Statements

23.1.1.1 To provide for large floor area retailing and service industries.

23.1.1.2 To provide for other large area uses, such as car yards, bulky goods sales, warehouse and showrooms in the areas of high traffic volume and high passing visibility.

23.1.1.3 To ensure uses support and do not threaten the established activity centre hierarchy.

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Consistent

The Kmart is clearly a large floor area retailer and its expansion is therefore consistent with the purpose of the zone.

The planning scheme, prepared with regard to the Launceston Retail Audit and Activity Centres Strategy, 2011, provides that the expansion of the gross floor area at the Launceston Plaza, by up to 5000m² above the gross floor area existing at 17 October 2012, is consistent with the activity centre hierarchy. The proposal is for an expansion of 2480m².

The planning scheme discusses the activity centre hierarchy at clause 3.2.1.1:

3.2.1.1 Retail, business and employment centres

Launceston is the Principal Activity Centre within the regional activity centre network and is the major retail centre in Northern Tasmania, its catchment area covering most of the north of the state. The Central Business District (CBD) is the dominant centre for all non-food categories of goods in the region.

Critical to the prosperity of the Launceston CBD, is establishing an activity centres hierarchy to support the city and the region of Northern Tasmania.

The regional activity centre network hierarchy as it relates to Launceston City is as follows:

- the Principal Activity Centre of the Launceston City CBD;*
- the Major Activity Centres of Kings Meadows and Mowbray;*
- the Suburban Activity Centre of Launceston (Kmart) Plaza;*
- the Neighbourhood Centres of Newstead, Ravenswood, Newnham, Trevallyn, St Leonards and Youngtown;*
- Bulky Goods precincts; and*
- Specialist Centres (such as Launceston General Hospital precinct and similar health facilities, and Tertiary Education and Research precincts, such as the University of Tasmania)*

The new planning scheme seeks to ensure that each level of the hierarchy operates to provide the appropriate mix of retail and service provision to its catchment area and to support the region of Northern Tasmania. It is socially and economically essential that the Launceston CBD continues in its role as the key regional centre and at the primacy of the Northern Tasmania regional hierarchy.

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23.3 Use Standards

23.3.1 External storage of goods

Objective: To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.
Complies No storage of goods or materials will be visible from off-site as part of this proposal.

23.3.2 Emissions impacting sensitive uses

Objective: To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Uses must be set back from the site of a sensitive use a distance of no less than 100m.
Relies on Performance Criteria There are sensitive uses (dwellings) at Racecourse Crescent, to the south-west, which are within the prescribed 100m and performance criteria are relied upon.
P1 The use must not adversely impact on the amenity of nearby sensitive uses, having regard to: (a) the nature of the proposed use; (b) the characteristics of the emissions; (c) the proximity and number of sensitive uses in the area; (d) the topography of the site; (e) background levels; (f) any mitigation measures proposed; and (g) the character of the surrounding area.
Complies The proposal is to extend the existing shopping plaza to provide for a number of additional commercial premises. The Kmart currently operates 24 hours per day without adversely impacting on the amenity of the dwellings in Racecourse Crescent. Use of the proposed extension will be similar to the supermarket and other speciality stores and is not considered to adversely impact the nearby amenity.

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23.4 Development Standards

23.4.1 Building height, setback and siting

Objective: To ensure that building bulk and form, and siting: (a) is compatible with the streetscape and character of the surrounding area; and (b) protects the amenity of adjoining lots.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Building height must be no greater than: (a) 10m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
Complies The proposed extensions have a maximum height of 7.8m and comply with the acceptable solution.
A2 Setback from a frontage must be: (a) no less than 5.5m; or (b) no less than the setback of an adjoining building.
Complies The proposed extension will be setback from the Racecourse Crescent frontage by some 21m.
A3 Buildings can be built up to the side and rear boundaries.
Complies The proposed extensions will be closer to the side boundary than the existing building, however an access way, adjacent to the boundary, for trucks to the loading bay will be retained.
A5 The façade and entrance of the primary building, must be clearly visible and accessible from a road, for pedestrians and persons with a disability.
Complies The facades of the extension and the existing plaza will remain clearly visible and accessible from the public roads.

23.4.2 Streetscape

Objective: To ensure that development has an acceptable impact on the streetscape.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must: (a) have external walls constructed with no less than 50% brick, concrete, masonry or glass;

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<p>(b) have external walls, unless brick or glass, painted or finished with a texture coat; and</p> <p>(c) have no less than 50% glazing to the external walls of the office components of the buildings.</p>
<p>Relies on Performance Criteria Marginally less than 50% of the external walls of the proposed extension are to be in brick, concrete, masonry or glass and the performance criteria are relied upon.</p>
<p>P1 New buildings or extensions to existing buildings must be compatible with the streetscape, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the visibility of the building from the road;</p> <p>(d) the external treatment and finish of buildings; and</p> <p>(e) the building materials used in the surrounding area.</p>
<p>Complies The Launceston Plaza is the dominant form and structure in the streetscape and the proposed extension is compatible with the existing building and thus the streetscape. The site is relatively level and the major retail building is highly visible. Other buildings in the surrounding area are constructed in a mix of similar building materials.</p>
<p>A2 Car parking must not be located within 3m of the frontage.</p>
<p>Relies on Performance Criteria No new car parking is proposed, however, the existing car parking is to be reconfigured and is within 3m of the frontage. Performance criteria are relied upon.</p>
<p>P2 Car parking must be located to minimise visual impact on the streetscape, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the number of car spaces;</p> <p>(d) the visibility of the car parking from the road;</p> <p>(e) the use of measures to mitigate impacts including screening and landscaping;</p> <p>(f) the location of car parking on adjoining sites; and</p> <p>(g) the character of the streetscape.</p>
<p>Complies No new car parking is proposed. The existing car park, within three metres of the frontage, forms an integral part of the existing streetscape. Its visual impact will be further mitigated by improvements to the existing landscaping on the street frontage.</p>

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23.4.4 Site landscaping

Objective:

To ensure that new development improves the amenity of the site and the streetscape.

Consistent

The proposal complies with the relevant acceptable solutions or performance criteria.

A1 New buildings or extensions with a gross floor area greater than 100m² or 50% of the existing gross floor area, whichever is less, must:

- (a) landscape an area within the front setback of not less than the 50% of that area; and
- (b) provide a minimum of one tree capable of growing to a height of no less than 10m planted for every 1,000m² of site area. Trees must be located within a minimum 3m diameter landscaped area.

Relies on Performance Criteria

The proposed extension is some 2480m² (slightly less than 25% of the existing gross floor area). The land within the front setback is currently developed as car parking and a narrow landscape strip on the frontage. There is no capacity for the provision of additional landscaping and tree planting as prescribed. Performance criteria are relied upon.

P1 Landscaping must improve the amenity and appearance of the site and the streetscape, having regard to:

- (a) the topography of the site;
- (b) the existing vegetation on the site;
- (c) shade for users of the site and car parking areas;
- (d) the location, type and growth of the proposed vegetation;
- (e) the area set aside for landscaping and its suitability;
- (f) any proposed screening; and
- (g) the character of the streetscape and surrounding area.

Complies

Whilst the area of landscaping is not proposed to be increased, the applicants assert that the layout and character of the existing landscaping will be both maintained and improved through increased plantings and formalised pedestrian accesses.

Opportunities for the provision of shade within this reduced car park are minimal and not considered necessary given the proximity to the shops and plaza.

E2.6 Development Standards

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

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Consistent
 A Traffic Impact Assessment (TIA), prepared by Midson Traffic Pty Ltd, concludes that the safety and efficiency of the road network is protected. The proposal is considered to be consistent with the purpose of the code.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

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

Consistent
 The proposal complies with the relevant acceptable solutions or performance criteria.

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.

Relies on Performance Criteria
 The TIA asserts that the existing average daily traffic movements at the site are 9,325 and that, after the proposed extensions, this is expected to increase to 11,529. This is an increase of around 23.5% and performance criteria are relied upon.

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:

- (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.

Complies
 Having regard to the prescribed matters and in particular the TIA which has been reviewed by Council's Engineer - Asset Planning, it is concluded that the increased traffic numbers do not impact adversely on the safety or efficiency of the roads adjoining the site.

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E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Relies on Performance Criteria It is proposed to create a new access to the reduced car parking in front of the existing supermarket. This access will be located at the southern corner of the site on Racecourse Crescent. There will be three access points providing both entry and exit and performance criteria are relied upon.
P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
Complies Having regard to the prescribed matters and in particular the TIA, which has been reviewed by council's Engineer - Asset Planning, it is concluded that the additional access point will not impact adversely on the safety or efficiency of the roads adjoining the site.

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.

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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>Table E4.6.4 requires sight lines of 80m in each direction from the proposed new access, adjacent to the existing loading bay access. Sight lines in excess of 200m exist to both north-west and south-east.</p>

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.
<p>Consistent</p> <p>The TIA concludes:</p> <p><i>The proposed development reduces the existing parking supply from 580 to 529 spaces. The planning scheme requires [439] spaces. The proposed development therefore represents an oversupply ... in line with the Planning Scheme requirements, and based on surveys, the proposed parking provision is considered appropriate.</i></p> <p>It is also noted that the proposed development results in the provision of additional motor cycle and bicycle parking.</p> <p>The proposal is considered to be consistent with the purpose of the code.</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>The proposal complies with the relevant acceptable solutions or performance criteria.</p>

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<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>Relies on Performance Criteria</p> <p>Whilst the proposal reduces the provision of car parking spaces from 580 to 529, this is still more than 5% above the 439 spaces required by the Table (13,160m² at one space per 30m²) and performance criteria are relied upon.</p>
<p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 <p>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:</p> <ul style="list-style-type: none"> (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 <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>

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<p>Complies Having regard to the prescribed matters, and particularly the TIA, the number of car parking spaces, being greater than that required by the Table, is considered to meet the reasonable needs of the use. As the carpark is existing, there is no adverse impact on the streetscape and the TIA has determined that, similarly, there is no adverse impact on the safety and efficiency of the road network.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies The provision of accessible car parking spaces will be in accordance with the requirements of the National Construction Code.</p>

E6.5.2 Bicycle parking numbers

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>
<p>Complies The TIA notes, at section 5.3.1, that a total of 40 bicycle spaces will be provided with the extension, which, at one space per 100m² gross floor area, would require only 25.</p> <p>Note 1 to the Table provides that the number of parking spaces is to be calculated based on the proposed use or development. Thus, despite that the site does not currently provide dedicated bicycle parking spaces, the application is required only to address those related to the proposed development and the acceptable solution is therefore met.</p>

E6.5.3 Taxi spaces

<p>Objective: To ensure that access for taxis is provided to meet the needs of the use.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.</p>

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Complies
 Dedicated taxi parking spaces are provided in the main car park, between the two western entrances to the plaza.

E6.5.4 Motorcycle parking

Objective:
 To ensure that motorcycle parking is provided to meet the needs of the use.

Consistent
 The proposal complies with the relevant acceptable solutions or performance criteria.

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
 Currently the site does not provide for motorcycle parking. The proposed 2480m² would generate a requirement for four motorcycle parking spaces.

 It is proposed to include 10 dedicated motorcycle parking spaces, which satisfies the acceptable solution and further addresses the existing shortfall.

E6.5.5 Loading bays

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

Consistent
 The proposal complies with the relevant acceptable solutions or performance criteria.

A1 A loading bay must be provided for uses with a gross floor area greater than 1 000m² in a single occupancy.

Complies
 No change to the existing loading bays or their access is proposed.

E6.6 Development Standards

E6.6.1 Construction of parking areas

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

Consistent
 The proposal complies with the relevant acceptable solutions or performance criteria.

A1 All parking, access ways, manoeuvring and circulation spaces must:
 (a) have a gradient of 10% or less;
 (b) be formed and paved;
 (c) be drained to the public stormwater system, or contain stormwater on the site;

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- (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

Complies

All parking, access ways, manoeuvring and circulation spaces will be constructed in accordance with prescribed standards.

E6.6.2 Design and layout of parking areas

Objective:

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

Consistent

The proposal complies with the relevant acceptable solutions or performance criteria.

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 6 spaces or more.

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

Complies

The design and layout of the proposed car parking changes is in accordance with the prescribed standards.

E6.6.3 Pedestrian access

Objective:

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

Consistent

The proposal complies with the relevant acceptable solutions or performance criteria.

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<p>A1.1 Uses that require 10 or more parking spaces must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p>Complies The revised car park associated with this extension provides appropriate footpaths and a pedestrian crossing.</p>

E6.6.4 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>
<p>Complies No change to the existing loading bays and access way is proposed.</p>

E6.6.5 Bicycle facilities

<p>Objective: To ensure that cyclists are provided with adequate facilities.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Uses that require five or more bicycle spaces by Table E6.1 must provide one shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.</p>

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<p>Relies on Performance Criteria</p> <p>40 bicycle parking spaces are proposed and whilst both Kmart and Coles provide facilities for their staff, shower and change facilities are not provided for customers or staff of the specialty shops who may use the cycle parking. Performance criteria are relied upon.</p>
<p>P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the proposed use; (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) whether there are facilities on the site for other reasons that could be used by cyclists; and (g) the opportunity for sharing bicycle facilities on nearby sites.
<p>Complies</p> <p>The number of cycle parking spaces is expected to provide for the whole of the plaza complex. Customers who choose to cycle to the plaza will not expect shower and change facilities, nor is it reasonable to expect smaller specialty shops and the like to provide such facilities as, individually, they would not be required to.</p> <p>The larger retailers provide adequate facilities to meet the reasonable needs of their staff.</p>

E6.6.6 Bicycle parking and storage facilities

<p>Objective:</p> <p>To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>
<p>Consistent</p> <p>The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

<p>Complies The bicycle parking facilities are located, accessible and visible in accordance with the prescribed standards.</p>
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>Complies The TIA advises that the bicycle parking facilities comply with the prescribed standards.</p>

E18.0 Signs Code

<p>E18.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity; (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.
<p>Consistent The proposal to extend the existing shopping plaza building includes the removal of three substantial building fascia signs. These will be replaced by a single building fascia sign on the new western elevation.</p> <p>This will reduce potential signage clutter and thus, arguable, improve the visual amenity of the locality in compliance with the purpose of the code.</p>

E18.5 Development Standards

E18.5.1 Unacceptable signage

<p>Objective: To prevent unacceptable signage.</p>
<p>Consistent A1 Signage must not be for the following sign types:</p> <ul style="list-style-type: none"> (a) an above awning sign; (b) bunting (flag and decorative elements); (c) a flashing lights sign; (d) a roof sign;

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

(e) a sky sign; or (f) a third party sign.
Complies The proposed signage is building fascia signage.

E18.5.2 Design and siting of signage

Objective: To:
(a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and (b) ensure that the design and siting of signs achieves the purpose of this code.
Consistent
A1 A sign must: (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
Relies on Performance Criteria Building fascia signage is allowable in the commercial zone, however, the dimensions of the proposed new 'Coles' sign to replace the existing three signs on the west and south-west elevations, exceeds requirement (b) <i>not exceed two-thirds the depth of the fascia, and in any case must not exceed 9500mm in vertical dimension</i> . Performance criteria are relied upon.
P1 A sign must: (a) be located within an applicable zone for the relevant sign type as set out in Table 1 of E18.6; and (b) be appropriate to the natural and built environment of the locality, having regard to: (i) domination of the streetscape or premises on which it is located; (ii) the size and dimensions of the sign; (iii) the amenity to surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs; and (vi) the obstruction of movement of vehicles and pedestrians.
Complies The proposed new sign has dimensions of 8000mm x 1850mm (14.4m ²) and replaces the sign on the existing western building fascia of 5500mm x 3500mm (19.25m ²). With the extension to the building the existing entrance structure will be removed and the new sign proposed will sit in the new building fascia in a manner that is appropriate to the site and will not dominate the streetscape or the building itself.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

<p>The proposed sign, which states only 'Coles' with the logo, replaces a smaller version of the Coles name and logo with the Launceston Plaza sign integrated above. The new sign will have an overall area around 25% less than the signage it replaces. In addition two other building fascia signs, on the south-western facade and advertising Kmart and Coles, will not be replaced.</p> <p>It is considered that, having regard to the prescribed matters, the proposed new signage is appropriate to the natural and built environment of the locality.</p>
<p>A3 A building or tenancy must have:</p> <ul style="list-style-type: none"> (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
<p>Relies on Performance Criteria The overall building has more than three signs in total and performance criteria are relied upon.</p>
<p>P3 Visual clutter must be reduced where multiple signs of the same type are proposed, having regard to:</p> <ul style="list-style-type: none"> (a) the number of signs; (b) replacement of existing signs with fewer, more effective signs; and (c) duplication of messages or information on the same frontage.
<p>Complies The proposal reduces the total signage in both number and area and thus serves to reduce visual clutter. Three signs are being replaced by one more effective sign.</p>
<p>A4 A sign must not be illuminated.</p>
<p>Relies on Performance Criteria The proposed new sign is to be illuminated and performance criteria are relied upon.</p>
<p>P4 A sign must not result in unreasonable loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the sign; (b) the intensity of the lighting; (c) the hours of operation of the sign; (d) whether the sign is visible from the road; and (e) the character of the surrounding area.
<p>Complies The proposal replaces three illuminated signs with one illuminated sign and having regard to the prescribed matters, this will not result in an unreasonable loss of amenity to neighbouring properties or cause a distraction to drivers of motor vehicles.</p>

F9.0 Launceston Plaza Retail Specific Area Plan

<p>F9.1.1 The purpose of this specific area plan is to:</p> <ul style="list-style-type: none"> (a) ensure retail development at Launceston Plaza is appropriate to its location and in accordance with the activity centre hierarchy.
--

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

Complies

The proposed expansion of the Launceston Plaza is consistent with the activity centre hierarchy and the purpose of the specific area plan.

Relevantly, clause 3.2.1.1 of the scheme states:

The regional activity centre network hierarchy as it relates to Launceston City is as follows:

- *the Principal Activity Centre of the Launceston City CBD;*
- *the Major Activity Centres of Kings Meadows and Mowbray;*
- *the Suburban Activity Centre of Launceston (Kmart) Plaza;*
- *the Neighbourhood Centres of Newstead, Ravenswood, Newnham, Trevallyn, St Leonards and Youngtown;*
- *Bulky Goods precincts; and*
- *Specialist Centres (such as Launceston General Hospital precinct and similar health facilities, and Tertiary Education and Research precincts, such as the University of Tasmania)*

The new planning scheme seeks to ensure that each level of the hierarchy operates to provide the appropriate mix of retail and service provision to its catchment area and to support the region of Northern Tasmania. It is socially and economically essential that the Launceston CBD continues in its role as the key regional centre and at the primacy of the Northern Tasmania regional hierarchy.

F9.4 Use Standards

F9.4.1 Retail Impact

Objective:

To ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the activity centre hierarchy.

Consistent

The proposal complies with the acceptable solution.

A1 The area of the site used for General retail and hire must not increase by more than 5 000m² gross floor area over and above the gross floor area existing at the 17 October 2012.

Complies

The Launceston Plaza, as at 17 October 2012, had a gross floor area of 10,680m². The proposed extension is 2,480m², which is around 21.2%.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01066-LCC, 06/08/2019.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 23 October to 7 November 2019. Four 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.

<p>Issue 1: Further development of the Racecourse Crescent site siphons off the lifeblood and activity from the Launceston CBD as a whole. This effect is magnified with the indomitable rise in on-line trading.</p>
<p><i>Response 1:</i> <i>There is no question that there are a significant number of vacant shop buildings within the CBD. Anecdotally, this may be caused, or at least contributed to by a number of factors, such as: cost of rent; suitability for purpose; rise and expansion of regional centres; big box retailing; and on-line retailing.</i></p>
<p><i>It is likely that the existence of vacant shops in the CBD, or any other shopping area, is a function of many interacting factors. Interestingly, council research demonstrates that the</i></p>

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

number of retail vacancies in the CBD have remained reasonable consistent in recent years. Of the approximately 569 shop-fronts in the CBD, vacancies ranging from seventy to sixty-eight were recorded in August surveys, with sixty-eight vacancies recorded in August 2019.

The research findings of Dr Louise Grimmer in her 2019 report, Shopping in the City: Understanding Drivers and Barriers to City Shopping in Launceston, Tasmania, demonstrate that the retail vacancies are at lower levels that previously, new businesses continue to open and there are many retailers trading strongly. Whilst the report offers many potential options to address the perceived problem, restriction of competition in other areas is not included.

Notwithstanding assertions that the proponents have approached existing traders in the CBD, it is their stated position that it is proposed to seek:

Tenants that will be complementary to the supermarket rather than be in competition with CBD businesses and is envisaged that the internal tenancies will include more food based shops such as an expanded café, health food, bakery and fruit and vegetable. etc. The external shops/showroom tenancies would be more services orientated and will include offices and medical facilities. Our client is also looking at southern Tasmanian and mainland businesses that are currently not present in Launceston and that are looking at establishing themselves in the north of the state.

Regardless of the extent to which tenants for the proposed extension are sourced locally, state-wide or inter-state, there are no applicable provisions within the planning scheme that will support a decision based on competition.

Relevantly, the planning scheme, at clause F9 - Launceston Plaza Retail Specific Area Plan, seeks to ensure that retail development at the plaza is appropriate to the location and in accordance with the activity centre hierarchy. The hierarchy, is described in the planning scheme, at clause 3.2.1.1 as:

The regional activity centre network hierarchy as it relates to Launceston City is as follows:

- the Principal Activity Centre of the Launceston City CBD;
- the Major Activity Centres of Kings Meadows and Mowbray;
- the Suburban Activity Centre of Launceston (Kmart) Plaza;
- the Neighbourhood Centres of Newstead, Ravenswood, Newnham, Trevallyn, St Leonards and Youngtown;
- Bulky Goods precincts; and
- Specialist Centres (such as Launceston General Hospital precinct and similar health facilities, and Tertiary Education and Research precincts, such as the University of Tasmania)

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

- the Principal Activity Centre of the Launceston City CBD;
- the Major Activity Centres of Kings Meadows and Mowbray;
- the Suburban Activity Centre of Launceston (Kmart) Plaza;
- the Neighbourhood Centres of Newstead, Ravenswood, Newnham, Trevallyn, St Leonards and Youngtown;
- Bulky Goods precincts; and
- Specialist Centres (such as Launceston General Hospital precinct and similar health facilities, and Tertiary Education and Research precincts, such as the University of Tasmania)

The new planning scheme seeks to ensure that each level of the hierarchy operates to provide the appropriate mix of retail and service provision to its catchment area and to support the region of Northern Tasmania. It is socially and economically essential that the Launceston CBD continues in its role as the key regional centre and at the primacy of the Northern Tasmania regional hierarchy.

Relevantly, the scheme, at clause 9.4.1, provides the objective: to ensure that the economic, social and environmental impact of significant new retail use and development is consistent with the retail centre hierarchy. To achieve this, the scheme provides the acceptable solution: A1 - The area of the site used for general retail and hire must not increase by more than 5000m² gross floor area over and above the gross floor area existing at 17 October 2012.

The applicants, in their report of July 2019, prepared by town planning consultant, Michael Ball, establishes that the gross floor area of the shopping centre at 17 October 2012 was some 10,680m² and that this proposal is to extend the gross floor area by only 2480m², to 13,160m².

As such, the proposal complies with the acceptable solution and there is no capacity within the scheme to further consider possible implications to trade within the CBD, which is, perhaps, more a policy area for consideration and action based on empirical and theoretical research.

Issue 2:

The land upon which this application is proposed is not owned by Church Bridge Capital as alluded by the proponent.

Response 2:

The proponent has declared, in accordance with the legislative requirements, that the owner of the site has been made aware of the making of the application. Whilst the two adjoining titles are indeed owned by separate identities, each of these is, in turn, owned by Churchbridge Capital. For convenience or clarity, the applicant's report has referred to this latter identity.

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

<p>Issue 3: The boundary between the two titles (shopping centre and car park) runs through the main car park driveway and entrance from Racecourse Crescent. Accordingly, any approval should require a Part V agreement to prevent separate ownerships from denying car parking or access to the Launceston Plaza customers.</p>
<p><i>Response 3:</i> <i>The applicable car parking and access ways are shown as easements on the title and thus cannot be relinquished without further approval from council. The additional protection of a Part V agreement, which also requires council approval for its removal, is not considered necessary.</i></p>
<p>Issue 4: The staged development proposes to occupy land currently used by customers to the Coles supermarket and will thus force customers to cross the main entry road way within the complex. The operation, and reduced number, of car parking spaces will lead to additional congestion and safety issues.</p>
<p><i>Response 4:</i> <i>Whilst the assertion that the changes will force a number of customers to utilise the main carpark is correct, it is noted that access over the main access road way is via marked pedestrian crossings and the TIA, provided by the applicants, finds that safety is not compromised by the proposal.</i></p>

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

8.2 15 Racecourse Crescent, Launceston - General Retail and Hire - Construction of Alterations and Additions to Existing Shopping Centre to Provide 12 Additional Tenancies, New Amenities and Signage and Changes to the Parking Layout ...(Cont'd)

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

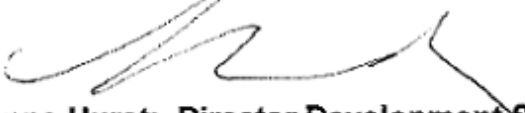
BUDGET & FINANCIAL ASPECTS:

Not 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 - 15 Racecourse Crescent, Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 15 Racecourse Crescent, Launceston (*electronically distributed*)
 3. TasWater SPAN - 15 Racecourse Crescent, Launceston (*electronically distributed*)
 4. Representations - 15 Racecourse Crescent, Launceston (*electronically distributed*)
-

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayor's Announcements

FILE NO: SF2375

Thursday 28 November 2019

- Attended *Dance Fever: Grit* - Launceston College Presentation

Friday 29 November 2019

- Attended the Design Tasmania Award's 2019 Gala at the Design Centre

Saturday 30 November 2019

- Attended the opening of purpose-designed Exhibition Room at the Old Umbrella Shop
- Officiated at the World Fly Fishing Welcome
- Attended the Vietnam Veterans Association Christmas Dinner

Sunday 1 December 2019

- Attended the 8th Anniversary Celebrations at House of Prayer, Rocherlea

Tuesday 3 December 2019

- Officiated at the start of Spirit of Tasmania Cycling Tour, Launceston Prologue
- Attended the *Celebration of Success 2019* at Student Works

Friday 6 December 2019

- Attended Local Government Association of Tasmania's Annual General Meeting, Hobart
- Attended the launch of the Launceston Cycling Festival

Saturday 7 December 2019

- Judged floats in the Launceston Christmas Parade
 - Attended the Launceston Competitions thank you afternoon tea
 - Attended the medal presentations for World Fly Fishing Championships
 - Attended the World Fly Fishing Championship 2019 Gala Dinner
-

9.1 Mayor's Announcements ...(Cont'd)

Sunday 8 December 2019

- Attended the Launceston City Cycling Festival

Monday 9 December 2019

- Attended the 2019 Country Club General Manager's Cocktail Party

Tuesday 10 December 2019

- Attended *Celebration 2019* at Scotch Oakburn College

Wednesday 11 December 2019

- Attended Launceston Church Grammar School's Graduation and Presentation Evening

Thursday 12 December 2019

- Attended Waverley Primary School's Grade 6 Leavers' Assembly
-

10 COUNCILLOR'S REPORTS

(This item provides an opportunity for Councillors 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 COUNCILLORS**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.)

11.1.1 Councillors' Questions on Notice - Councillor N D Daking - 26 November 2019**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following questions, submitted to Council on 26 November 2019 by Councillor N D Daking, have been answered by Mr Shane Eberhardt (Director Infrastructure Services).

Questions:

1. Does the councils Food Van Policy permit the current Food Van permit holders to operate at Riverbend Park? Y/N?

Response:

The current Food Van Policy relates to food vans operating within the highway. Food vans may operate on the Council's land as part of an event, however, there is no policy that specifically relates to food vans in the Council's parks and reserves.

2. If the policy does not incorporate Riverbend Park could you instruct the officers to amend the current policy to include Riverbend Park including all details of operations and bring this back to a council meeting to vote on?

Response:

There is a need for a broader policy of how food vans are managed on the Council's land which needs to consider items such as desired activation, required supporting services (utilities, waste, etc.), parking, safety and cost. Riverbend Park is unlikely to be suitable for food vans to operate over this summer period.

3. With regards to the Mall could you please provide an update to the newly created hanging garden system and when we could expect to see this installed?

Response:

The feasibility of the arbour system in the Brisbane Street Mall has been scoped and has been confirmed that it is achievable. FytoGreen has been engaged to carry out trials of plant species in the system to suit the Council's needs. This system would be the first of its kind in Tasmania and the Council is currently awaiting engineering advice on the project.

**11.1.1 Councillors' Questions On Notice - Councillor N D Daking - 26 November 2019
...(Cont'd)**

4. Also in regards to the Mall could you please provide an update to the new planter boxes and specifically the timeframe to be installed?

Response:

The Council expects to have a prototype constructed in the Brisbane Street Mall by Christmas. The remaining 11 planter boxes will be fabricated and installed in the new year based on the success of the prototype. The planter boxes will be hexagonal in shape and designed to butt up against the seats in the Brisbane Street Mall.

5. Could the old planter boxes be reused if the new ones are going to take longer than 3 months?

Response:

The old planter boxes are not in a suitable condition to be reused in the Brisbane Street Mall.

ATTACHMENTS:

1. Councillor's Questions on Notice - Councillor N D Daking - 26 November 2019
-

Attachment 1 - Councillor's Questions on Notice - Councillor N D Daking - 26 November 2019

Following on from our meeting I would like to ask you the following questions:

1. Does the councils Food Van Policy permit the current Food Van permit holders to operate at Riverbend Park? Y/N?
 2. If the policy does not incorporate Riverbend Park could you instruct the officers to amend the current policy to include Riverbend Park including all details of operations and bring this back to a council meeting to vote on?
 3. With regards to the Mall could you please provide an update to the newly created hanging garden system and when we could expect to see this installed?
 4. Also in regards to the Mall could you please provide an update to the new planter boxes and specifically the timeframe to be installed?
 5. Could the old planter boxes be reused if the new ones are going to take longer than 3 months?
-

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 Heritage Advisory Committee Meeting - 21 November 2019****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 21 November 2019.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 21 November 2019.

REPORT:

The Heritage Advisory Committee, at its Meeting on 21 November 2019, discussed the following items:

1. Tasmanian Heritage Register - 'Provisional Revised' registration of the Cataract Gorge Reserve:
The Heritage Advisory Committee noted the advice received from Heritage Tasmania along with the report prepared by Council officers, to be considered at the 28 November Council Meeting.
2. 2020 Heritage Snap! Awards:
Planning continues for the Awards, with preliminary notification being forwarded to schools prior to Christmas breakup.
3. Conservation Work - Terracotta Fountain - City Park
The Committee agreed that a sub-committee including officers and members with specialist knowledge meet to assess options in regard to the development of a Conservation Management Plan for the fountain in City Park's 'Senses Garden'.

ECONOMIC IMPACT:

Not considered relevant to this report.

12.1 Heritage Advisory Committee Meeting - 21 November 2019 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 1: We connect with our community and our region through meaningful engagement, cooperation and representation.

10-Year Goal: To seek out and champion positive engagement and collaboration to capitalise on the major opportunities and address the future challenges facing our community and region.

Focus Area:

1. To develop and consistently utilise contemporary and effective community engagement processes.

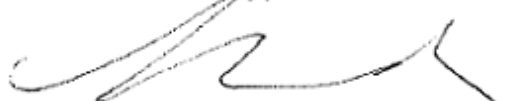
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

13 COUNCIL WORKSHOPS**13.1 Council Workshop Report****FILE NO:** SF4401**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

That, pursuant to Regulation 2(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 5 December 2019:

2020/2021 Budget Presentation

Councillors discussed the 2020/2021 Budget.

Professional Development - Planning Authority Role

Councillors engaged in a professional development session in respect to their Planning Authority role.

Traffic Modelling for State Road Network

Councillors were provided with an update from State Growth and GHD traffic consultants regarding traffic modelling for the State Road network.

Proposed Signature Events

Councillors discussed Signature Event sponsorship.

Mowbray Learning Site Project

Councillors were provided with an update on the Mowbray Learning Site project.

UTAS Parking Response - Inveresk Precinct

The University of Tasmania provided an update to Councillors on its proposed parking response for the Inveresk precinct.

Lease - Blue Cafe

Councillors discussed Blue Café and the proposed surrender of the lease.

13.1 Council Workshop Report ...(Cont'd)

REPORT:

Regulation 2(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshop held since the last Meeting.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

13.1 Council Workshop Report ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Councillor T G Walker - A Special Area Precinct Survey

FILE NO: SF5547

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor T G Walker.

RECOMMENDATION:

That, in light of ongoing community concern and increased developer uncertainty surrounding the approval of buildings that significantly exceed the provisions of the Interim Planning Scheme 2015, the City of Launceston Council direct planning officers:

1. to conduct a desktop survey to identify areas that could be initially considered for the creation of a Special Area Precinct or precincts (SAP) to accommodate designs that exceed the current height restrictions;
 2. to identify areas that have the potential to be consistent with respect for community amenity and heritage values, that are located on suitable substrate, that have the potential to comply with all other planning requirements such as potential risks of climate change, flooding or sufficient infrastructure such as sewerage and traffic, and will complement the objectives of the Greater Launceston Plan; and
 3. to report back to councillors within three months with their findings, for consideration and approval before further detailed work and public consultation takes place.
-

REPORT:

No further background information was supplied by Councillor Walker in support of the recommendation.

**14.1 Notice of Motion - Councillor T G Walker - A Special Area Precinct Survey
...(Cont'd)**

OFFICER COMMENT:

Richard Jamieson (Manager City Development)

Council has recognised the necessity to facilitate suitable opportunities for buildings of increased height and scale within Launceston Central Areas and is working towards this objective through the Paul Davies Report. Council will recall that, at its Meeting on 30 May 2019, it agreed to adopt the recommendations in the Davies' report, which included:

1. *Preparation of 'design guidelines' to interpret and support the Planning Scheme.*
2. *Prepare amendments and provisions for the Planning Scheme (to the study area):*
 - a. *Retain and amend the Acceptable Solution (AS) and reduce to 9m.*
 - b. *Introduce a Performance Criteria (PC) for development up to 24m in height.*
 - c. *Introduce a Performance Criteria (PC) for development over 24m in height.*
 - d. *Areas that should not be subject to controls in the study area be excised and remain in their current zonings and controls (refer to study mapping for details).*
 - e. *Develop a Special Area Plan (SAP) to address the changes proposed.*
 - f. *Establish design guidelines as part of the discretionary controls.*
 - g. *Undertake separate guidelines that can provide a clear framework for new development in the city.*
 - h. *Establish exemptions for minor works where the application of the design guidelines is not appropriate.*
3. requests the General Manager to prepare relevant draft Planning Scheme provisions to implement the recommendations.

The study area is contained within the Launceston Central Activities District (LCAD) Boundary area shown in Figure 1.

14.1 Notice of Motion - Councillor T G Walker - A Special Area Precinct Survey ... (Cont'd)

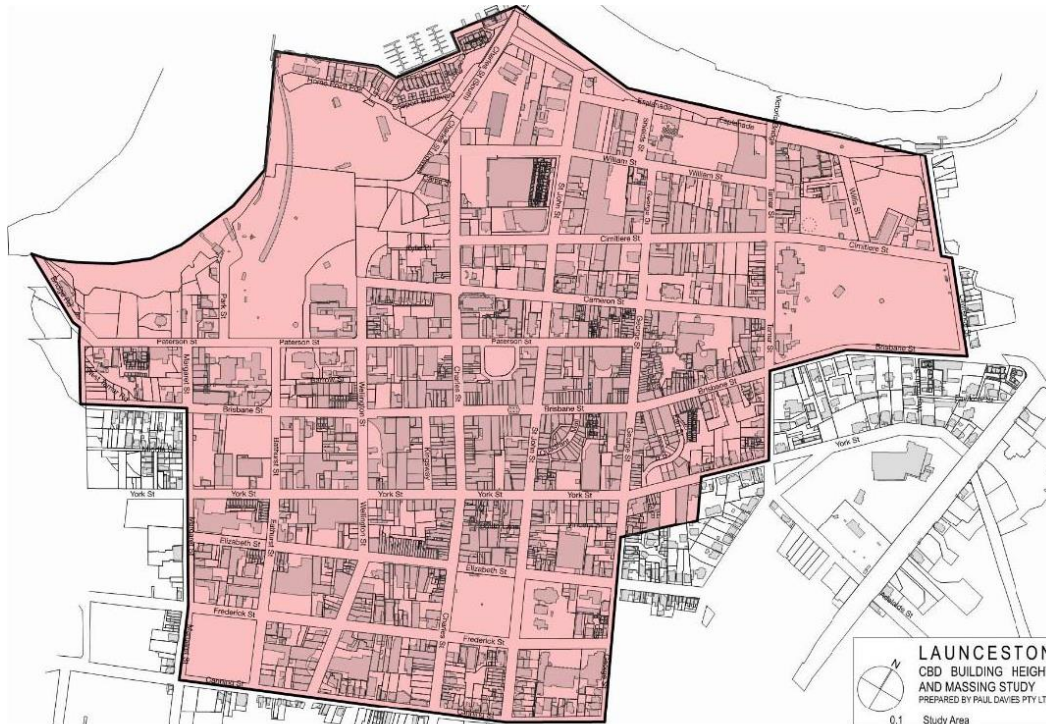


Figure 1 - Launceston Central Activities District Boundary (Paul Davies Study Area)

Work on actioning Council's decision has been ongoing throughout the year and is scheduled to be considered by Council in the first quarter of 2020.

This work was commissioned in response to demand for hotel buildings within the central city area.

Buildings of significant scale intensity of use are generally proposed in areas where high concentrations of people want to be located and the resultant high land values require an intensive development response. These are generally within CBDs or in proximity to key areas of activity. The Paul Davies work covers the majority of these areas in Launceston.

Buildings of significant scale, particularly residential buildings, office buildings and hotels bring with them greater numbers of people. A key objective the Gehl study and subsequently the City Heart project was to develop this pedestrian intensity within the CBD particularly at ground level. Council would need to consider carefully whether directing significant activity and concentrations of people outside of the Central Area would be aligned to the Council's adopted strategies.

**14.1 Notice of Motion - Councillor T G Walker - A Special Area Precinct Survey
...(Cont'd)**

The discussion paper presented by Paul Davies highlighted that there is significant ability to accommodate growth within Launceston's Central Areas and it is considered that the Council's efforts should be directed to realising this potential prior to considering other areas.

Should Council consider the motion favourably, it could not be completed within the nominated timeframe, given the existing workload of Council officers. It would be more appropriate that a time period of 12 months be allocated for this work to be completed.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.

BUDGET & FINANCIAL ASPECTS:

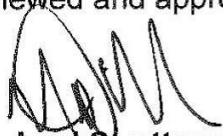
Not considered relevant to this report.

**14.1 Notice of Motion - Councillor T G Walker - A Special Area Precinct Survey
...(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.



Michael Stretton: General Manager

ATTACHMENTS:

1. Notice of Motion - Councillor T G Walker
-

Attachment 1 - Notice of Motion - Councillor T G Walker

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547
TW:eg
DATE: 4 December 2019

TO: Michael Stretton General Manager
c.c. Committee Clerks

FROM: Tim Walker Councillor

SUBJECT: Notice of Motion - A Special Area Precinct Survey

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 12 December 2019

Motion

That in light of ongoing community concern and increased developer uncertainty surrounding the approval of buildings that significantly exceed the provisions of the Interim Planning Scheme 2015, the City of Launceston Council direct planning officers;

1. To conduct a desktop survey to identify areas that could be initially considered for the creation of a Special Area Precinct or precincts (SAP) to accommodate designs that exceed the current height restrictions;
2. To identify areas that have the potential to be consistent with respect for community amenity and heritage values, that are located on suitable substrate, that have the potential to comply with all other planning requirements such as potential risks of climate change, flooding or sufficient infrastructure such as sewerage and traffic, and will complement the objectives of the Greater Launceston Plan; and
3. To report back to councillors within three months with their findings, for consideration and approval before further detailed work and public consultation takes place.

Background
N/A

Attachments
N/A

Councillor Tim Walker



15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 Deed of Surrender of Lease - Powerhouse Building - Inveresk****FILE NO:** SF3253**AUTHOR:** Robert Groenewegen (Manager Inveresk Precinct)**DIRECTOR:** Leanne Hurst (Director Development Services and Acting Director Facilities Management)

DECISION STATEMENT:

To consider the Deed of Surrender of Lease from the University of Tasmania for the Powerhouse Building (Blue Café).

RECOMMENDATION:

That Council:

1. accepts the Deed of Surrender of Lease (ECM Document Set ID Number 4175972) from the University of Tasmania for the Powerhouse Building (Blue Café) effective 1 January 2020.
 2. that the Chief Executive Officer be authorised to approve a lease to Lemongrass Pty Ltd on the same terms and conditions as the surrendered lease for the period 1 January 2020 to 4 September 2021.
-

REPORT:

The Powerhouse Building has been leased to the University of Tasmania (UTAS) since 2002. The lease was due to expire on 31 March 2022.

The lease with UTAS was set at \$30,000 per annum for the term, with \$25,000 offset per annum to pay for the cost of refurbishing the premises (refurbishment undertaken by UTAS at a cost of \$450,000 - repayment 18 years @ \$25,000). Following this period the lease would have returned to a full rate.

With the relocation of UTAS to Inveresk, UTAS have determined that they no longer wish to lease the premises from the City of Launceston (CoL), in effect bringing forward the date in which the lease would have returned to a full rate.

15.1 Deed of Surrender of Lease - Powerhouse Building - Inveresk ...(Cont'd)

This will allow the CoL to negotiate directly with the current operators (Lemongrass Pty Ltd). In good faith, the proposal is to charge the current operators on the same basis as UTAS until the end of the period in that sub lease (4 September 2021) unless alternate arrangements are agreed to prior to this period.

During this period, the Council will consider its intentions for the future of the Powerhouse Building. This will take account of the plans for further development put forward by Lemongrass Pty Ltd and a longer term lease or sale of the building.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 2: We facilitate prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.

10-Year Goal: To have realised opportunities that grow and sustain our economy and foster creative and innovative people and industries.

Focus Areas:

1. To actively market the City and region and pursue investment.
 2. To facilitate direct investment in the local economy to support its growth.
 3. To provide an environment that is supportive to business and development within the municipality.
 4. To promote tourism and the development of a quality tourism offering for Launceston.
 5. To understand and support the establishment and growth of new and creative industries and businesses in Launceston.
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15.1 Deed of Surrender of Lease - Powerhouse Building - Inveresk ...(Cont'd)

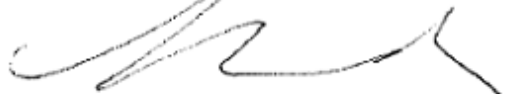
BUDGET & FINANCIAL ASPECTS:

A positive budgetary outcome in terms of the earlier return to a full rate for the use of the Powerhouse Building.

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 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay)**FILE NO:** SF6440**AUTHOR:** Iain More (Acting Senior Town Planner Policy and Projects)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider an amendment to the Draft Launceston Local Provisions Schedule.

RECOMMENDATION:

That Council:

1. determines, in accordance with section 35(7) of the *Land Use Planning and Approvals Act 1993*, that it is satisfied that the Draft Launceston Local Provisions Schedule that has been prepared under section 35(1) meets the local provisions schedule criteria in section 34(2) of the *Land Use Planning and Approvals Act 1993*;
 2. determines, in accordance with section 35(1) of the *Land Use Planning and Approvals Act 1993*, to submit to the Tasmanian Planning Commission (the Commission) as part of the Draft Local Provisions Schedule:
 - (a) the revised agriculture and rural zoning maps,
 - (b) revised priority vegetation overlay map for the Draft Launceston Local Provisions Schedule,
 - (c) supporting information being, Supporting Report (ECM Document ID Set Number 4193910); Zoning Maps (ECM Document ID Set Number 4193893); Overlay Maps (ECM Document ID Set Number 4193895).
 3. determines to formally give delegation to the General Manager under section 6 of the *Land Use Planning and Approvals Act 1993* of these Council powers and functions:
 - (a) to modify and re-submit the draft Local Provisions Schedule in accordance with a notice from the Commission if a notice is received from the Commission under Section 35(5)(b) of the *Land Use Planning and Approvals Act 1993* or to accept and adopt any modifications to the Local Provisions Schedule being undertaken by the Tasmanian Planning Commission under Section 35(5)(c); and
 - (b) do all things necessary to exhibit the draft Local Provisions Schedule in accordance with Section 35C and 35D of the *Land Use Planning and Approvals Act 1993*.
-
-

15.2 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay) ... (Cont'd)

REPORT:

1. Local Provisions Schedule Background

The Tasmanian Parliament enacted amendments to the *Land Use Planning and Approvals Act 1993* in December 2015 to provide for a single planning scheme for Tasmania, known as the Tasmanian Planning Scheme. The Tasmanian Planning Scheme consists of State Planning Provisions (SPPs) and Local Provisions Schedules (LPSs) for each municipal area. The Minister for Planning and Local Government at the time, the Hon Peter Gutwein MP, approved the draft State Planning Provisions for exhibition in March 2016. The Commission exhibited the draft SPPs for a 60-day period, during which time representations were invited. A total of 294 representations were received and a further nine late representations were accepted. After considering the representations, the Commission held hearings in Burnie, Launceston and Hobart between July and October 2016. The Commission considered the draft SPPs and reported to the Minister on 9 December 2016. The Minister considered the Commission's report, modified the draft State Planning Provisions that were exhibited and endorsed the SPPs as amended.

The State Planning Provisions include the administrative, zone and code provisions and the requirements for LPSs that are to apply in the Tasmanian Planning Scheme. Although the SPPs came into effect on 2 March 2017, as part of the Tasmanian Planning Scheme, they have no practical effect until a Local Provisions Schedule is in effect in a municipal area.

Local councils are required to prepare their LPS to implement local policy strategic objectives in accordance with Guideline No. 1 Local Provisions Schedule: zone and code application and the LPS Criteria set out in Section 34(2) of LUPAA.

At the Council meeting on 5 September 2019 Council endorsed the Local Provisions Schedule (LPS). The LPS was lodged with the Tasmanian Planning Commission on 19 September 2019.

2. Introduction

Although the City of Launceston (CoL) did not undertake a comprehensive informal community consultation process, approximately 7,500 individually addressed letters were sent to landowners in July 2019 foreshadowing zone change, a change to a heritage listing status or scenic management overlay. In excess of 400 landowners contacted officers to seek clarification and/or provide feedback on the proposed draft changes.

15.2 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay) ... (Cont'd)

As part of this feedback, concerns were raised around the greater Lilydale area, and specifically the Rural and Agriculture Zoning recommendations.

3. Agriculture and Rural Zoning Background

In June 2017, the Council engaged AK Consultants (AKC) to review properties and areas identified as requiring further investigation based on a constraints analysis in the Agricultural Land Mapping Project and provide recommendations as to whether these properties would be best suited for the Rural Zone or the Agriculture Zone. As part of the brief, Council intended to apply the Agriculture Zone as recommended in the Agricultural Land Mapping Project overlay on *The LIST*.

As a result of this work, an Agriculture Land Mapping document was prepared. A review of the report required amendments and AKC provided a final revised report on 14 February 2019. This report forms part of the submitted documentation to the TPC as part of Council's LPS lodgement.

4. Zoning Amendments

As a result of the informal exhibition process, concerns were raised from a number of residents, including concerns around the proposed agriculture zoning around the Lilydale area. This was further enforced at a Lilydale Progress Association meeting which the Council attended on 14 August 2019.

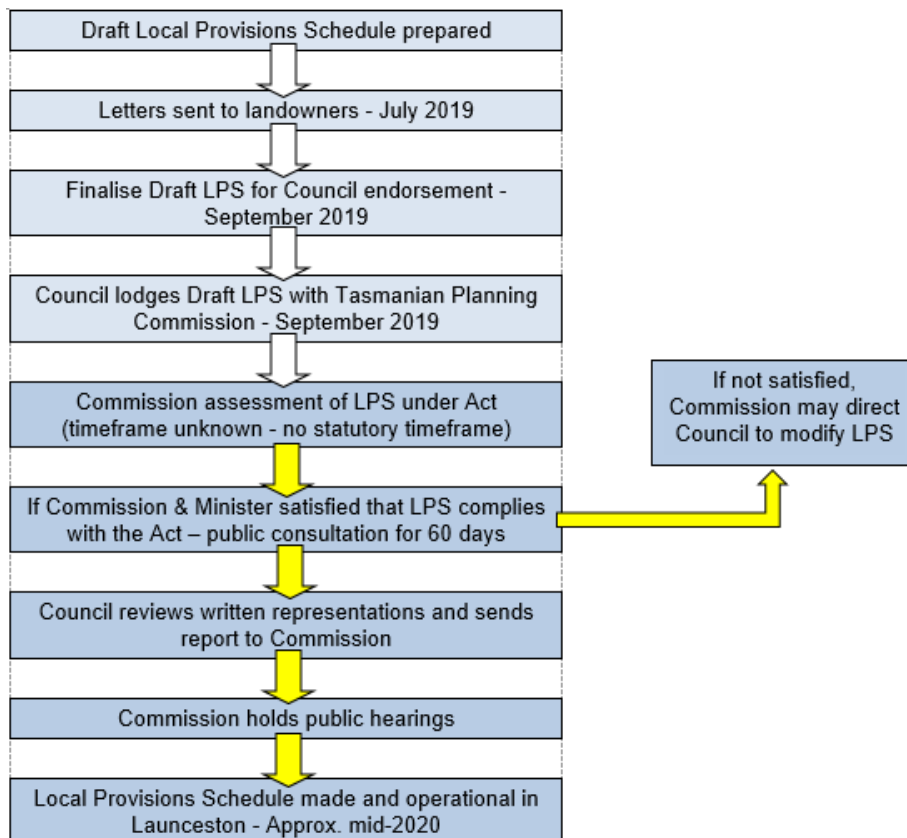
On 13 August 2019 Council once again engaged AKC to undertake a further analysis of this area. The brief to AKC requested a review of constrained land and the potential for some lots that were originally zoned Agriculture to be zoned Rural.

AKC supplied Council a report that recommended eighty-two (82) lots be zoned Rural that were previously zoned Agriculture.

3. Process

Correspondence with the Tasmanian Planning Commission (TPC) has confirmed that the best pathway forward to amend the previously lodged LPS is to endorse the changes at a Council meeting and provide the amended maps and supporting reports prior to the finalisation of the Commission's assessment of the LPS. Referring to the below schedule, the Council is currently sitting between lodgement of the LPS and the Commission's assessment.

15.2 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay) ... (Cont'd)



It was also recommended that Council make a resolution to delegate powers to the General Manager to allow any future changes to the LPS to be signed off without the need for a Council Meeting. This would include, but not be limited to, changes that may be required from the commission.

4. Key Changes

Agriculture and Rural Zones

The main concerns raised through the informal notification period related to land that was previously zoned Rural Resource that is to be re-zoned Agriculture. The supporting report prepared by AKC outlines the methodology used and concludes that a further 82 lots should be included within the Rural zone that were previously zoned Agriculture.

Natural Assets Code

The Natural Assets Code seeks to minimise impacts on identified priority vegetation. The code does not apply to Agriculture zoned land, however, is applicable to Rural zoned land. As a result of the changes, the previously submitted priority vegetation mapping is also required to be amended to apply to the Rural lots.

15.2 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay) ... (Cont'd)

5. Conclusion

The draft LPS has been adopted by Council and is currently under review by the TPS. The proposed amendments to the zoning will replace the existing affected mapping and overlays in the Lilydale area. It is considered this approach and its timing is suitable for the Commission.

It is recommended that Council endorse the amended Draft Launceston Local Provisions Schedule for it to be submitted to the TPS.

ECONOMIC IMPACT:

The LPS is intended to provide opportunity, certainty and predictability to the community and the development industry. This should facilitate appropriate and sustainable development and achieve positive economic outcomes.

ENVIRONMENTAL IMPACT:

The LPS embodies a sustainable development objective. It provides regulation to safeguard the environment and to avoid natural hazards. It also seeks to promote a sustainable urban form and over time, reduce the need to travel for the community.

SOCIAL IMPACT:

The LPS provides a number of provisions to recognise the developing and changing needs of our community. The strategic intents recognise the role that planning can play in promoting social inclusion and ensuring equitable and sustainable access to housing and community services.

15.2 Tasmanian Planning Scheme - Draft Launceston Local Provisions Schedule Amendment (Agriculture and Rural Zoning and Priority Vegetation Overlay) ... (Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 4: We value our City's unique identity by celebrating our special heritage and culture and building on our competitive advantages to be a place where people choose to live, work and visit.

10-Year Goal: To sustain and promote Launceston as a unique place to live, work, learn and play.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.
2. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.
3. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.
4. To support the central business district (CBD) and commercial areas as activity places during day and night.
5. To support sustainable population growth in the Northern Region.


BUDGET & FINANCIAL ASPECTS:

Any costs associated with this project are provided for in the current operational budget.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Agricultural Land Mapping in the City of Launceston for Lilydale Area Supporting Document, dated 20 September 2019 (ECM Document ID Set 4193910) (*electronically distributed*)
 2. Revised Rural and Agricultural Zone Maps (ECM Document ID Set 4193893) (*electronically distributed*)
 3. Revised Overlays A3L 11k - Natural Assets 2 of 2 - Priority Vegetation - 2 December 2019 (ECM Document ID Set 4193895) (*electronically distributed*)
-

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS

18.1 Proposed Street Names - Raglan Street, Youngtown

FILE NO: DA0637/2018/SF0621

AUTHOR: Sonia Smith (Senior Engineering Officer Development)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider approval of three new street names for the new subdivision off Raglan Street, Youngtown.

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the following names:

1. Enterprize Drive for the new road commencing at the roundabout on Kings Meadows Link and joining at the intersection with Raglan Street and the proposed road of the neighbouring subdivision.
2. Forth Court for the cul de sac off Enterprize Drive between Lots 59 and 71.
3. Parkfield Drive for the perimeter road in the subdivision intersecting with Enterprize Drive between Lots 12 and 102 and Lots 56 and 160.



18.1 Proposed Street Names - Raglan Street, Youngtown ...(Cont'd)

REPORT:

The proposed street names, provided by the developer, are names of vessels that have a connection to Tasmania and in particular, Launceston.

The Enterprize, was a topsail schooner, built in Hobart in 1830. It was purchased by John Pascoe Fawcner to sail to, what would become Melbourne, in August 1835. A second sailing of the Enterprize to Port Philip Bay, finally brought Fawcner to the new settlement, having been unable to travel on the first voyage.

The barque Forth was the vessel upon which Philip Oakden sailed to Van Diemen's Land in November 1833. The land being subdivided is part of an original grant to Oakden.

The barque, Parkfield, made several voyages between England and Australia in the period 1833 -1843.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 7: We are a City planning for our future by ensuring our approach to strategic land-use, development and infrastructure is coordinated, progressive and sustainable.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment and transport solutions within our municipality and region.

Focus Areas:

3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.
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18.1 Proposed Street Names - Raglan Street, Youngtown ...(Cont'd)

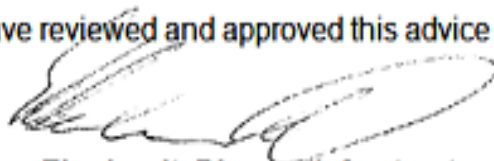
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

18.2 Proposed New Street Name - Sienna Place, Youngtown

FILE NO: DA0005/2019/SF0621

AUTHOR: Sonia Smith (Senior Engineering Officer Development)

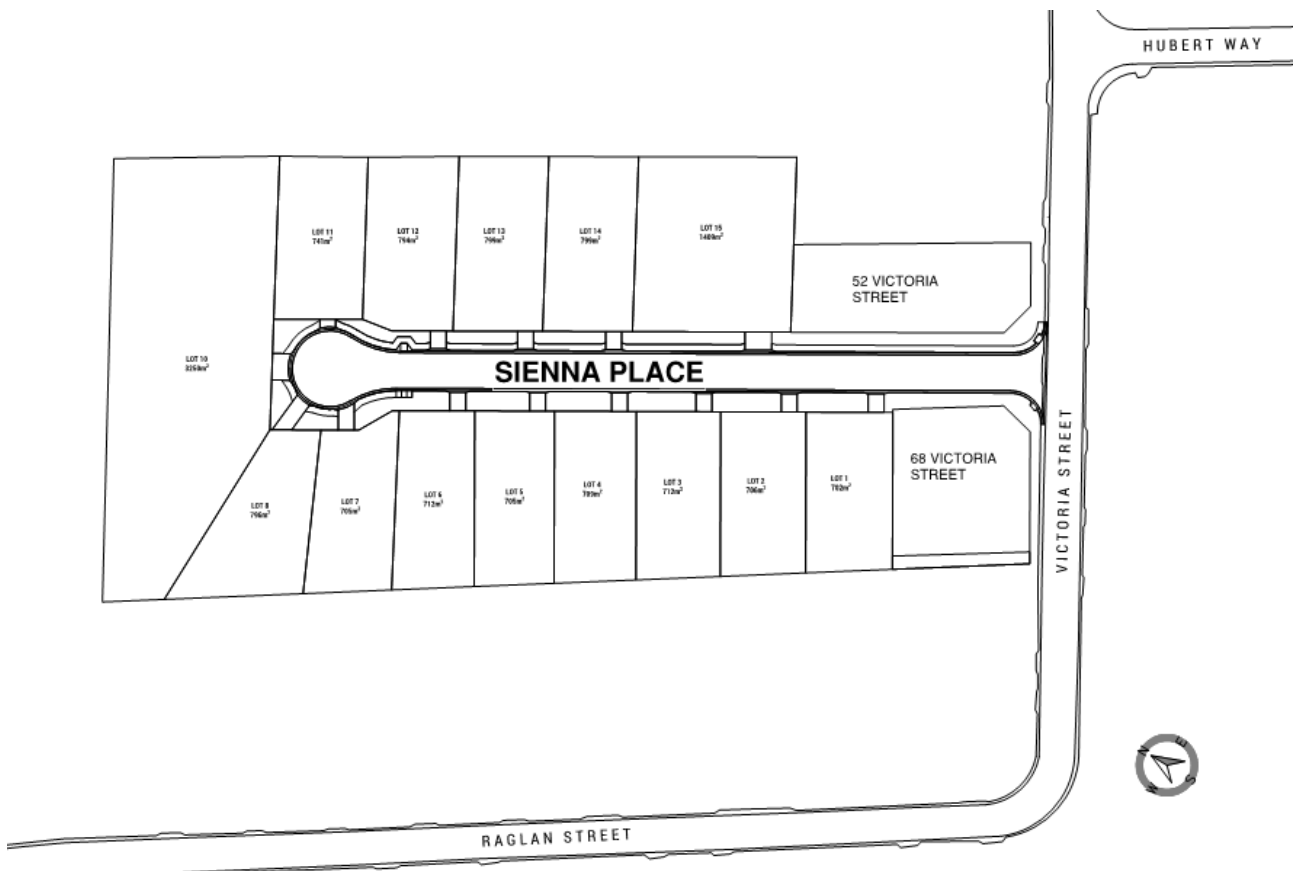
DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider approval for a street name for the new residential street constructed off Victoria Street, Youngtown.

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* and section 20E of the *Survey Co-ordination Act 1944*, approves the name Sienna Place, for the cul de sac between Number 52 and Number 68 Victoria Street, Youngtown.



18.2 Proposed New Street Name - Sienna Place, Youngtown ...(Cont'd)

REPORT:

The proposed street name, Sienna Place, has been provided by the subdivider. The justification provided for the proposed name that has been provided is that the feminine name fits with the name Victoria Street from which it is constructed off.

There are no instances of the name Sienna being used in Tasmania for any streets or roads recorded in the state wide database administered by the State Government.

The descriptor 'place' is appropriate for the street name as the street is a cul de sac.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 7: We are a City planning for our future by ensuring our approach to strategic land-use, development and infrastructure is coordinated, progressive and sustainable.

10-Year Goal: To facilitate appropriate development via integrated land-use planning, infrastructure investment and transport solutions within our municipality and region.

Focus Areas:

3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

18.2 Proposed New Street Name - Sienna Place, Youngtown ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

18.3 Petition Response - Keep Gondolas Out of the Gorge**FILE NO:** SF0097/SF3033**AUTHOR:** Anthea Rooney (Committee Clerk)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a response to the Keep Gondolas Out of the Gorge petition received by Council on 14 November 2019.

PREVIOUS COUNCIL CONSIDERATION:

Council - 14 November 2019 - Agenda Item 6.1 - Petition - Keep Gondolas out of the Gorge

Council - 28 November 2019 - Agenda Item 18.1 - Unsolicited Proposals to Develop Council Owned Property - High Level Procedure

RECOMMENDATION:

That Council notes that the Gorge Skyway proposal will be assessed against the *High Level Procedure - Unsolicited Proposals to Develop Council Owned Property (24-HLPr-018)* to determine whether Council will provide land owner consent for the proponent to submit a development application.

REPORT:

A paper petition containing 1,352 signatures and an electronic petition containing 3,188 signatures was received from Mrs Anna Povey and Mrs Rocelyn Ives at the Council Meeting held on 14 November 2019.

As required under section 60(2)(b) of the *Local Government Act 1993* (Tas), a report is required to be brought back to Council within 42 days for Council to determine any action to be taken in respect of the petition.

At its Meeting on 28 November 2019, Council adopted *High Level Procedure - Unsolicited Proposals to Develop Council Owned Property (24-HLPr-018)* to provide an open, easily understood and consistent process for the Council to assess unsolicited proposals to develop on the Council's property that:

18.3 Petition Response - Keep Gondolas Out of the Gorge ...(Cont'd)

- allows the Council to respond fairly to ideas.
- respects community values and future expectations.
- identifies the highest and best use of the land under consideration.
- does not advantage one business over any others.

The procedure provides a framework to determine whether the Council provides consent to lodge a planning application on the Council's land. The proposed Cataract Gorge Skyway will be assessed against this procedure early in 2020.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.

BUDGET & FINANCIAL ASPECTS:

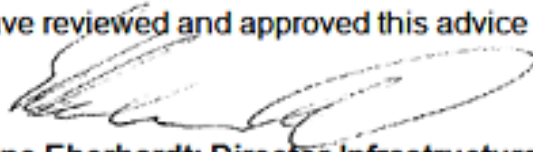
Not considered relevant to this report.

18.3 Petition Response - Keep Gondolas Out of the Gorge ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 GENERAL MANAGER'S DIRECTORATE ITEMS

20.1 Acting Chief Executive Officer

This item was moved forward in the Agenda and was discussed after Agenda Item 2.

20.2 Regional Economic Development Strategy**FILE NO:** SF0793**AUTHOR:** Bruce Williams (Senior Economic Advisor)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To endorse the Regional Economic Development Strategy 2019.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 17 October - Regional Economic Development Plan

Council - 17 October 2019 - Agenda Item 20.2 - Regional Economic Development Plan which requested:

1. *the 13 specific items identified for consideration in feedback provided by the General Manager in a letter to Northern Tasmania Development Corporation on 19 March 2019 (as addressed in this report) be addressed and included in the final RED Strategy Draft; and*
2. *the final draft of the RED Strategy be constructed to combine both strategic and implementation targets and timelines (three-year and annual targets and timelines), so that the implementation process can proceed immediately that the RED Strategy is adopted.*

RECOMMENDATION:

That Council endorses the Regional Economic Development Strategy 2019 (ECM Document Set ID Number 4191815) as provided by Northern Tasmania Development Corporation Ltd taking into account the changes as requested by Council Members and Stakeholders.

REPORT:

The final Regional Economic Development Strategy 2019 (REDS) better presents the Northern Region's economic strengths, improves the readability and includes some aesthetic improvements that better present the key points and opportunities for the region.

20.2 Regional Economic Development Strategy ...(Cont'd)

All Council's feedback has been considered in the final REDS presented in this report. The final REDS can now be used to attract new residents, businesses and provide for the current community with regional economic direction and help to inform future regional priorities.

The Northern Tasmania Development Corporation Ltd (NTDC) Board has approved and endorsed the final REDS for the seven Council Members to consider and endorse at December Council Meetings.

Once this is achieved, the State and Commonwealth Governments will be provided with a copy after 17 December 2019 for review. Both the State Government and the Commonwealth Government acknowledge the final REDS is a regional strategy and therefore incumbent on the region to endorse. All indications are that the State Government will support the final REDS and assist with its implementation where possible.

If all Council Members endorse the final REDS in December, the next step is to organise workshops with the Councils' officers to work through how to implement the 'Priority Actions' outlined in the final REDS from within current programs and budgets. Similar workshops will then be scheduled with the State Government and Commonwealth (where appropriate).

Timing for a first draft of a Three Year Implementation Plan is planned for April 2020. This timing will be dependent on three levels of government's capacity to provide adequate input into the process between January and March 2020.

Due to the Tasmanian Government's request to remove the detailed implementation plan and measures until more workshops and negotiation has occurred, the final document is now a strategy. The document title has therefore changed from the Regional Economic Development Plan (REDP) to the Regional Economic Development Strategy (REDS).

The final REDS includes strategic themes and 'Priority Actions' but does not assign actions with responsibilities. The next stage is to develop a Three Year Implementation Plan, by scheduling workshops with the Councils' officers and then State Government officers to determine how to better align current programs to achieve the objectives of the final REDS and to consider how the 'Priority Actions' may be achieved through current resources or by making budget submissions in future budget rounds.

The development of the Three Year Implementation Plan will include more detailed measures and KPIs, aligned with agreed actions.

It should be noted, that the aspirational regional targets set in 2016 as part of the Regional Futures Framework are still highlighted in the REDS and the strategic intent of the document has not changed from original version previously considered by Council.

20.2 Regional Economic Development Strategy ...(Cont'd)

After taking into account the feedback from Council Members, the Tasmanian Government and general consultation with stakeholders and the public in October 2019, the final REDS is now provided for Council Member endorsement.

ECONOMIC IMPACT:

There are significant impacts of delaying the implementation of a coordinated regional response to the economic and demographic challenges facing the City of Launceston and the Northern Tasmania Region. The implications of this are well articulated in the National Institute of Economic and Industry Research Key Directions Report, 2018. See link below: <https://ntdc.org.au/2018/11/13/key-directions-report-for-northern-tasmania-nieir/>

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

Economic Development Strategy - *Vision 2021*
Greater Launceston Plan
National Institute of Industry and Economic Research - *Key Directions Report*

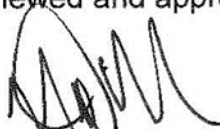
BUDGET & FINANCIAL ASPECTS:

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.



Michael Stretton: General Manager

ATTACHMENTS:

1. Northern Tasmania Region - *The RED Strategy: 2019 (electronically distributed)*
-

20.3 Report on Council's 2019 Annual General Meeting**FILE NO:** SF0098**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To report on the Council's 2019 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on Thursday, 5 December 2019 at 5.30pm in the Council Chambers, Town Hall.

RECOMMENDATION:

That Council, in respect of the Annual General Meeting held on Thursday, 5 December 2019 at 5.30pm in the Council Chambers, Town Hall, notes the following motions passed at that Meeting:

- (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 6 December 2018 be confirmed as a true and correct record.
 - (ii) That the City of Launceston Annual Report for the year ended 30 June 2019 be adopted, together with the Annual Report for the Queen Victoria Museum and Art Gallery and the Annual Report for the Launceston Flood Authority.
-

REPORT:

In compliance with section 72B(1) of the *Local Government Act 1993* (Tas) (the Act), the Annual General Meeting (AGM) of the City of Launceston was held in the Council Chambers, Town Hall, on Thursday, 5 December 2019.

Notices of the Meeting were published in *The Examiner* on Saturday, 9 November 2019 and Saturday, 16 November 2019.

No submissions in respect of the 2018-2019 Annual Report or motions for consideration were received.

One Question on Notice was received.

A quorum of Council was present at the AGM, consisting of the Mayor, Councillor A M van Zetten, Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris. The attendance of Council officers and electors was recorded.

20.3 Report on Council's 2019 Annual General Meeting ...(Cont'd)

Section 72B(6) of the Act requires that a motion passed at the AGM is considered at the next Meeting of the Council. The motions passed at the AGM were:

- (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 6 December 2018 be confirmed as a true and correct record (moved Councillor P S Spencer, seconded Councillor A G Harris).
- (ii) That the City of Launceston Annual Report for the year ended 30 June 2019 be adopted, together with the Annual Report for the Queen Victoria Museum and Art Gallery and the Annual Report for the Launceston Flood Authority (moved Councillor R I Soward, seconded Councillor A G Harris).

Section 72B(7) of the Act requires the General Manager to keep minutes of the AGM. The Minutes of the AGM will be published at www.launceston.tas.gov.au.

It was noted that Questions Taken on Notice at the Annual General Meeting would be responded to in the Council Agenda of 23 January 2020.

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 Corporate Strategic Plan 2014-2024

Strategic Priority 3: We are a progressive leader that is accountable to our governance obligations and responsive to our community.

10-Year Goal: To ensure decisions are made in a transparent and accountable way, that effectively meet our statutory obligations, support quality services and underpin the long-term sustainability of our organisation.

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
-

20.3 Report on Council's 2019 Annual General Meeting ...(Cont'd)

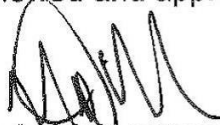
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton: General Manager

21 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.

22 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

That Council moves into Closed Session to consider the following matters:

22.1 Confirmation of the Minutes

Regulation 35(6) of the *Local Government (Meeting Procedures) Regulations 2015* states that at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

22.2 City Heart Activation

Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015* states that a part of a meeting may be closed to the public to discuss:

- (b) information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business.

22.3 End of Closed Session

To be determined in Closed Council.

23 MEETING CLOSURE

UNCLASSIFIED AGENDA ITEMS:
