



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 14 NOVEMBER 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: 14 November 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 14 November 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.)

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 31 October 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

5.1 Petition - *Keep Gondolas Out of the Gorge*

FILE NO: SF0097/SF3033

AUTHOR: Anthea Rooney (Committee Clerk)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To receive a petition submitted by Mrs Anna Povey and Mrs Rocelyn Ives regarding keeping gondolas out of the Gorge.

RECOMMENDATION:

That, pursuant to section 58(2) of the *Local Government Act 1993 (Tas)*, Council receives the petition titled *Keep Gondolas Out of the Gorge*, tabled by the General Manager and submitted by Mrs Anna Povey and Mrs Rocelyn Ives.

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. This petition meets the general requirements of section 57(2) of the *Local Government Act 1993 (Tas)* (the Act). The petition is available for inspection upon request at the City of Launceston (Customer Service Centre).

The petition states:

We petition the Council in accordance with the Local Government Action 1993 (Tas) to - oppose the Launceston Skyway gondola development and request that the City of Launceston reject this proposal, by withholding landholder consent and rejecting any Development Application.

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

The Director Corporate Services will give reasonable notice to Mrs Povey and Mrs Ives of when the Council is to consider this petition.

5.1 Petition - *Keep Gondolas Out of the Gorge ...*(Cont'd)

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.

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. Petition Extract Submitted by Mrs Anna Povey and Mrs Rocelyn Ives
-

Attachment 1 - Petition Extract Submitted by Mrs Anna Povey and Mrs Rocelyn Ives

14-Fmx-013 | Version 14/01/2019
Page 2 of 2



Petition to: Keep Gondolas Out Of The Gorge
(copy the name/subject matter of your petition from page 1)

To the Councillors and General Manager of the City of Launceston

We petition the Council in accordance with the *Local Government Act 1993* (Tas) to -
(copy the statement from page 1)

oppose the Launceston Skyway gondola development and request that
the City of Launceston reject this proposal, by withholding landholder consent and rejecting any Development Application.
<i>The current proposal for a skyway of 24 gondola cars, 13 towers and a main station at the Cataract Gorge is unacceptable. The proposed infrastructure would dominate the landscape and skyline, completely changing the character of the Gorge and forever altering the amenity for locals and visitors.</i>

Statement specifying the number of signatories to the petition:

On line – Change.Org : 3188	Paper petition : ^{ATP} 1330	TOTAL : ^{ATP} 5,518
	^{ATP} 13520	4,540 ^{ATP}

Full name, address and signature of the person/s lodging the petition:

Name	Address	Signature
Anna Povey	19 Gorge Rd, Trevallyn 7250	<i>Anna Povey</i>
Rocelyn Ives	61 Connaught Cres, West Launceston 7250	<i>Rocelyn Ives</i>

People who sign this petition should be aware that the personal information they provide above (name, address and signature) will be published in the agenda of the Council Meeting at which this petition is tabled, and so will be publicly available. Information about City of Launceston's management of personal information is available at www.launceston.tas.gov.au.

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.)

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

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

**7.1.1 Public Questions on Notice - Mr Ted Sands - Council Meeting -
31 October 2019****FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following matter, raised at the Council Meeting on 31 October 2019 by Mr Ted Sands, has been responded to by Mr Shane Eberhardt (Director Infrastructure Services).

Questions:

1. Mr Ted Sands addressed Council on behalf of Mr Gordon Badcock regarding a position taken by the Council about the piping of drainage through 403 Glenwood Road, Relbia. Mr Sands referred to a letter which has been provided to all Councillors. Mr Sands seeks to have the Council reconsider the approach being taken.

Response:

The piping of drainage through 403 Glenwood Road, Relbia would constitute a significant deviation from Council's drainage standards applied in the rural areas of our municipality. The perceived issues identified with the drainage of 403 Glenwood Road, Relbia are primarily due to the inherent nature of the land; low-lying at the lower reaches of a localised catchment area and the land has very little grade over its extent.

7.1.2 Public Questions on Notice - Mr Gordon Badcock - Council Meeting - 31 October 2019**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following matter, raised at the Council Meeting on 31 October 2019 by Mr Gordon Badcock, has been responded to by Mr Shane Eberhardt (Director Infrastructure Services).

Questions:

1. Mr Badcock addressed the same issue (as Mr Ted Sands) regarding drainage issues at 403 Glenwood Road, Relbia and informed Councillors of the history of the installation of the drain. Mr Badcock seeks to have the issue resolved more favourably than the current quote of \$75,000.

Response:

Several site inspections have been undertaken at this location with Mr Badcock and Mr Sands to document and consider their perspective. The perceived issues identified with the drainage of 403 Glenwood Road, Relbia are primarily due to the inherent nature of the land; low-lying at the lower reaches of a localised catchment area with very little grade over its extent. These inherent characteristics associated with the land cause it to become inundated during larger rain events; the agricultural use of land subject to these conditions is common and appropriate. Additional upgrade to the drainage through 403 Glenwood Road, Relbia would constitute a significant deviation from the Council's drainage standards applied in the rural areas of our municipality.

The Local Government (Highways) Act 1982 (the Act), places the responsibility for managing drainage of highways on adjoining property owners. Section 53 of the Act provides the ability for the Council to serve notice to the owner of the land and undertake necessary drainage works and if not completed with the Council, may undertake the works and recover costs.

7.2 Public Questions Without Notice

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

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

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

8 PLANNING AUTHORITY

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River

FILE NO: DA0312/2019

AUTHOR: John Ayers (Consultant Planner GHD Pty Ltd)

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:	University of Tasmania
Property:	2-4 Invermay Road, Invermay
Zoning:	Environmental Management, Open Space, Particular Purpose 4 - Inveresk Site
Receipt Date:	28/06/2019
Validity Date:	12/08/2019
Further Information Request:	02/08/2019 and 03/09/2019
Further Information Received:	20/08/2019 and 05/09/2019
Deemed Approval:	14/11/2019
Representations:	Five

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
19.0 Open Space Zone 19.3.1 Hours of operation (P1)	The bridge will remain open to the public at all times and so cannot comply with restricted operating hours defined in the Acceptable Solution.
19.4.1 Building height, setback and siting (P1, P2)	The bridge will be greater than 5m in height. The bridge will be within 10m from the property boundaries.
19.4.2 Landscaping (P1)	The development is not for a 'no permit required' use.
29.0 Environmental Management Zone 29.4.2 Building height, setback and siting (P2)	The bridge does not meet minimum frontage setbacks.
29.4.3 Exterior finish (P1)	The proposal states that the bridge is finished in accordance with the Reserve Activity Assessment. However, the Reserve Activity Assessment does not address the finish of the bridge.
35.0 Particular Purpose Zone 4 - Inveresk site 35.4.1 Building height (P1)	No Acceptable Solution
E2.0 Potentially Contaminated Land Code E2.5 Use standards (P1) Land fit for purpose	The Director, or a person approved by the Director, has not certified that the land is suitable for the intended use or approved a plan to manage contamination and associated risk to human health of the environment.
E2.6.2 Excavation (P1)	No Acceptable Solution
E5.0 Flood Prone Areas Code E5.6.1 Development subject to flooding (P1)	No Acceptable Solution
E7.0 Scenic Management Code E7.6.2 Scenic management areas (P1)	No Acceptable Solution
E9.0 Water Quality Code E9.6.1 Development in the vicinity of watercourses and wetlands (P1)	No Acceptable Solution

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(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 Utilities - Construction of a pedestrian bridge across the North Esk River at 2-4 Invermay Road, Invermay and the land extending over the North Esk River from the existing viewing platform on the northern levee adjacent to the Inveresk student accommodation building located at 6 Barnards Way, Invermay within CT 174633/2 and continuing south east across the levee and river to a position on the southern levee bank immediately to the south west of the Scotch Oakburn College Rowing Club and extending into Boland Street road reserve within CT144355/1 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. General Arrangement - Stage 1 Plan, Pitt & Sherry, LN18249-P100, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision E, Page 1, 17/09/2019.
- b. General Arrangement - Stage 1 Elevation & Section, Pitt & Sherry, LN18249-P101, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision D, Page 1, 21/08/2019.
- c. General Arrangement - Stage 1 Detail Plans, Pitt & Sherry, LN18249-P102, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision C, Page 1, 20/08/2019.
- d. General Arrangement - Stage 1 Property Boundary Plan, Pitt & Sherry, LN18249-P110, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision C, Page 1, 20/08/2019.
- e. Site Plan - Stage 1, Pitt & Sherry, LN18249-P111, Inveresk Pedestrian Cycle Bridge Inveresk Launceston, Revision E, Page 1, 17/09/2019.

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. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

5. 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.

6. 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.

7. SOIL AND WATER MANAGEMENT CONTROL PLAN

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

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

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

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

8. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or engineering consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

9. OCCUPATION OF ROAD RESERVE (COMPLEX)

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the Director Infrastructure Services is required.

Application for the occupation of Boland Street must be made 28 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. The nature, dates and duration of the occupation and/or works.
 - b. The contractors name and contact details.
 - c. The traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles.
 - d. Any alternative pedestrian and cycling routes to be provided where the existing footpath and/or cycle lane in Boland Street is unavailable for use during construction activities.
 - e. The alternative pedestrian and cycling routes to be provided when the levee paths are closed during construction.
 - f. Any temporary works required to maintain the serviceability of the road or footpath.
-

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

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

- a. The nature, dates and duration of the occupation and/or works.
- b. The traffic management works that must be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles, any alternative pedestrian and cycling routes to be provided where the existing footpath and/or cycle lane in Boland Street is unavailable for use during construction activities.
- c. Any temporary works required to maintain the serviceability of the road or footpath.
- d. All remedial works required to repair any damage to the road reserve resulting from the occupation and/or works.
- e. Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

10. CONSTRUCTION DOCUMENTATION

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

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

11. COMPLETION OF WORKS

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

12. AS CONSTRUCTED PLANS

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

13. LAUNCESTON FLOOD AUTHORITY LOADS UPON FLOOD LEVEE

The loading applied to the levees during construction must not exceed the loadings shown on Pitt & Sherry drawing number LN18249-P111 Revision E or subsequent replacement drawing as approved by the Launceston Flood Authority.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

14. REINSTATEMENT OF THE LEVEES AND RIVERBANKS

All disturbed areas of the levees and riverbanks are to be fully reinstated to prevent erosion.

15. AMENITY

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

16. ACCESS AND SAFETY

Prior to issuing a building permit the following must be submitted to and approved by the Manager of City Development:

1. A safety management plan prepared by a suitably qualified person demonstrating how the bridge will operate to maintain the safety of all users of the bridge. This plan must make reference to the relevant Austroads Guidelines identifying any departures and making recommendations for the bridge design on what can be done to mitigate any safety risks to tolerable levels.
2. A report by a suitably qualified access consultant demonstrating that the proposed bridge complies with all applicable State and Commonwealth Government access standards and disability discrimination requirements.

Further approvals may be necessary where these reports conclude that design changes are necessary to demonstrate the required level of safety and access.

17. CONTAMINATED LAND

The applicant must comply with the Environmental Site Assessment Report and Environmental Management Plan prepared by Geo-Environmental Solutions dated June 2019 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

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

18. 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;
-

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

- 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. General

This permit was issued based on the proposal documents submitted for DA0312/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The 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 the Council.

C. 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.

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D. 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

E. 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 the Council's Notice to Waive Right of Appeal is attached.

In accordance with Council policy, the assessment of this Development Application was outsourced to an independent consultant Town Planner as it relates to development in which Council has a pecuniary interest.

REPORT:**1. THE PROPOSAL**

The application, made by University of Tasmania (UTAS), is for the construction of a pedestrian and cycle bridge across the North Esk River. The proposed bridge will connect the existing viewing platform on the northern side of the river, east of the UTAS Inveresk Student Accommodation building, and an area west of the Scotch Oakburn College Rowing Club building on the southern side of the river.

The bridge

The proposed bridge will have a 4m wide deck featuring 900mm high pedestrian hand rails, and 1.4m high bicycle safety rails on both sides.

The bridge will extend approximately 106m over the river and will be supported by two piers located within the river and the southern river bank. The northern abutment of the bridge will be supported by piers set into the river bank adjacent the existing cycle path. The southern abutment of the bridge will be supported by a pier set adjacent the southern base of the levee.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

The deck height of the bridge, which will rise to the south at a grade of 1:33, will range between approximately 4.5m and 7.5m above the typical water level of the river. The bridge will pass over the existing pathway and levee on the southern side of the river with a minimum clearance of 2.7m.

At its southern abutment the bridge will be supported by a pier set into the base of the southern side of the levee, and an F Type concrete barrier will be positioned along approximately 30m of the southern base of the levee.

Whilst the bridge will terminate at its southern end approximately in line with the Council owned access road leading to the Scotch Oakburn College Rowing Club, it has been designed to enable a connection across Boland Street and to the second floor of a future UTAS development between Boland, Willis, Cimitiere and Lawrence Streets. The ultimate development of the Willis Street site forms a part of the UTAS Northern Transformation Project and it is appropriate that the design for the future connection to the site be planned at this stage.

Bridge access

The bridge will be accessed via staircases and ramps on either side of the river.

Northern end of bridge

The bridge will connect with the southern side of the existing viewing deck and associated pathway located at the top of the floodwall, which will support all abilities and cycle access. A new staircase will connect the northern side of the viewing platform to the existing pavement and footpath approximately 8m north of the floodwall, which will provide access to the residential and commercial precinct of the Inveresk site and beyond to the balance of the site. A portion of the existing pathway north of the floodwall will be demolished and rebuilt to accommodate the new staircase and to rectify access to the pathway ramps. In response to the concerns raised by the Bicycle Network Tasmania and Tamar Users Bicycle Group, the design will achieve integration of the northern ramp with existing pathway infrastructure to ensure safety for pedestrian and cycle users such that it is fit for purpose and use by both.

Ramp to southern side of river

A 3m wide ramp will diverge from the western side of the bridge at a grade of 1:14. The ramp will provide access to the existing pathway on top of the levee on the southern side of the river. The ramp will be supported by six piers built into the southern river bank and levee and in the location of the disused slab of the former North Esk Rowing Club building. The construction will be anchored through the slab with new ramp supports structurally independent of the slab, which will remain.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Southern end of bridge

A new staircase will be constructed on the eastern side of the southern end of the bridge. The staircase will have a height of approximately 4m, and will descend to the east. A new pathway will be constructed to connect the base of the staircase to the existing pathway on top of the levee.

Bridge Construction

The construction of the bridge will be procured as a design and construct contract. As such, the details of the final design of the bridge will not be clear until tender submissions from contractors are received by the applicant. Likewise, the final construction methodology cannot be confirmed at this point, however, the tender specification sets parameters for construction to ensure that damage to the levees is avoided. The application is for the design submitted and advertised any subsequent changes to the design which materially alter the design may require a further permit as part of the planning process.

In reference to construction methodology, which given the physical restriction of the site is the subject of a required Construction Environmental Management Plan (CEMP), must be submitted in a final form with detail which satisfies the performance criteria ensuring no damage to the levee system and its surrounds. A permit condition will require compliance to achieve this objective.

Construction will involve the driving of piling into the floor of the river channel. The most likely approach to this work is to access the area with a barge carrying a pile driver.

Two options are at this stage presented for loading the pile driver onto a barge:

Option 1:

A pile driver will be loaded onto a barge at the mouth of the North Esk River and will pass beneath the North Bank Pedestrian Bridge, Charles Street Bridge, and Tamar Street (Victoria) Bridge. This would most likely take place during low tide to ensure sufficient clearance. The pile driver may be required to be partially disassembled for this approach.

Option 2:

Utilising the existing access to the Scotch Oakburn Rowing Club, a temporary ramp or similar structure would be constructed and the pile driver would be delivered to the barge via a truck utilising the temporary ramp.

Further to the above, construction may also utilise cranes and the bridge deck spans may be launched from the northern side of the river toward the southern side. The design of the bridge will aim to utilise lighter weight components that can be disassembled and transported by crane or barge more easily.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

The construction methodology options proposed avoid load bearing upon the levee, outside of the existing vehicle access routes, including for the loading and storage of materials.

The applicant will be required to demonstrate on plan the 'No construction loading area' extending to the east past and over the Rowing Club.

An Unexpected Finds Protocol, included with the CEMP, addresses the potential that contaminated soils or hazardous materials which may be encountered during construction and provides guidelines for responding to that potential.

Measures are proposed in the CEMP to manage the potential impact of the development on the site and surrounding natural features, including the river and riverbanks. Such measures address contaminated soils, protection of the river from siltation and erosion, vegetation management and dust and air emissions. The CEMP also provides for the implementation of a complaints protocol.

The recommendation for approval includes a permit condition to ensure compliance and the avoidance of damage to the levee system and riverbanks within the construction footprint.

Property Titles

The proposed development will be constructed within the boundary of six separate property titles, two of which are owned by the City of Launceston, whilst the remaining four are Crown Land under the administration of the Department of Primary Industries, Parks, Water and Environment (DPIPWE) and the Parks and Wildlife Service (PWS).

Component	Address	Property ID	Title Reference	Authority
Access for works and laydown area (includes existing viewing platform)	2 Invermay Road, Invermay	3389971	174633/2	Launceston City Council
Northern abutment	Northern bank of the North Esk River	CID 1306571	Public Reserve under the <i>Crown Lands Act 1976</i>	DPIPWE

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Component	Address	Property ID	Title Reference	Authority
Pier 1	Bed of the North Esk River	CID 1118112	Tamar Conservation Area - Conservation Area under the <i>Nature Conservation Act 2002</i>	Parks and Wildlife Services
Pier 2	Southern Bank of the North Esk River	CID 1306571	Public Reserve under the <i>Crown Lands Act 1976</i>	DPIPWE
Southern abutment	Levee adjacent Boland Street	144355/1	Subdivision road	Launceston City Council
Ramp	North Esk Rowing Club	6675498	Former site of rowing club building	DPIPWE

Flood Risk

The design and positioning of the bridge is informed by investigation and analysis of flood modelling which has been updated as a part of the recent BMT review.

The Pitt & Sherry report identifies the design flood conditions used to calculate hydraulic loads in accordance with Australian Standard AS5100 Bridge Design.

The report demonstrates:

- Flood velocities necessary for bridge design determined by hydraulic modelling;
- The afflux¹ created by the bridge under the 2050 1% Annual Exceedance Probability AEP flood which is a maximum of 10-20mm at the bridge at the critical water level;
- Scour at all piers; and
- The need for scour protection under the bridge at the southern bank.

¹Afflux - The rise of water level (above normal) on the upstream side of a bridge or obstruction caused when the effective flow of the obstruction is less than the normal width of the stream immediately upstream of the obstruction.

The report concludes that there are no adverse impacts which would render the design unacceptable from a flood perspective.

The bridge structure is located above the flood level, positioned above the levee. The piers and support for the ramp may accumulate debris during flood events however these are single pylon structures with a small surface area without protrusions and the like to trap debris. The supporting report concludes that the bridge will not cause the diversion or displacement of flood waters and will not have a significant impact upon flood levels or the behaviour of flooding waters.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

The Inveresk site is located on the former Tasmanian Railway Workshops area between the North Esk River, Invermay Road and UTAS Stadium (formerly York Park). The Inveresk site is relatively low lying and is contained within the polder formed by the flood levees of the Launceston Flood Protection System. Peak flood levels in the North Esk River apply to both sides of the river although they are marginally higher at the northern (Forster Street) end of the Inveresk area than closer to Tamar Street.

Launceston is located at the confluence of the North and South Esk Rivers where they form the kanamaluka/Tamar River. Flooding can be exacerbated by high tide levels and storm surge in the kanamaluka/Tamar River.

Floodplain management is achieved by strengthening the risk management measures that will need to encompass floodplain planning, risk management and ongoing commitments to maintain or improve the level of protection provided by the levees in perpetuity. This must also recognise that the consequences of a changing climate include increases in flood levels through increased storm surge, sea level rise and increased rainfall intensities and possibly rainfall volume.

Typically, flood risk is categorised in terms of environmental, economic and social implications and its governance. The prime criterion being the safety of people and if people are not exposed to flood risk.

As a part of its continual improvement to floodplain management the City of Launceston engaged hydrologists and hydraulic Engineers BMT in 2017 to update the North Esk, South Esk Rivers and kanamaluka/Tamar River flood model and produce new flood mapping outputs. The subject site/s of the UTAS campus relocation is contained within flood prone land included in this flood model.

The key updates for the model and mapping updates are:

- An updated flood frequency analysis which estimates the 1% AEP flood event flow rate(s);
- A joint probability analysis in accordance with the Australian Rainfall and Runoff 2016 (Ballet, et al) which considers the interaction between North Esk and South Esk Rivers flooding, and tidal influences, storm surge and climate change consequences; and
- New hazard mapping in accordance with the Australian Institute of Disaster Resilience Handbook 7 (Australia 2017a).

The flood frequency analysis was revised through the examination of the history of flood data of the South Esk River at Trevallyn and estimation of the likely magnitudes of events of a given return period, commonly expressed as Annual Exceedance Probability (AEP).

The result of the updated flood frequency analysis presents a larger than previously estimated flow rate for the 1% AEP flood event.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

This information has been considered as part of the present assessment by Pitt & Sherry, the results of which conclude:

- Hydraulic modelling and calculations have demonstrated that the design 2050 1% AEP afflux is 10-20mm at the bridge and potentially lower owing to conservative assumptions of velocity and debris loadings;
- Flood hydraulic conditions critical to the structural design have been determined to inform the design process and ensure the structural design is adequate to meet the AS5100 design requirements;
- Scour depths around piers and abutments have been estimated to inform the structural design process;
- Scour protection measures are proposed and will be placed at the piers near the bridge abutments. Scour protection for the central piers is not considered necessary as the piers have been designed to withstand the additional column and lateral forces.

Ecological values

The consulting group *umwelt* have undertaken a flora and fauna assessment concluding that there are no threatened ecological communities, flora species nor fauna listed under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* or the *Tasmanian Threatened Species Protection Act 1995* and concludes that the proposed development will not impact any critical habitat elements for any threatened species identified as having potential to occur.

Mitigation measures are proposed to minimise erosion, sedimentation and siltation impacting fringing habitats or aquatic habitats adjacent to the construction area associated with the North Esk River.

The report confirms that with mitigation measures recommended the development will not result in any significant impacts to Commonwealth listed flora, fauna or ecological community identified under the *Environmental Protection and Biodiversity Conservation Act 1999* nor to any Tasmanian species listed under the *Tasmanian Threatened Species Protection Act 1995* requiring a permit under the Act.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The development site includes a section of the levee and flood wall on either side of the North Esk River. Pathways aligned with the levee and floodwall provide pedestrian access and space for leisure and recreational use.

The development site on the northern side of the North Esk River includes land approximately 10m east of the UTAS Student Accommodation building. An existing viewing deck connects with the pathway above the floodwall, whilst a cycle path is located approximately 2.7m lower than the pathway, on the southern side of the floodwall. A staircase connects the viewing deck to the southern alignment of the cycle path.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

The development site on the southern side of the river includes land approximately 40m west of the junction of Boland and Lawrence Streets. The site includes a portion of the levee on the southern side of the river and a single pathway on top of the levee.

The bridge crosses the North Esk River and its banks. The river is a prominent feature in the landscape (although partially occluded by the levee structures) and features vegetation and fauna habitats which, despite being highly modified and dominated by introduced species, contain significant natural values. The river is also used recreationally, including for rowing, Scotch Oakburn College Rowing Club being located approximately 15m east of the proposed southern access to the bridge.

On the southern side of the river, Boland street adjacent the development includes views of street tree planting on both sides with vistas to the northeast beyond the river to the development at Inveresk and the commercial development beyond Lawrence and Innes Streets/Boland Street. The neighbourhood is characterised by City development to the south along the southern side of Boland Street and to the north, the UTAS Student Accommodation building and most directly by access pathways along the levees.

In that context the pedestrian bridge is an extension of these facilities which provide interconnection between sites either side of the river.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

19.0 Open Space Zone

19.1.1 Zone Purpose Statements

19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

19.1.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.

Consistent

The portion of the development that is located within the Open Space Zone includes the southern portion of the bridge. Development will include one pier set into the river bank, and the access stairs, ramp and pathway connections on top of the levee.

The bridge is intended to facilitate greater connectivity between the UTAS Inveresk campus, including passive and active recreation facilities within the precinct and ultimately the proposed UTAS facilities to be located between Boland, Lawrence, Cimitiere and Willis Streets.

The bridge will also provide publicly accessible infrastructure for pedestrians and cyclists, and will provide broader community benefit when events are held at UTAS Stadium and adjacent recreational facilities.

It is considered that the proposed bridge is consistent with the purpose of the Zone.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Local Area Objectives
There are no local area objectives
Desired Future Character Statements
There are no desired future character statements
19.3 Use Standards
19.3.1 Hours of operation
To ensure that uses do not cause unreasonable loss of amenity to nearby sensitive uses.
Consistent
The proposed bridge will remain open and accessible to the public at all times, consistent with the use of the existing pathway network.
A1 Operating hours, except for office and administrative tasks, must be between: (a) 8.00am and 10.00pm adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential Urban Mixed Use and Village zones; or (b) 6.00am to midnight otherwise.
Assessment against Performance Criteria is required
P1 Uses must not unreasonably impact on the amenity of nearby sensitive uses, having regard to: (a) the nature and intensity of the proposed use; (b) the characteristics and frequency of any emissions generated; (c) the extent and timing of traffic generation; (d) the hours of delivery and despatch of goods and materials; and (e) the existing levels of amenity.
Complies with P1
The proposed bridge will remain open and accessible to the public at all times. The intensity of use of the bridge will correspond with the use of the existing network of pathways and as such will have no greater impact on amenity in the surrounding area as that of the current pathways, which is considered to be minimal. Amenity levels are unlikely to be impacted. The context of the area includes a mix of uses, commercial development and traffic movement through the adjacent road network which has a far greater impact on the precincts amenity.
19.3.2 Mechanical plant and equipment
Not applicable
Mechanical plant equipment does not form a part of the development.
19.3.3 Light spill and illumination
To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.
Consistent
The bridge will provide lighting for pedestrian safety and landscaping effect, consistent with provisions of the clause.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>A1 The use must:</p> <ul style="list-style-type: none"> (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and (b) contain direct light from external light sources within the boundaries of the site.
<p>Complies with A1 The bridge will include lighting for pedestrian safety and landscaping effect. The light generated will be contained generally within the boundaries of the subject development, which does not adjoin the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use or Village zones.</p>
<p>19.3.4 External storage of goods</p>
<p>Not applicable The proposed development does not include the external storage of goods.</p>
<p>19.3.5 Commercial vehicle parking</p>
<p>Not applicable The proposed development will not involve access by commercial vehicles.</p>
<p>19.3.6 Open space character</p>
<p>To ensure that uses are of an appropriate scale for the zone.</p>
<p>Consistent Because of the nature of the structure, the bulk of the bridge, ramp and staircase will be elevated upon piers. As such, the footprint of the structure is minimised and of an appropriate scale for the Zone and its context.</p>
<p>A1 If for:</p> <ul style="list-style-type: none"> (a) no permit required uses; or (b) a combined gross floor area not exceeding 250m² over the site.
<p>Complies with A1 The portion of the bridge within the Zone will have a gross floor area less than 250m².</p>
<p>19.4 Development Standards</p>
<p>19.4.1 Building height, setback and siting</p>
<p>To ensure that building bulk and form, and siting:</p> <ul style="list-style-type: none"> (a) is compatible with the character of the surrounding area; (b) protects the amenity of adjoining lots and surrounding uses; and (c) respects the natural and landscape values of the site.
<p>Consistent The siting, orientation and height of the proposed bridge will be appropriate with respect to its function, and be consistent with the character of the surrounding area, which is dominated by a network of pathways adjacent to the river. Whilst the structure will be apparent, its design in terms of scale and profile allows it to sit within the landscape in a way which does not dominate the view field, not being unexpected as a function necessary to access within the precinct.</p>
<p>A1 Building height must be no greater than 5m.</p>
<p>Assessment against Performance Criteria is required</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>P1 Building height must be compatible with the character of the surrounding area, and protect the amenity of adjoining lots and surrounding uses, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) height of buildings on the site, adjoining lots and adjacent lots; (c) the natural and landscape values of the site; (d) the bulk and form of existing and proposed buildings; (e) the allowable building heights; (f) the apparent height when viewed from roads and public places; (g) sunlight to private open space and windows of habitable rooms on adjoining lots; (h) the privacy to private open space and windows of habitable rooms on adjoining lots; (i) the existing screening or the ability to implement screening; and (j) any overshadowing of adjacent lots or public places.
<p>Complies with P1</p> <p>The proposed bridge, at its southern abutment, will have a total height of approximately 7.57m above ground level, measured to the top of the bicycle safety rail. The bridge has been designed to align with a potential future extension over Boland Street, which will require a clearance above the road of 5.5m, and is intended to connect with the second storey of a new building at the UTAS's Willis Street site, to be developed as part of the Northern Transformation Project.</p> <p>The southern portion of the bridge will be approximately 15m west of the Scotch Oakburn College Rowing Club building, which is the only nearby building within the Open Space Zone. The next closest buildings are a cluster of dwellings on Lawrence Street, approximately 80m south-east. Whilst the bridge will be approximately 100m from any building or structure greater than one storey, Boland Street is dominated by larger commercial buildings within 250m to 300m to the west and east respectively.</p> <p>The proposed bridge will not overshadow or impact the amenity or privacy of an adjacent lot or building. It is considered to be consistent in purpose with the topography and existing network of pathways to which the bridge will connect.</p>
<p>A2 Setback from all boundaries must be no less than 10m.</p>
<p>Assessment against Performance Criteria is required</p>
<p>P2 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjacent lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the natural and landscape values of the site; (d) the setbacks of surrounding buildings; (e) the height, bulk and form of existing and proposed buildings; (f) the privacy to private open space and windows of habitable rooms on adjoining lots; (g) sunlight to private open space and windows of habitable rooms on adjoining lots; (h) any existing screening or the ability to implement screening; and (i) the character of the surrounding area.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with P2 The proposed bridge will be within 10m of the lot boundaries of the site.</p> <p>The siting and orientation of the bridge and its piers within irregular shaped lots is necessary with respect to its function in providing access over the river, and to facilitate future linkages beyond and over Boland Street. Whilst the bridge necessarily crosses multiple titles it will not impact the use of surrounding land, including the adjacent rowing club. Further, the bridge will not impact the amenity or privacy of adjacent properties as it simply performs the function of pedestrian and cycle intercommunication between the Inveresk precinct and the City.</p>
<p>19.4.2 Landscaping To ensure that development is landscaped to retain the natural values of the site and contributes to the broader landscape of the area.</p>
<p>Consistent Due to its function the proposed development does not incorporate landscape planting, but in a design sense addresses its impact within the landscape through its design, scale and massing.</p> <p>The design minimises impacts on existing natural values, and will be consistent in form with existing utilities developed within the immediate and broader landscape. The proposed bridge will become an important part of the connected pedestrian and cycle network. The landscape has been modified significantly with the introduction of the levees, pathways and the infusion of buildings within the Inveresk site.</p> <p>The illustrative photographs taken from the southern side of the river demonstrate the interruption to the existing landscape looking at the Student Accommodation building, levees and associated pathways. There is little doubt that the river and associated landscape has been significantly modified.</p> <p>Of course the modifications of the landscape are a direct result of introduction of the flood levees as a part of the flood management system.</p>
<p>A1 If for no permit required uses.</p>
<p>Assessment against Performance Criteria is required P1 Development must be landscaped to respect the natural values of the site and the broader landscape of the area, having regard to:</p> <ul style="list-style-type: none"> (a) location and height of retaining walls; (b) the existing vegetation and its retention where it is feasible to do so; (c) the location of any proposed buildings, driveways, car parking, storage areas, signage and utility services; (d) proposed height and type of fencing; (e) proposed vegetation plantings; (f) the location of pedestrian movement routes; (g) maintenance of plantings, weed management and soil and water management; and (h) the character of the surrounding area; as shown in a detailed landscaping plan.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with P1 Because of the nature of the proposed development there is no landscaping, or landscaping plan proposed as part of the development, which intends to present the bridge as an architectural element within the landscape. The natural values of the site and broader landscape are limited as they consist of highly disturbed riparian vegetation, introduced species, and weed infestations. Nonetheless, the footprint of the development will consist primarily of piers, which will minimise the requirement to remove or disturb the existing vegetation.</p> <p>The design of the bridge is consistent with the character of the surrounding area, which consists primarily of utilities infrastructure adjacent the North Esk River.</p> <p>It is considered that the retention of the existing vegetation mainly within the banks of the river will satisfy the intention of the Performance Criteria, to respect the remnant natural values of the site.</p>
<p>19.4.3 Lot size and dimensions</p>
<p>Not applicable Subdivision is not proposed as a part of the development.</p>
<p>19.4.4 Frontage and access</p>
<p>Not applicable As referred above.</p>
<p>19.4.5 Discharge of stormwater</p>
<p>Not applicable</p>
<p>19.4.6 Water and sewerage services</p>
<p>Not applicable</p>
<p>29.0 Environmental Management Zone</p>
<p>29.1.1 Zone Purpose Statements 29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard. 29.1.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management. 29.1.1.3 To provide for complementary use and development on non-reserved land.</p>
<p>Consistent The North Esk River and parts of the river’s banks are zoned Environmental Management. The portion of the development that is located within the Zone includes the central section of the bridge across the river, and one pier set into the channel of the river.</p> <p>The primary natural values of the site within the Environmental Management Zone relate to aquatic and riverbank features, which includes the habitat for one threatened species of fish, the Australian Grayling (<i>Prototroctes maraena</i>) and potential habitat for five threatened flora species, including the Swamp Bindweed (<i>Calystegia sepium</i>).</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Otherwise the natural values of the site are limited as a result of significant modification of the surrounding area, including the construction of the flood levee and pathways. The river is also impacted by siltation and poor water quality.</p> <p>The development is consistent with the utilities use of the surrounding land for pathways, which are integrated with the floodwalls and levees either side of the river. As the development requires only one pier to be located within the Zone, which according to the analysis will not worsen the impacts of flooding, it is considered that the proposal is consistent with the purpose of the Zone.</p>
<p>Local Area Objectives</p>
<p>There are no local area objectives</p>
<p>Desired Future Character Statements</p>
<p>There are no local area character statements</p>
<p>29.3 Use Standards</p>
<p>29.3.1 Reserved land</p>
<p>Objective: To ensure that use recognises and reflects relevant values of reserved land.</p>
<p>Consistent The development is within the Tamar Conservation Area under the authority of the Parks and Wildlife Service (PWS). A Reserve Activity Assessment (RAA) has been completed and approved in accordance with requirements of the PWS.</p>
<p>A1 Use is in accordance with: (a) an RAA approved under the <i>National Parks and Reserves Management Act 2002</i>, or <i>Nature Conservation Act 2002</i>; or (b) the approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.</p>
<p>Complies with A1 The proposed development will be in accordance with the approved RAA. The RAA focuses on the potential impacts on the river and riverbank and proposes control actions for anticipated impacts and commitments to the monitoring and review of the construction process. The application is accompanied by a flora and fauna assessment report prepared by <i>umwelt</i> Consultants addressing the potential impacts of the development, recommending management and mitigation measures relative to erosion, sediment control, and weed management.</p>
<p>29.4 Development Standards</p>
<p>29.4.1 Development area</p>
<p>Objective: To ensure the development area: (a) responds to the values of the site; and (b) minimises disturbance of the site.</p>

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Consistent

The proposed development within the Environmental Management Zone and North Esk River will include the setting of a single pier within the river channel. Measures to limit the potential impacts of the construction phase are provided as a part of the approved RAA. It is concluded that potential long-term impacts of the development will not be significant. The report submitted as part of the development application identifies a number of design criteria which have been applied to the structure in order to minimise the impact upon the river and its environs.

Construction criteria have been incorporated and provide:

- *No load is allowed on the levee at any location during construction, including vehicle movements or storage of materials, and:*
- *No damage to existing vegetation on the levee is allowed.*

Access to the site is restricted due to the position of the levees on both sides of the river and tidal movements and the relative height of the bridges both upstream and downstream of the site.

The design submitted shows Pier 1 in the riverbed and Pier 2 on the southern edge of the river.

The development must provide a construction methodology that enables the piers to be constructed and the bridge deck installed meeting the construction criteria outlined above. The methodology must identify all areas of the riverbank that will be impacted by the construction and the nature of these impacts.

A1 Development area must not:

- (a) be greater than 20%; or
- (b) be in accordance with a RAA approval granted under the *National Parks and Reserves Management Act 2002* or *Nature Conservation Act 2002*; or
- (c) be in accordance with an approval of the Director General of Lands under the *Crown Lands Act 1976*.

Complies with A1

The footprint of the development within the Environmental Management Zone consists of one pier, which is less than 20% of the development area. Further, an RAA for the proposal has been completed and the DPIPWE has approved the RAA subject to conditions of this planning assessment.

29.4.2 Building height, setback and siting

Objective:

To ensure that the design and siting of buildings responds appropriately to the values of the site.

Consistent

The proposed height of the bridge is greater than any structure located within the immediate zone, however, in terms of the surrounding area and within the view field of the river, the structure will not dominate given the existing development which is clearly visible both within the Inveresk site and from Boland Street and the river edge. In its

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>scale the bridge will be significantly smaller than the nearby UTAS Student Accommodation building on the Inveresk site north of the river. Relevantly, the pedestrian bridge is not something which is to be unexpected in terms of the river precinct in relation to which its scale and design limit its impact. The bridge will include one pier within the Environmental Zone that is greater than 20m from a lot or Zone boundary. The bridge deck will extend beyond the boundaries of the Environmental Management Zone, to provide landings either side of the river.</p>
<p>A1 Building height must:</p> <ul style="list-style-type: none"> (a) be no greater than 6m; or (b) be in accordance with an RAA approval granted under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>; or (c) be in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.
<p>Complies with A1</p> <p>The bridge will have a height of approximately 4.4m above the highest astronomical tide level (measured north of the pier), or approximately 8m above the typical water level (measured at the highest point of the bridge within the Environmental Management Zone, north of the boundary to the Open Space Zone).</p> <p>The proposed height of the bridge is in accordance with the approved RAA, and is therefore considered to be consistent with the Acceptable Solution.</p>
<p>A2.1 Buildings, other than for a sensitive use, must be setback from a frontage:</p> <ul style="list-style-type: none"> (a) no less than 10m; or (b) no less than the existing building for an extension; or <p>A2.2 Buildings for a sensitive use, must be setback from a frontage:</p> <ul style="list-style-type: none"> (a) no less than 10m; or (b) no less than 100m from the boundary of a frontage, where the Rural Resource zone is located opposite the frontage; or (c) no less than the existing building for an extension; or <p>A2.3 Buildings must be setback from a frontage:</p> <ul style="list-style-type: none"> (a) in accordance with an RAA approval granted under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>; or (b) in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.
<p>Assessment against Performance Criteria is required</p>
<p>P2 Building setback must be appropriate to the values of the site, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public places; (e) the retention of vegetation; (f) the existing or proposed landscaping; (g) the safety of road users; (h) separation from agricultural uses or other primary industries; and (i) the character of the surrounding area.

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Complies with P2

The nature and purpose of the development is such that compliance with frontage setbacks is both impractical and unachievable. The constraints of development within the river precinct and its relationship to Boland Street for example requires that the structure connect to the existing pedestrian and cycle network to achieve the connectivity essential for the structure's purpose. In terms of existing development, to the north this includes the levee and associated pedestrian network to which it is proposed the new structure makes direct connection.

In terms of topography and certainly the size, shape and orientation of the site, the development footprint is significantly constrained. Nor will the reduced setback of the structure result in an unreasonable impact in terms of sunlight, privacy, or to the character of the surrounding area given the situation of the river precinct and its relationship to surrounding development.

A3.1 Buildings, other than for a sensitive use, must be setback from a side or rear boundary:

- (a) no less than 10m; or
- (b) no less than the existing building for an extension; or

A3.2 Buildings for a sensitive use, must be setback from a side or rear boundary:

- (a) no less than 10m; or
 - (b) no less than 200m from the boundary of the Rural Resource zone; or
 - (c) no less than the existing building for an extension; or
- A3.3 Buildings must be setback from a side or rear boundary:

A3.3 Buildings must be setback from a side or rear boundary:

- (a) in accordance with an RAA approval granted under the *National Parks and Reserves Management Act 2002* or *Nature Conservation Act 2002*; or
- (b) in accordance with an approval of the Director General of Lands under the *Crown Lands Act 1976*.

Complies with A3.1

Given the linear nature of the river edge zone the side boundaries of the lot to which this application and Zone applies extend west parallel with the alignment of the river to Charles Street Bridge and upstream of the bridge to the north and east. The structure, as it relates to the side boundaries, will comply with the requirement.

29.4.3 Exterior finish

Objective:

To facilitate unobtrusive development.

Consistent

The proposed development will have an exterior finish that is consistent with that of structures of a similar nature (pathways and bridges) in the surrounding area. The use of steel and concrete in its construction coupled with the profile of the structure will reduce its impact and whilst visible will not be 'obtrusive' in the sense of being intrusive and 'out of place'. The bridge will be clearly visible, but its design allows a relatively low profile within the context of the development in the surrounding area and the views particularly looking north east and beyond.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>A1 The exterior finish is:</p> <ul style="list-style-type: none"> (a) a non-reflective material coloured in dark natural tones of grey, green, brown or black; or (b) in accordance with an RAA approval granted under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>; or (c) in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.
<p>Assessment against Performance Criteria is required</p>
<p>P1 The building must be compatible with the natural landscape character of the site, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the existing vegetation; (c) the dominant colours of the vegetation and surrounding area; (d) the nature of the development; (e) the nature of the exterior finishes; (f) the visual impact; and (g) the character of the surrounding area.
<p>Complies with P1</p> <p>The exterior finish of the bridge will consist of concrete and steel balustrading. These finishes will be consistent with the exterior finishes of structures within the vicinity, including the flood wall and pathways. It will also be consistent with the types of materials and finishes of Victoria Bridge.</p> <p>The exterior finishes of the bridge are considered to be consistent with the character of connecting pathways and the levee system allowing the structure to sit comfortably within the immediate environment. The use of steel and concrete in its construction coupled with the profile of the structure will reduce its impact and whilst visible will not be 'obtrusive' in the sense of being intrusive and 'out of place'.</p>
<p>29.4.4 Landscaping and vegetation management</p>
<p>Objective:</p> <p>To ensure that the site contributes to the ecological, scientific, cultural or aesthetic values of the surrounding area.</p>
<p>Consistent</p> <p>The development application is accompanied by a CEMP, which is intended to address the potential impacts on the natural values of the site and provide recommended mitigation measures to protect these values.</p>
<p>A1 Development is:</p> <ul style="list-style-type: none"> (a) for a permitted or no permit required use; or (b) is in accordance with an RAA approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>; or (c) in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with A1 The development will be in accordance with the PWS approved RAA. The RAA addresses a range of related ecological, scientific, cultural and aesthetic values of the surrounding area and nominates control actions and commitments to monitoring and review of the construction process.</p>
<p>29.4.5 Lot size and dimensions</p>
<p>Not applicable</p>
<p>29.4.6 Frontage and access</p>
<p>Not applicable</p>
<p>29.4.7 Wastewater management</p>
<p>Not applicable</p>
<p>35.0 Particular Purpose Zone 4 - Inveresk Site</p>
<p>35.1.1 Zone Purpose Statements 35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses. 35.1.1.2 To provide for residential uses and developments associated with and supporting educational uses within the zone. 35.1.1.3 To locate use and development appropriately within the precincts of the zone.</p>
<p>Consistent The portion of the development that is located within the Particular Purpose Zone 4 - Inveresk Site includes the northern section of the bridge, stair access from north of the existing viewing platform, and modifications to existing, connecting pathways. This area will also include a temporarily fenced-off laydown area during the construction phase. The bridge will provide a connection between existing UTAS facilities (educational and residential) and passive and active recreation areas and the southern side of the river, ultimately providing connection to the future stage of the UTAS Northern Transformation Project at the Willis Street site. The bridge will connect with the established network of pathways adjacent to the river, which support recreational and public purpose uses.</p>
<p>Local Area Objectives : The area contains 4 local area precincts as shown on Figure 35.1.2 to this zone.</p> <p><i>Open space precinct</i> To provide an open space and recreational use area linking the existing York Park and Invermay Park to the North Esk River. The area is to be retained as an area for public use and for events ranging from an Agricultural Show, outdoor exhibitions and displays, open air markets and general recreational activities.</p> <p><i>Cultural and public purpose precinct</i> To ensure re-use of existing buildings for a range of cultural, educational and recreational activities. Principal users may be the UTAS and the Queen Victoria Museum and Art Gallery. Buildings are to be retained and redeveloped in accordance with their heritage values and status as outlined in the Launceston Railways Workshop Conservation Plan.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p><i>Recreational and leisure precinct</i> To provide a range of sporting and recreational facilities including UTAS Stadium and Invermay Park.</p>
<p><i>Residential and commercial Precinct</i> To provide opportunities for commercial developments on the southern and central portion of the site to complement the redevelopment within the other precincts. To provide for the development of residential uses associated with and supporting the educational activities within the zone.</p>
<p>Consistent Whilst the majority Particular Purpose Zone shares its southern boundary with the Environmental Management Zone, which aligns approximately with the riverbank of the North Esk River, the precincts within the Particular Purpose Zone do not share that boundary. Rather, the precinct boundaries align with the flood wall. As such, the only portion of the proposed development that is subject to a precinct (the residential and commercial precinct) is the staircase construction and modification of existing pathways north of the flood wall.</p> <p>The proposed development will support pedestrian and cyclist access between the Inveresk site and the southern side of the North Esk River and is considered to be consistent with those objectives of the broader Inveresk precinct.</p>
<p>Desired Future Character Statements</p>
<p>There are no desired future character statements</p>
<p>35.3 Use Standards</p>
<p>35.3.1 Hours of operation</p>
<p>Not applicable</p>
<p>35.3.2 Noise levels</p>
<p>Objective: To ensure that noise emissions from uses do not cause an unreasonable loss of amenity to nearby sensitive uses.</p>
<p>Consistent The use of the proposed development will be consistent with that of the existing pathway network, the noise associated with which will not cause an unreasonable loss of amenity to nearby sensitive uses.</p>
<p>A1 Noise generated by a use on the site must:</p> <ul style="list-style-type: none"> (a) not exceed a time average A-weighted sound pressure level (L_{aeq}) of 5dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or (b) be in accordance with any permit conditions required by the Environment Protection Authority (EPA) or an environment protection notice issued by the Director of the EPA.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with A1 The proposed bridge will be accessed by pedestrians and cyclists, consistent with the use of the existing network of pathways. It is considered that the development will not generate noise levels exceeding a time average weighted sound pressure level (L_{aeq}) 5dB(a) above background levels. This is particularly so given the proximity of the road network and the background noise levels existing within the precinct. Movement of pedestrians and cyclists is mostly low level in terms of impact generating little noise which predominantly will not exceed ambient background levels.</p>
<p>35.4 Development Standards</p>
<p>35.4.1 Building height</p>
<p>Objective: To ensure that development on the site is compatible with the character of the local area precinct.</p>
<p>Consistent The character of the precinct is influenced by development which has occurred both sides of the river including the UTAS Student Accommodation building to the north, the pedestrian networks and levee structures and to the south the development adjacent the levee in Boland Street and beyond.</p>
<p>A1 No acceptable solutions.</p>
<p>Assessment against Performance Criteria is required</p>
<p>P1 The height of buildings must be compatible with surrounding development, having regard to: (a) consistency with the local area objectives; (b) the topography of the site; (c) the height of buildings on the site, adjoining lots and adjacent lots; (d) the bulk and form of existing and proposed buildings; (e) the apparent height when viewed from roads and public places; and (f) any overshadowing of adjoining lots or public places.</p>
<p>Complies with P1 The peak height of the bridge within the Particular Purpose Zone is approximately 6m above typical water level (measured south of the northern bridge abutment). The bridge will connect with the existing viewing platform and proposed staircase.</p> <p>The height of the proposed bridge does not present as incompatible with surrounding development and generally will be read in the context of its function as a link across the river providing pedestrian and cycling connection between the north and southern riverbanks. The profile of the structure and the transparency through the railings above the bridge deck reduce the bulk of the structure allowing it to sit appropriately within the river setting.</p>
<p>35.4.2 Location of car parking</p>
<p>Not applicable</p>
<p>35.4.3 Active ground floors</p>
<p>Not applicable</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

35.4.4 Lot size and dimensions
Not applicable
35.4.5 Frontage and access
Not applicable
35.4.6 Discharge of stormwater
Not applicable
35.4.7 Water and sewerage services
Not applicable
E2.0 Potentially Contaminated Land Code
E2.1 The purpose of this provision is to: (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
<p>Consistent</p> <p>The development will necessitate the excavation of an area greater than 1m². As such, the proposal requires an Environmental Site Assessment (ESA), which has been provided with the application.</p> <p>The ESA identifies potentially contaminating uses on neighbouring sites, including railyards, workshops, concrete works, underground petroleum storage, gasworks and potential imported fill.</p> <p>Soil samples from five locations at the site were analysed, and one sample (taken from between the existing pathway and rowing club building on the southern side of the river) contained levels of lead sufficient to categorise the soil as Contaminated Soil - Level 3.</p> <p>The ESA makes recommendations to address the potential impact of the contamination, including:</p> <ul style="list-style-type: none"> • The implementation of a CEMP prior to any soil disturbance; • On-site inspection of disturbed soil; • Implementation of an Unexpected Finds Protocol; • Implementation of a Surface Water and Sediment Management Plan; • All excavated soil should be appropriately stored on-site until inspections of the material for waste classification purposes has been completed in accordance with EPA guidelines. <p>The ESA notes that a review of historical information indicates that, with the implementation of the measures listed above, site contamination is not likely to present a risk to workers or the environment.</p>
E2.5 Use Standards
Objective: To ensure that potentially contaminated land is suitable for the intended use.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Consistent</p> <p>Whilst the site contains soil that is classified as contaminated, the ESA accompanying the development application notes that, with the implementation of soil management practices recommended in the ESA and CEMP, the soil is not likely to present a risk to workers or the environment. Use of the bridge itself will avoid contact with likely contaminated material.</p>
<p>A1 The Director, or a person approved by the Director for the purpose of this Code:</p> <p>(a) certifies that the land is suitable for the intended use; or</p> <p>(b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.</p>
<p>Assessment against Performance Criteria is required</p>
<p>P1 Land is suitable for the intended use, having regard to:</p> <p>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or</p> <p>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</p> <p>(c) a plan to manage contamination and associated risk to human health or the environment that includes:</p> <p>(i) an environmental site assessment;</p> <p>(ii) any specific remediation and protection measures required to be implemented before any use commences; and</p> <p>(iii) a statement that the land is suitable for the intended use.</p>
<p>Complies with P1</p> <p>The ESA demonstrates that the site contains soil that is classified as Contaminated Soil - Level 3, having concentrations of lead that exceed the assessment criteria for the protection of human health for recreational use.</p> <p>The ESA recommends that measures be taken to manage the potential risk to human health. These include:</p> <ul style="list-style-type: none"> • The implementation of a CEMP prior to any soil disturbance. The Development Application has been submitted with a CEMP, which addresses the legislative requirements and control measures to be put in place by the contractor engaged to construct the bridge; • The on-site containment and inspection of excavated soil to monitor levels of contamination, including for the purpose of inspecting the material for waste classification purposes in accordance with EPA guidelines; • Implementation of an Unexpected Finds Protocol; and • The implementation of a Surface Water and Sediment Management Plan. <p>The analysis concludes that following the implementation of strategies outlined in the ESA and CEMP, the proposed development is assessed as consistent with the Performance Criteria.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

E2.6 Development Standards
E2.6.1 Subdivision
Not applicable
E2.6.2 Excavation
Objective: To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.
Consistent Whilst the site contains soil that is classified as contaminated, the ESA accompanying the Development Application notes that, with the implementation of soil management practices recommended in the ESA and CEMP, the soil is not likely to present a risk to workers or the environment.
A1 No acceptable solution.
Assessment against Performance Criteria is required
P1 Excavation does not adversely impact on health and the environment, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.
Complies with P1 The ESA demonstrates that the site contains soil that is classified as Contaminated Soil - Level 3, having concentrations of lead that exceed the assessment criteria for the protection of human health for recreational use. The ESA recommends that measures be taken to manage the potential risk to human health. These include: <ul style="list-style-type: none"> • The implementation of a CEMP prior to any soil disturbance. The Development Application has been submitted with a CEMP, which addresses the legislative requirements and control measures to be put in place by the contractor engaged to construct the bridge; • The on-site containment and inspection of excavated soil to monitor levels of contamination, including for the purpose of inspecting the material for waste classification purposes in accordance with EPA guidelines; • Implementation of an Unexpected Finds Protocol; and • The implementation of a Surface Water and Sediment Management Plan.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>The analysis concludes that with the implementation of strategies outlined in the ESA and CEMP, the proposed development is consistent with the Performance Criteria.</p>
<p>E5.0 Flood Prone Areas Code</p>
<p>E5.1 The purpose of this provision is to:</p> <p>(a) ensure that use or development subject to risk from flooding is appropriately located and managed; and</p> <p>(b) to minimise the risk of damage or pollution in the event of a flood.</p>
<p>Consistent</p> <p>The development is necessarily located adjacent and over the North Esk River, with two piers being located within the river channel and river bank. Risk to flooding is minimised through the positioning of the bridge above the 1% AEP flood levels (2050) and through the design, use and positioning of piers which will reduce the potential for the capture of flood debris.</p> <p>Launceston Flood Authority</p> <p>Note that the Development Application was referred to the Launceston Flood Authority (LFA) who, as a part of the Request for Information process, raised the following queries the response to which from the applicant satisfied the Authority: alignment of the steps adjacent the northern levee; interface between the rigid bridge platforms and moveable earth levees; under bridge scour protection; afflux and flood levels.</p> <p>The plans submitted with the application have been amended in accordance with discussions with the LFA and the authority is now satisfied that their concerns have been addressed. Drawing No. LN18249-P111 Site Plan Stage 1, demonstrates acceptable loadings that may be applied to the levee during construction. These loads must not be exceeded without the specific approval of the LFA. The plan (Site Plan P111) shows a restriction on loading of the river bank area to the west of the rowing shed building to 25kPa and no loading within 5m of the top of the river bank. General Arrangement Plan (P100) restricts loading to the Scotch Oakburn Rowing Club Access Road to a 20 tonne gross vehicle load.</p>
<p>E5.5 Use Standards</p>
<p>E5.5.1 Risk to sensitive use</p>
<p>Not applicable</p> <p>The proposed bridge is not a sensitive use.</p>
<p>E5.6 Development Standards</p>
<p>E5.6.1 Development subject to flooding</p>
<p>Objective:</p> <p>To minimise the risk of injury to, or loss of human life, or damage to property or the environment, by avoiding areas subject to flooding where practicable, or mitigating the adverse impacts of inundation to an acceptable level.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Consistent

The portion of the development that is subject to the Flood Risk Area Overlay includes that north of the pathway atop the levee on the southern side of the river, and the two piers located within the river and riverbanks. Note that the northern side of the river is subject to the Inveresk/Invermay Flood Inundation Area Overlay. The entire bridge is considered in the assessment against provisions of the Code.

Portions of the bridge will necessarily be located within flood prone areas. The bridge has been designed to limit exposure to anticipated floodwaters, and works with the existing flood levee and floodwall alongside the river. The design allows for flood levels within the 1% AEP 2050 probability and determines that the risk is tolerable.

A1 No acceptable solution.

Assessment against Performance Criteria is required

P1 It must be demonstrated that the risk of injury to or loss of human life or damage to property or the environment is minimised, having regard to:

- (a) the need for the location;
- (b) the nature and characteristics of the development;
- (c) the scale and intensity of the development;
- (d) the characteristics of the inundation of the land that is subject to the risk;
- (e) the nature and frequency of the inundation;
- (f) the need for and the availability of infrastructure, including access and reticulated services;
- (g) accessibility to the development during flooding;
- (h) the capacity of the development to withstand flooding;
- (i) the capacity of the owner or occupants to respond to or manage the flood risk;
- (j) the location of effluent disposal or sewerage reticulation or storage of materials;
- (k) the nature of any works required to mitigate the risk;
- (l) any mitigation works proposed to be carried out outside the boundaries of the site;
- (m) any works interfering with natural watercourse processes or restrictions or changes to flow;
- (n) any works resulting in an increase in risk to other buildings, including buildings outside the boundaries of the land; and
- (o) any recommendations or advice contained in a report by a suitably qualified person.

Complies with P1

The location of the proposed development across the river will connect the existing university facilities with Boland Street and as a future stage provide connection to the future UTAS development at the Willis Street site. The bridge will also facilitate greater access and connectivity between areas within the City and the Inveresk precinct.

The bridge will be elevated above the height of the existing floodwall and levee to which it will connect. Two piers will be located within the river, and a further six piers will be located adjacent the flood levee and within the riverbank. These piers will provide support for the bulk of the bridge.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

The design of the piers will limit the volume of the structure within the flood prone area, and it is anticipated that the structure will have a limited impact on the diversion and displacement of water. The proposed piers are also anticipated to limit the opportunity for debris to become entangled.

A hydraulic report prepared for the proposal assesses the hydraulic loading conditions of the bridge design, the anticipated afflux and potential impacts caused by the bridge, the potential for the bridge to adversely affect the levees, and whether the bridge will create adverse hydraulic conditions that could cause scour.

The hydraulic conditions and afflux assumptions used to assess the impacts of the bridge are based on the 1% Annual Exceedance Probability (AEP) at year 2050, which considers increased rainfall intensities, sea level rise, and high tide and storm surge conditions. The report results indicate that afflux under the 1% AEP at year 2050 will be benign as peak water levels would be below the crest of both levees.

The structural design assessment assumptions for the bridge were based on a 1:2000 AEP event with the mean high-water level as the tide boundary. The report results consider the structural forces on the bridge produced by debris and existing infrastructure that would impact the movement of debris. Results indicate that the structural load on the bridge caused by debris during a 1:2000 AEP event may never achieve loads required by the relevant Australian Standards.

The scour depth assessment was based on a 1:2000 AEP event. The report assumes scouring will occur and will add to the column length of piers. The report recommends scour protection around the southern pier, the ramp supports, the northern abutment pier, and under the southern batter where vegetation is unlikely to establish.

During a flood event the bridge and levees will be accessible from the northern and southern sides, including a 5.7m wide clearance between the student housing building and the proposed bridge access stairs on the northern side of the bridge. It is noted that the bridge will be owned by Launceston City Council, which has in place emergency management plans as a critical part of its response to flood events.

It is considered that the proposal satisfies the relevant performance criteria. However, design changes impacting flood management as a result of the design and construct process will need to be assessed to ensure compliance with the Code.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to:

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

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Consistent The portion of the development that is subject to the North Esk Flood Plain Precinct of the Scenic Management Code includes the northern abutment of the bridge and its connection to the viewing deck, across to the southern riverbank, but does not affect the pier set within the southern riverbank.</p> <p>The proposed bridge will be consistent in materials and form with structures in the surrounding area, including the pathway network and floodwall.</p>
<p>E7.5 Use Standards Not used in this Code.</p>
<p>E7.6 Development Standards</p>
<p>E7.6.1 Scenic road corridor</p>
<p>Not applicable</p>
<p>E7.6.2 Scenic management areas Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent Being built within a flood prone area, the proposed bridge must meet structural requirements, including height requirements. As such, the bridge will be a prominent feature of the landscape. The bridge has been designed to complement the industrial and utilitarian theme of built form in the surrounding area.</p>
<p>A1 No acceptable solution.</p>
<p>Assessment against Performance Criteria is required</p>
<p>P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the impact on skylines, ridgelines and prominent locations; (c) the nature and extent of existing development on the site; (d) the retention or establishment of vegetation to provide screening; (e) the need to clear existing vegetation; (f) the requirements for any hazard management; (g) the need for infrastructure services; (h) the specific requirements of the development; (i) the location of development to facilitate the retention of trees; and (j) design treatment of development, including: <ul style="list-style-type: none"> (i) the bulk and form of buildings including materials and finishes; (ii) any earthworks for cut or fill; (iii) the physical (built or natural) characteristics of the site or area; (iv) the nature and character of the existing development; and (v) the retention of trees.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Complies with P1

The proposed bridge over the North Esk River will be a prominent feature in the landscape, including when viewed from the major public thoroughfares of Victoria Bridge and Boland Street. The prominence of the bridge is due in part to the necessary height required to provide clearance from potential flood waters and for access by pedestrian and cyclists beneath the bridge.

The design of the bridge and proposed materials used in its construction will complement the industrial and utilitarian theme of built form in the surrounding areas. The design of the bridge presents a relatively low profile allowing views through the structure above the bridge deck. Its elevation within the landscape is not 'obtrusive' in the sense of appearing 'out of place' nor is the sight of a bridge structure to be unexpected in the context of the river and the need for crossings to achieve effective intercommunication.

The natural characteristics of the river and its environs are significantly impacted by the existing levees and associated path network, beyond which structural development is apparent within the Inveresk precinct and the commercial development on the southern side of Boland Street. Artists' impressions of the structure demonstrate a minimalist approach to the structures characteristics, which given the height, allow vistas of the river looking north east accentuating the bend in the river beyond and the relationship to the hillside and horizon beyond.

The development does not interfere with the vistas of vegetation which predominantly appear at the rivers' edge.

The disturbance or clearance of existing vegetation, which is dominated by introduced species, including declared weeds, will be limited to areas requiring the construction of supporting piers. The implementation of a weed management plan has been recommended in the Ecological Assessment accompanying the Development Application.

It is considered that the proposed bridge is consistent with the Performance Criteria.

A2 No vegetation is to be removed.

Complies with A2

The development will only impact small areas of vegetation, which are dominated by introduced species and weeds, in areas where piers are required.

A3 Subdivision is in accordance with a specific area plan.

Not applicable

E8.0 Biodiversity Code

Not applicable

Whilst a single pier is proposed to be located within the channel of the North Esk River, which is subject to the Priority Habitat Overlay, the development is exempt from the Code as it will not clear or disturb vegetation within that area.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>E9.0 Water Quality Code</p> <p>E9.1 The purpose of this provision is to: (a) manage adverse impacts on wetlands and watercourses.</p>
<p>Consistent</p> <p>The proposal is supported by an ESA and a CEMP, which make recommendations for the protection of the North Esk River from construction activities and the completed development.</p>
<p>E9.5 Use Standards</p> <p>Not used in this code.</p>
<p>E9.6 Development Standards</p>
<p>E9.6.1 Development in the vicinity of a watercourses and wetlands</p> <p>Objective: To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.</p>
<p>Consistent</p> <p>The proposal is accompanied by an ESA and a CEMP, which make recommendations for the protection of the North Esk River from construction activities and the completed development. These recommendations cover the potential of contamination by excavated soil, potential siltation and sedimentation, potential impacts of vegetation removal, and the scale of the development and proposed construction methodology.</p>
<p>A1 No acceptable solutions.</p>
<p>Assessment against Performance Criteria is required</p>
<p>P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to: (a) the topography of the site; (b) the potential for erosion; (c) the potential for siltation and sedimentation; (d) the risk of flood; (e) the impact of the removal of vegetation on hydrology; (f) the natural values of the vegetation and the land; (g) the scale of the development; (h) the method of works, including vegetation removal, and the machinery used; (i) any measures to mitigate impacts; (j) any remediation measures proposed; (k) any soil and water management plan; and (l) the requirements of the DPIPWE <i>Wetlands and Waterways Works Manual</i>.</p>
<p>Complies with P1</p> <p>Minor vegetation removal will be required within the riverbank on land that is dominated by introduced species and weeds.</p> <p>The planning report submitted for this Development Application states that works will be undertaken in accordance with the <i>Wetlands and Waterways Works Manual</i> to minimise potential downstream impacts during the construction phase.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>The CEMP includes recommendations for the possible pumping of water from pits and trenches created during the construction process, and that the duration of works within the river be minimised in order to reduce the potential increase in turbidity, and sedimentation. The CEMP also recommends the installation of standard erosion and sediment controls during construction, including silt mesh and diversion bunds.</p> <p>These measures will take into account the topography of the site, the potential for erosion, the potential for siltation and sedimentation, the impact of the removal of vegetation on hydrology, the natural values of the vegetation and the land, the scale of the development, and the method of construction. It is considered that the proposed development complies with the Performance Criteria.</p>
<p>E9.6.2 Development of watercourses and wetlands</p>
<p>Objective: To protect watercourses and wetlands from the effects of development and minimise water quality degradation.</p>
<p>Not applicable The development will not affect a wetland and will not include the introduction of a pipe or culvert. As such, the subclauses to E9.6.2 do not apply.</p>
<p>E9.6.3 Discharges to watercourses and wetlands</p>
<p>Objective: To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.</p>
<p>Consistent Stormwater flows will be directed either to a public stormwater system or to the North Esk River.</p>
<p>A1 All stormwater discharge must be: (a) connected to the public stormwater system; or (b) diverted to an on-site system that contains stormwater within the site.</p>
<p>Complies with A1 The development of itself will not generate stormwater but will allow the dispersal of water to the river and its banks as a part of a natural runoff from the concrete plain formed by the deck and associated infrastructure.</p>
<p>A2.1 No new point source pollution discharging directly into a watercourse or wetland. A2.2 For existing point source pollution discharges into a watercourse or wetland, there is no more than a 10% increase in the volume or characteristics of the discharge that existed at the effective date.</p>
<p>Not applicable The development will not create a new source of pollution into the North Esk River, and no existing source is impacted by the proposed development.</p>
<p>E13.0 Local Historic Cultural Heritage Code</p>
<p>Note: The proposed development has received a Certificate of Exemption (#2583) from the Tasmanian Heritage Council (THC).</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

E13.6.4 Site Coverage
Objective To ensure that the site coverage is compatible with the historic cultural heritage significance of local heritage places
A1 No acceptable solution
Assessment against Performance Criteria is required
P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings having regard to: (a) the topography of the site; (b) the cultural heritage values of the local heritage place and setting; (c) the site coverage of the buildings on sites in the surrounding area; and (d) the pattern of development in the surrounding area.
Complies with P1 The relevant section of the development for the purposes of the Code, is the stairs structure providing access to the northern side of the river. The finished level of the stairs will match that of the levee platform. In that context, the footprint and therefore, site coverage of the structure is not significant given in particular the existing path and cycleway development. The location close to the Student Accommodation building which partially occludes the structure together with its isolation from listed buildings on the site will have no impact upon the heritage values of the Launceston Railway Station Complex, or the York Park Entrance Gates and Invermay Park Northern Stand.
E13.6.5 Height and bulk of buildings
Not applicable The development is not a building.
E13.6.6 Site of buildings and structure
Objective: To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.
A1 No Acceptable Solution
Assessment against the Performance Criteria is required
P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the topography of the site; (c) the size, shape and orientation of the lots; (d) the setback of other buildings in the surrounding area; (e) the historic cultural heritage significance of adjacent places; and (f) the streetscape.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with P1 The stairs extend from the top of the levee which effectively forms the southern boundary of the site and given that they do not protrude above that height, cannot be seen other than internally from the Inveresk site or adjacent the pathway and the Student Accommodation building. The site being relatively flat serves to reduce the appearance of the structure which being partially occluded as a result of the accommodation building does not impact the significance of the place, the relevant structures (from which the stairs are located 100m away), or the streetscape. The new structure is not apparent within the same viewfield when looking at the heritage elements on the site. This assessment is reinforced by the decision of the THC to exempt the development.</p>
<p>E.13.6.7 Fences</p>
<p>Not applicable Fences are not part of the application.</p>
<p>E13.6.8 Roof form and materials</p>
<p>Not applicable A roof is not part of the proposed structure.</p>
<p>E13.6.9 Wall materials</p>
<p>Not applicable Walls are not a part of the bridge structure.</p>
<p>E13.6.10 Outbuildings and structures</p>
<p>Objective: To ensure that the siting of outbuildings and structures are compatible with the historic heritage significance of local heritage places and their settings.</p>
<p>A1 Outbuildings and structures must: (a) not be located in the front setback (b) not be visible from any road, or public park or reserve; (c) have no side longer than 3m; (d) have a gross floor area less than 9m² and a combined total area not exceeding 20m²; (e) have a maximum height less than 2.4m above natural ground level (f) not have a maximum change of level as a result of cut or fill greater than 1m; and (g) not encroach on any service easement or be located within 1m of any underground service.</p>
<p>The stairs do not comply with the height or side profile dimensions of the Acceptable Solution and must be assessed under the Performance Criteria.</p>
<p>P1 Outbuildings and structures must be compatible with the historic cultural heritage significance of a place and its setting having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the location of existing infrastructure services; (c) the bulk, form and size of buildings on the site; (d) the bulk, form and size of the outbuilding or structure; (e) the external materials, finishes and decoration of the outbuilding or structure; and (f) the visibility of the outbuilding or structure from any road, public park or reserve.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Complies with P1. The stairs will not be a significant element of the site, given their scale, bulk and the location at the southern boundary of the Inveresk site. The length of the stairs is dictated by the National Construction Code and the construction materials and general palette will mirror in large part that of the existing pathway and levy network. The structure in its context is not incompatible with the historic cultural heritage significance of the place and its setting and will have no impact upon the Launceston Railway Station Complex or the York Park Gates and Invermay Park Northern Stand.</p>
<p>E13.6.11 Driveways and parking</p>
<p>Not applicable These elements do not form a part of the application.</p>
<p>E13.6.12 Tree and vegetation removal</p>
<p>Not applicable Neither trees nor vegetation will be removed within the areas to which the Code applies.</p>
<p>E13.6.13 Signage</p>
<p>Not applicable Signage does not form part of the application.</p>
<p>E16.0 Invermay/Inveresk Flood Inundation Area Code</p>
<p>Exempt Non-habitable buildings are exempt from the Invermay/Inveresk Flood Inundation Area Code.</p>

4. REFERRALS

REFERRAL	COMMENTS
	INTERNAL
Infrastructure Services	Conditional consent provided with recommended conditions in relation to detailed design, construction, construction environmental management plan, access and safety, demolition.
Environmental Health	Conditional consent provided with recommended conditions in relation to hours of construction, soil and water management plan, contaminated land.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	N/A - Confirmed by TasWater 28/10/2019
State Growth	N/A
TasFire	N/A
Tas Heritage Council	THC issued a Certificate of Exemption No. 2583 for the Development Application
Crown Land	PWS Approved RAA 25/07/2019
TasRail	By email 4/10/2019, TasRail confirmed no objection to the proposed development
EPA	N/A
Aurora	N/A
Launceston Flood Authority	Confirmed no objection to the proposal subject to compliance with specified levee loadings.

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 21 September to 7 October 2019. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the copies of the actual representations received which are attached to this report.

<p>Issue 1: Damage to railway infrastructure Construction of the bridge from the northern side of the North Esk River will require access by heavy vehicles, which may damage railway infrastructure, over which the Don River Railway holds a lease.</p>
<p><i>Response 1:</i> <i>The construction of the bridge is likely to require access by heavy vehicles across railway infrastructure. The applicant has determined that an area between the railway and existing walkway platform as suitable a location for use by the contractor, subject to conditions and consent. As an element of the CEMP, the applicant will ensure appropriate signage and advice to the operators of the Don Railway to avoid confusion, incident or damage to existing infrastructure. The permit will be appropriately conditioned.</i></p>
<p>Issue 2: Stakeholder consultation and notification The operators of Don River Railway, who have a lease over land adjacent the northern side of the proposed bridge and across which access to the subject site is necessary, have not been consulted or notified about the development application.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

Response 2:

The relevant owners of the subject site (Launceston City Council) were notified, and provided consent for the application to be lodged. The application was advertised and open for public comment between 21 September to 7 October 2019. All necessary efforts were made to notify the prescribed parties. It is considered the Council's obligations under the relevant Act have been fulfilled.

Issue 3: Pedestrian safety and railway use

The potential increased use of the pathway across the leased section of railway may create safety problems.

Response 3:

Again as above, movement through and across the rail tracks can be appropriately managed with signage and related advice.

Issue 4: Use of land by railway

The bridge will discharge on the Inveresk site to land under a lease with the Don River Railway, which is not available for the proposed purpose.

Response 4:

The use of this area for the purposes of pedestrian and cycle access can be achieved without generating conflict. The stairs will be located a minimum 5m from the rail infrastructure. The site is owned by the Council and provided the new development does not infringe the Don Railway's use of the area, is in order. Subsequent discussion explained that the concern was related to the period of the bridge construction in particular. This concern can be appropriately addressed as part of the CEMP.

Issue 5: Cycle access on northern side of proposed bridge

The northern side of the bridge will connect to the existing upper level levee pathway, which is currently intended for pedestrian use, whilst the lower level pathway is intended for cycle access. The design will result in cyclists and pedestrians having to share sections of the pathway network, which may cause confusion and discomfort for cyclists and pedestrians alike. Potential solutions suggested include: the construction of a ramp between the bridge deck and the lower level pathway on the northern end of the bridge, similar to that of the southern end of the bridge; or the construction of either a spiral or otherwise central ramp connecting the viewing platform with the pathway network to the north of the viewing platform; or redesign the upper level pathway to ensure cyclists are accommodated and can access the pathways either side of the viewing platform providing access to the Inveresk site.

Response 5:

Whilst mirroring the ramp arrangements proposed for the southern side of the bridge has been suggested, this is considered impractical given the length of a ramp necessary to achieve the correct grade:1:14, which would locate the new ramp beyond the Student Accommodation building into the car park on the northern side a distance of approximately 70m. However, the need to accommodate both pedestrian and cycle access with the new construction is recognised. It is proposed that a condition be included with the permit which requires the safe integration of the new development with the existing pathways to enable shared use of the existing ramp network for cyclists entering and exiting the bridge from the northern side. This will also necessitate appropriate levels of signage.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>Issue 6: Design and construct contract The application is for a design and construct contract, which limits the degree of certainty that the proposed bridge will be as advertised and illustrated, designed and proposed; and the proposed bridge is to be redesigned on a design/construct basis and accordingly may not relate in any way whatsoever to the drawings and artists' impressions provided as part of the application. The application is incapable of assessment for that reason at the very least, and the provision of the LUPA Act requiring certainty in planning matters cannot therefore be satisfied or sustained.</p>
<p><i>Response 6:</i> The application has been assessed in accordance with the plans submitted with the application. Any subsequent changes to the design which are significant will trigger a further planning application and assessment. The issue raised is not material to consideration of the present application.</p>
<p>Issue 7: The land is subject to flooding and not suitable for a bridge The land is not suitable for the construction of a bridge as it is subject to flooding hazards.</p>
<p><i>Response 7:</i> The application is submitted with a hydraulic assessment report, which considers the hydraulic conditions and afflux in a 1% AEP event for the year 2050. Those conditions include increased rainfall intensities, sea level rise, and high tide and storm surge conditions. The report finds that the proposed development will have a limited or benign impact on the potential effects of flood events in the surrounding area, and is unlikely to be affected by debris causing structural loads required by the relevant Australian Standards. The structural design of the bridge complies with the AS5100 and in terms of scour potential assessed at 1:2000 AEP flows. The concerns raised have been adequately addressed as part of the application.</p>
<p>Issue 8: No certainty of future use of site pending Scheme amendments The proposed bridge is intended to service developments by UTAS, which require Planning Scheme amendments that have not been approved. Therefore, there is no certainty that the bridge will be required.</p>
<p><i>Response 8:</i> Future development of the Willis Street site has been identified as part of the UTAS Northern Transformation Project and whilst the details are unknown at this stage, the present application is not dependent upon the future proposal. Note that further amendments to the planning scheme are not necessary for the development of the Willis Street site, the consideration of which does not form a part of the current application. The matter is not material to consideration of the current application.</p>
<p>Issue 9: Insufficient need or purpose for development There has not been a sufficiently plausible statement of need or purpose provided for the development.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p><i>Response 9:</i> Connection between the north and south banks of the river was identified as part of the Northern Transformation Project and is not contingent upon the development at Willis Street. The bridge provides safe and efficient connection from the city to the Inveresk site linking with the existing path networks. The bridge has a broader purpose rather than simply providing access to the UTAS campus, facilitating interconnectivity within the City. The matter is not material to consideration of the application.</p>
<p>Issue 10: Bridge height The height of the proposed bridge is being determined by the likely height of a future tall building at 2 Willis Street, which has not been approved.</p>
<p><i>Response 10:</i> Whilst the application anticipates the future development of a building at 2 Willis Street to which the bridge will connect, the bridge height is determined by the vertical clearance required for trucks travelling along Boland Street, and by the vertical clearance required for pedestrians and cyclists travelling along the levee pathway. The matter is not material to consideration of the application.</p>
<p>Issue 11: Bridge height/lack of detail for Willis Street site developments As no details of proposed building works at the Willis Street site are available, it is not possible to assess the potential impacts of development at the Willis Street site on the surrounding area, including the nearby Gasworks sites. The proposed development will compromise the ability to question building heights for future developments.</p>
<p><i>Response 11:</i> Future development of the Willis Street site does not form a part of the current application. The matter is not material to consideration of the application.</p>
<p>Issue 12: Bridge height exceeds height limitations The proposed bridge exceeds the height limitations prescribed for the southern side of the North Esk River; and the proposed bridge invades the height restrictions for the North Esk River Flood Plain Scenic Management Area. The proposed bridge heights will prejudice future potential arguments for height limitations and will set an unacceptable precedent for other developments at the Willis Street site, and within the Scenic Management Area.</p>
<p><i>Response 12:</i> The Scenic Management Code does not prescribe a maximum height but requires assessment against the Performance Criteria. Deck height of the bridge crossing the river is in accordance with the approved RAA, whilst the bridge platform relies on Performance Criteria in the Particular Purpose and Open Space zones. Prescribed heights are not relevant and the application demonstrates scheme compliance adequately.</p>
<p>Issue 13: Inconsistency with planning legislation The construction of a high level bridge over the North Esk River is futile, as such a tall structure cannot be constructed without a planning scheme amendment being proposed, assessed and determined by the Tasmanian Planning Commission.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p><i>Response 13:</i> The proposed bridge has been assessed against the existing provisions of the Launceston Interim Planning Scheme 2015, an amendment to which is not necessary.</p>
<p>Note: In lodging a representation relative to the current application the representor has asked that those previous issues raised in representation to the Student Library and Services building DA0315/2019 by him, be read in conjunction with the representation to this Development Application. Because of that, those matters are listed below and a response provided.</p>
<p>Issue 14: Climate change The issue of climate change adds a significant element to the question of flood management for development at the Inveresk site. In light of the Council’s recent decision to declare a climate emergency, a decision to allow this development is contrary to the intent to recognise potential of climate change impacts.</p>
<p><i>Response 14:</i> The issue of climate change and its impacts have been considered as part of the BMT modelling and analysis by both the Council and Pitt & Sherry in the context of continuing development at the Inveresk site more broadly. The approach is one of risk management and an analysis of the risk profile in dealing with that development.</p>
<p>Issue15: Contaminated soil Soils at the site are known to contain contaminants from previous railway operations, which pose health risks to people using the site.</p>
<p><i>Response 15:</i> An ESA prepared for the proposal identifies potentially contaminating uses on neighbouring sites, including railyards, workshops, concrete works, underground petroleum storage, gasworks and potential imported fill. The ESA makes recommendations to address the potential impact of the contamination, and notes that a review of historical information indicates that, with the implementation of the recommended measures, site contamination is not likely to present a risk to workers or the environment.</p>
<p>Issue 16: Network Traffic Management (a) The relocation of the UTAS Newnham campus to Inveresk will create chaos with the resultant increase in traffic to the Charles and Tamar Street bridges.</p>
<p><i>Response 16(a):</i> The introduction of the pedestrian bridge as proposed will have no impact upon the traffic network.</p>
<p>(b) Traffic congestion has continued to increase through the last decade and the introduction of up to 16,000 students plus staff and attendant commercial vehicles will add significantly to the present issues.</p>
<p><i>Response 16(b):</i> The introduction of the pedestrian bridge, if anything, will assist with the flow and intercommunication of pedestrians and cyclists travelling between the City and the Inveresk site. This is not an issue which impacts the present application.</p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

<p>(c) The relocation of the UTAS will lead to an inevitable over saturation of traffic in the Inveresk area.</p>
<p><i>Response 16(c): Again, the introduction of the pedestrian bridge will have little bearing on matters of traffic congestion and therefore, does not influence consideration of the present application.</i></p>
<p>Issue 17: Flooding and Flood Risk</p>
<p>(a) The recent BMT (2018) update of the North Esk, South Esk rivers, and River Tamar flood model produces new flood mapping outputs raising more issues and calling into question the appropriateness of continuing to develop within the flood plain.</p>
<p><i>Response 17(a): The BMT modelling provides the next layer of data in terms of the management of development within the Inveresk site and beyond and informs decision making as part of this process. It provides valuable information as part of the improvement of flood plain management. The flood analysis reviewed the flood risk profile for the Invermay/Inveresk floodplain including the Willis Street site proposing risk management options to manage the residual risk associated with the intended uses. The assessment concludes that these risks can be managed including the ongoing development of flood emergency response strategies and actions.</i></p>
<p>(b) The Pitt & Sherry Flood Emergency Management Plan does not make sense when the highest flood level indicated for the site is H3. The BMT Flood Modelling and Mapping Report indicates that if there is a 1:200- year flood, the Inveresk precinct together with the south eastern area of the North Esk River would suffer a Hazard Class 5 event. Flood levels limited to H3 cannot be guaranteed.</p>
<p><i>Response 17(b): The Pitt & Sherry report determines the hazard classification on the balance of probabilities. Relevant considerations for the present application include the structural design of the bridge which is based upon the AS5100 1:2000 AEP. It addresses the impact of and upon flood waters in terms of debris and scour potential which due to the pier design is minimized in accordance with the Code's requirements.</i></p>
<p>(c) Under the circumstances in the knowledge of the most recent modelling, is not there a greater risk of litigation should there be a flood extending across Invermay together with an increase in insurance premiums? Does the Council have a duty of care to its community?</p>
<p><i>Response 17(c): The accepted principle of risk mitigation requires compliance with standards and analysis of possible impacts. The application in terms of its consideration and analysis of these matters adequately addresses the requirements of the planning scheme.</i></p>
<p>(d) The risk of flooding is not treated adequately in supporting assessments.</p>
<p><i>Response 17(d): The reports addressing flood risk, probability and likely impacts are discussed in detail and recommendations as to the actions to mitigate risk levels presented in a cogent manner, addressing the requirements of the planning scheme.</i></p>

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(Cont'd)

(e) The 2016 flood experience provides the most recent example of issues associated with such an event. The overflow of sewerage and stormwater infrastructure impacting properties such as the Inveresk Hotel is a further example of the impacts of flood events. In the event that the levee is overtopped, the impacts will increase.

Response 17(e):

Refer to the previous response above.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015

BUDGET & FINANCIAL ASPECTS:

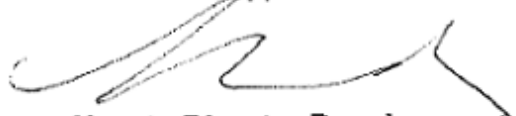
Not considered relevant to this report.

8.1 2-4 Invermay Road, Invermay - Utilities - Construction of a Pedestrian Bridge Across the North Esk River ...(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 - 2-4 Invermay Road, Invermay (*electronically distributed*)
 2. Plans to be Endorsed - 2-4 Invermay Road, Invermay (*electronically distributed*)
 3. Report to Support Development Application - 2-4 Invermay Road, Invermay (*electronically distributed*)
 4. Reserve Activity Assessment - Pedestrian Bridge - 2-4 Invermay Road, Invermay (*electronically distributed*)
 5. Hydraulic Report - 2-4 Invermay Road, Invermay (*electronically distributed*)
 6. Ecological Assessment - Umwelt Flora and Fauna Assessment Report - 2-4 Invermay Road, Invermay (*electronically distributed*)
 7. Phase 1 Environmental Site Assessment - 2-4 Invermay Road, Invermay (*electronically distributed*)
 8. Construction Environmental Management Plan - 2-4 Invermay Road, Invermay (*electronically distributed*)
 9. Letter Response to Request for Further Information 20 August 2019 - 2-4 Invermay Road, Invermay (*electronically distributed*)
 10. Letter Response to Request for Further Information 5 September 2019 - 2-4 Invermay Road, Invermay (*electronically distributed*)
 11. Tasmanian Heritage Council Exempt Certificate No 2583 - 2-4 Invermay Road, Invermay (*electronically distributed*)
 12. Representations - 2-4 Invermay Road, Invermay (*electronically distributed*)
-

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation

FILE NO: DA0407/2019

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Thomas Charles Floyd
Property:	11B-11D Churchill Crescent, Newstead
Zoning:	General Residential
Receipt Date:	20/08/2019
Validity Date:	2/09/2019
Further Information Request:	11/09/2019
Further Information Received:	25/09/2019
Deemed Approval:	14/11/2019
Representations:	Six

PREVIOUS COUNCIL CONSIDERATION:

DA0034/2019 - Residential - Construction of new crossover and retaining wall to existing driveway

STANDARDS REQUIRING COUNCIL DISCRETION

10.4.12 Earthworks and retaining walls
10.4.2 Setbacks and building envelope for all dwellings
E6.6.1 Construction of parking areas
Planning Directive No. 6 Visitor Accommodation

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (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 pursuant to a delegation from Council, for DA0407/2019 - 11B-11D Churchill Crescent, Newstead - Residential - Construction of alterations and additions to the existing dwelling. Visitor accommodation - Construction of three studio units for use as visitor accommodation.

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA100, Rev 4, Dated 19/09/2019.
- b. House existing, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA200, Rev 1, Dated 19/09/2019.
- c. House Proposed, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA201, Rev 1, Dated 19/09/2019.
- d. Accommodation, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA202, Rev 2, Dated 19/09/2019.
- e. Elevations 01, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA300, Rev A2 Dated 19/09/2019.
- f. Sections, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA400, Rev 3, Dated 19/09/2019.
- g. Perspective views, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA500, Rev 1, Dated 19/09/2019.
- h. Servicing Plan, Prepared by Philp Lighton Architects, Project No. 19.000, Drawing No. DA600, Rev 3, Dated 19/09/2019.

2. AMENDED PLANS REQUIRED

The plans submitted for Building Approval must show the deletion of the northern facing window of Accommodation Unit 1.

3. LIGHTING OF DRIVEWAY AND CAR PARKING FOR VISITOR ACCOMMODATION UNITS

Low level lighting is to be provided along the driveway and to light the car park areas but must be located and designed with suitable baffles so that no direct light is emitted outside the boundaries of the site.

4. LEGAL TITLE

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

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5. USE LIMITATION

This permit allows the new habitable buildings to be used for visitor accommodation only; these buildings cannot be used as multiple dwellings or any other use without further application to and approval by Council.

6. HOURS OF CONSTRUCTION FOR THE VISITOR ACCOMMODATION UNITS

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

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01246-LCC, 25 September 2019 and attached to the permit.

8. HOURS OF CONSTRUCTION FOR THE SINGLE DWELLING

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

9. SITE LANDSCAPING

The landscaping along the northern side boundary must be:

- a. Installed in accordance with the endorsed plan; and
 - b. Completed prior to the use of the Visitor Accommodation units commencing; and
 - c. Maintained as part of the life of the use and development approved by this permit.
- Landscaping must not be removed, destroyed or lopped without the written consent of the Council.

10. NO FURTHER VEGETATION REMOVAL

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

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

11. 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;
-

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- 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 suitably delineated to indicate each car space and access lanes.

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

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

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

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

13. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any 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.

14. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

15. 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.

16. AMENITY

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

17. 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.

18. 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.

19. 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;
-

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- 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.
 - 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 DA0407/2019. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted 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.
-

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)

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 the Council.

E. Restrictive Covenants

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

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

F. Appeal Provisions

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

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

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

G. Permit Commencement

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

H. Sale of Food and Beverages

If food and/or beverages are to be sold to visitors, including with an inclusive charge for food and accommodation, the Food Act 2003 will apply and the operator must notify the Council prior to operating the food business.

I. Heat Pump Use

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

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)

REPORT:

1. THE PROPOSAL

The application involves alterations and additions to the existing dwelling and construction of three studio units to the rear of the site for use as Visitor Accommodation.

The existing dwelling has two levels with a rectangular footprint approximately 9.9m x 14.60m. The lower basement level has a storeroom in the south western corner with the remaining area existing as garage space. The upper level has three bedrooms, a study, an open plan kitchen/dining/living area and utilities.

The proposed changes include a 4m x 9.7m extension off the north eastern corner at basement and first floor level and an additional floor above. At basement level the space is to provide further garage space and the installation of stairs to the first floor. At first floor level the room configuration is being altered to result in a main bedroom suite, a second bedroom, bathroom, stairwell to the upper floor with the extension adding floor area for an open plan kitchen/dining/living area. The added upper level has a third bedroom, study and sunroom which remains open to a void area over the living spaces below.

The extended floor has a skillion based triangular form which results in an absolute maximum building height along the western elevation of 10.5m.

To the rear and lower section of the 3,402m² site are three studio units which are proposed to be used for Visitor accommodation. As the site is sloped the dwellings are proposed with a kitchen and living area at entry level and the bedroom a part storey above as a mezzanine. The dwellings are to be clad in Colorbond finish profile metal sheeting. They will principally have a skillion roof form.

Works include extension of the driveway to provide vehicular access to each visitor accommodation unit.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located in the residential area of Newstead just north of the commencement of Talbot Road and east of the ridge line formed by High Street. Churchill Crescent is parallel to High Street but only runs between David and Wentworth Streets although the access to Wentworth Street has been blocked off.

The site is positioned midway along the street, and on the lower side. Over its average 97m depth the elevation falls 18m from street level.

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Surrounding development and use is predominantly of single dwellings constructed around the 1920s. Construction type varies with claddings both brick and weatherboard with pitched roofs.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposal is consistent with the zone intent extending a dwelling of a fully serviced site and including a compatible use and development of Visitor Accommodation.

10.3 Use Standards

10.3.1 Hours of operation

Objective:

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

Consistent

Visitor accommodation is not covered by the residential use class but is not considered likely to impact on the amenity of sensitive uses in the area.

A1 Commercial vehicles must only operate between 7.00am and 7.00pm - Monday to Friday and 8.00am to 6.00pm - Saturday and Sunday.

Complies

The visitor accommodation use will not involve the operation of commercial vehicles.

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)

10.3.2 Mechanical plant and equipment

Objective: To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.
Consistent Visitor accommodation is not included in the residential use class but is not considered likely to impact on the amenity of sensitive uses in the area.
A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.
Complies Mechanical equipment would be of a Residential quantity. A note will be applied concerning the installation of heat pumps.

10.3.3 Light spill and illumination

Objective: To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.
Consistent Visitor accommodation is not included in the residential use class but is not considered likely to impact on the amenity of sensitive uses in the area.
A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and (b) contain direct light from external light sources within the boundaries of the site.
Complies Lighting will be required on site given the nature of the drive to facilitate night time access for visitors to the site. A condition will be imposed in this regard.

10.3.4 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 Visitor accommodation is not included in the residential use class but is not considered likely to impact on the amenity of sensitive uses in the area.
A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.

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Complies
The use should not involve external storage of materials.

10.3.5 Commercial vehicle parking

Objective:
To ensure that parking of commercial vehicles does not detract from the amenity of the area.

Consistent
Visitor accommodation is not included in the residential use class but is not considered likely to impact on the amenity of sensitive uses in the area.

10.4 Development Standards

10.4.2 Setbacks and building envelope for all dwellings

Objective:
To control the siting and scale of dwellings to:

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

Consistent
The proposed extension to the dwelling is appropriately sited to have minimal impacts on adjoining properties and to not be impacted by traffic.

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

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

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<p>Complies The extensions are proposed to the eastern side/rear of the dwelling with setback from the frontage not altering.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>
<p>Complies Garaging for the dwelling is located at lower ground level and is angled toward the northern side boundary and at least 9m 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: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: (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>
<p>Relies on Performance Criteria The proposed extensions to the dwelling are an appropriate distance from the boundaries but encroach on the building height where the void area is proposed over the living areas.</p>
<p>P3 The siting and scale of a dwelling must: (a) not cause unreasonable loss of amenity by: (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)

Complies

The northern side of the dwelling is proposed to be raised by a floor level with the height accentuated to provide additional light and height over the mid-level living area. The height of the extension is not considered to cause any unreasonable loss of amenity to any adjoining lot. The position of the building on the site is well clear of all boundaries to minimise any overshadowing or overlooking of an adjoining dwelling. It is approximately 10m from the northern side boundary and 24m from the nearest dwelling.

The site has a fall of 15m from and the lower floor level of the dwelling is sited 5.5m below street level and positioned with walls not parallel to any boundaries. The additional height from the extension would result in the highest point being approximately 4.5m higher than street level. Dwellings on this same lower side of the street are sited in a similar position and are at least partly two storey. Views of the dwelling extension and hillside from below will not result in the dwelling being particularly prominent.

The footprint of the dwelling would increase by 36.9m² over the height of three levels but as the dwelling is setback a minimum of 7m from the nearest northern boundary it is not considered to have an impact on 'private open space', nor cause any overshadowing, of adjoining property.

The application is considered able to meet the performance criteria.

10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

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

Consistent

The site coverage of the proposed development is appropriate for the site and the needs of its residents.

A1 Dwellings must have:

- (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and
- (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and
- (c) a site area of which at least 25% of the site area is free from impervious surfaces.

8.2 11B-11D Churchill Crescent, Newstead - Residential - Construction of Alterations and Additions to the Existing Dwelling. Visitor Accommodation - Construction of Three Studio Units for Use as Visitor Accommodation ... (Cont'd)

<p>Complies The proposed extensions will result in a roof cover of the dwelling of 179.03m² and 8.18% of the site. The development includes the construction of three visitor accommodation units each with a roof cover of 37.5m² to total 112.5m² to result in site cover of 13.3%. In both case (a) is complied with.</p> <p>The drive will extend to the accommodation units but well over 25% of the site will be free from impervious surfaces.</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 the 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Complies No significant change will be made to the existing open space of the existing dwelling. The living areas are retained on the upper level and do not have direct access to a compliant outdoor area. The proposal improves solar access for the internal living areas and level access to outside is retained off the southern side of the dwelling to a level area nominated as private open space along the western side of the dwelling.</p>

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide:</p> <ul style="list-style-type: none"> (a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
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<p>Consistent Living areas will have ample solar access.</p>
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Complies The redevelopment of the dwelling locates internal living areas to be immediately north rather than to the southeast. The north eastern sector of the dwelling will contain the internal living spaces.</p>

10.4.5 Width of openings for garages and carports for all dwellings

<p>Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.</p>
<p>Consistent The garage openings will not dominate the frontage.</p>
<p>A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>
<p>Complies The lower floor will contain three garages but these are 23m from the front and are along the northern side of the dwelling with the wall angling away from that boundary. The acceptable solution is met.</p>

10.4.6 Privacy for all dwellings

<p>Objective: To provide reasonable opportunity for privacy for dwellings.</p>
<p>Consistent Privacy between dwellings is retained.</p>
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or

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<p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>
<p>Complies The dwelling maintains part of an existing deck to the south east. The closest point of the deck is approximately 7.5m from the boundary to meet (a).</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.
<p>Complies The habitable rooms are on the mid and upper level and all have floor levels greater than 1m above the ground. The nearest window to boundary is off the southern side in the south eastern corner. The room will be a bedroom rather than the kitchen/dining area as currently. It is setback approximately 8.5m from the boundary and is considered to have less of an impact on neighbours and complies with (b)(i).</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> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <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 driveway will be shared with the proposed visitor accommodation units. As the living areas are on the upper floors privacy for the residents will be maintained.</p>

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10.4.12 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent The proposal minimises the extent of earthworks by developing the drive, dwelling extensions and accommodation units in line with the contours. Where required, the earthworks will have minimal effect on the neighbours.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
<p>Relies on Performance Criteria A 1.2m high retaining wall is proposed to access the garage within the extended area of the dwelling.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies The proposed retaining wall complies with the performance criteria as it is over 10m from the closest and northern side boundary, will be suitably drained, will not allow overlooking of neighbours nor create any shadowing effect. The wall is needed to support the entry to the garage.</p>

10.4.13 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.

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<p>Consistent Car parking will be suitably located to have a minimal effect on residents and little visual impact on the streetscape.</p>
<p>A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.</p>
<p>Complies While the visitor accommodation units are not strictly "residential" under the Planning Scheme definitions, the shared drive is greater than 1.5m from the windows of habitable rooms in the existing dwelling.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Complies Car parking for the dwelling is contained within the lower level garage. Parking for the accommodation units will be adjacent to each dwelling, with these at the rear of the site.</p>

10.4.14 Development for discretionary uses

<p>Objective: To ensure that development for discretionary uses is compatible with the form and scale of residential development and does not unreasonably impact on the amenity of nearby sensitive uses.</p>
<p>Consistent The use as Visitor Accommodation units is covered by Directive 6 and has a Permitted Use status therefore this clause is not applicable and the proposed development is considered under the provisions of the directive below.</p>

Planning Directive No. 6 Visitor Accommodation

<p>Objective: That Visitor Accommodation:</p> <ul style="list-style-type: none"> (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or rights of way.
<p>Consistent The proposed units will be compatible with the residential character of the area, should not impact on the amenity of the area nor impact on the safety and efficiency of the street.</p>
<p>A1 Visitor Accommodation must:</p> <ul style="list-style-type: none"> (a) accommodate guests in existing and habitable buildings; and (b) have a gross floor area of not more than 200m² per lot.

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<p>Relies on Performance Criteria</p> <p>The application is for construction of three small units which does not comply with (a). As the floor area of each dwelling is only about 40m² the gross floor area is below 200m² to comply with (b).</p>
<p>P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) the privacy of adjoining properties; (b) any likely increase in noise to adjoining properties; (c) the scale of the use and its compatibility with the surrounding character and uses within the area; (d) retaining the primary residential function of an area; (e) the impact on the safety and efficiency of the local road network; and (f) any impact on the owners and users rights of way.
<p>Complies</p> <p>The proposed accommodation units are proposed across the lower rear portion of the site. They are relatively small and have a split level design with a small kitchen and living area on the lower level and a bedroom and bathroom as a mezzanine. The mezzanine is incorporated within a steep skillion roof, similar to the shape proposed for the upper level extension to the dwelling. The shape of the elevation is replicated in the partly triangular floor plan. The small scale of the buildings should minimise the impacts of noise transmission, overshadowing and overlooking onto adjoining properties as each unit has only one bedroom and results in a density well below that allowed in the zone, ie. the zone allows one dwelling per 325m² and the development results in one 'dwelling' per 547m².</p> <p>Privacy of neighbours is respected where setbacks to the boundaries are above the setbacks allowed by the acceptable solution for development of single and multiple dwellings. The closest point to the northern side boundary is 3.89m for Unit 1. Setbacks to the rear are respectively 16.36m, 15.72m and 15.97m. Unit 3 is closest to the southern boundary with as setback of 4.4m. Landscaping on the subject site and neighbouring properties helps retain privacy between lots with recent plantings on the site aiming to build on the current garden.</p> <p>Parking will be provided adjacent to each dwelling with access over the existing single driveway crossover. The crossover was approved to be upgraded earlier this year.</p> <p>The performance requirements are considered to be met.</p>
<p>A2 Visitor Accommodation is not for a lot, as defined in the <i>Strata Titles Act 1998</i>, that is part of a strata scheme where another lot within that strata scheme is used for a residential use.</p>

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Complies
The property is a single Torrens title.

E4.0 Road and Railway Assets Code

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

Consistent
The proposal is not considered to impact on 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
The proposal is not considered to impact on the safety and efficiency of the road network.

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

Complies
The development of the visitor accommodation units will not increase traffic to the site by more than 20% or 40 vehicle movements per day.

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 safety and efficiency of surrounding roads will not be impacted by the proposal as no new accesses or junctions are being created.

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

Complies
The site has only one access point.

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E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

Adequate parking will be provided for the development with parking facilitated by the proximity of the site to a bus route along High Street, and the site being approximately 20 minutes' walk from the central City and bike trails around the City.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

Adequate parking is proposed.

A1 The number of car parking spaces must:

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

Complies

A single dwelling requires two carparking with at least two spaces available in the lower floor garage.

Visitor accommodation requires:

1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater.

Each visitor accommodation unit is to be provided with one car space.

The acceptable solution is met.

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A2 The number of accessible car parking spaces for use by persons with a disability for uses that require 6 or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014 (NCC), as amended from time to time.
Complies The NCC requires <i>1 space per 100 car spaces, or part thereof</i> , for class 1b buildings. As only three spaces are required an accessible space is not required.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent The parking spaces will be appropriated constructed.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Relies on Performance Criteria Part of the existing drive has a slope greater than 10% and must be accessed against the performance criteria. The drive will otherwise comply and will be sealed with a non-slip impervious all weather seal and suitably drained. The spaces for visitor accommodation units are required to be annotated.
P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.

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Complies
 The steepest section of the drive is existing and is a result of the steep slope of the site just below the ridge line of the hill of High Street. The section of the drive for the accommodation units will be circular and provide a more level access for each dwelling. Along with upgrading of the crossover the total length of the drive will be sealed and drained which will minimise erosion and eliminate dust.

The performance criteria are considered to be met.

E6.6.2 Design and layout of parking areas

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

Consistent
 The parking spaces will be safe and efficient.

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

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

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

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

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

Complies
 The development requires a total of five on site spaces which will be provided and will be able to enter and exit the site in a forward direction. The access will comply with table E6.2, the drive being just over 3m and widens below to access the individual accommodation units. The available space in the garage of the dwelling allows for two spaces to meet E6.3 and the accommodation unit spaces are a minimum of 3.6m wide x 5.5m deep. The necessary acceptable solutions are met.

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01246-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 28 September to 14 October 2019. Three representation letters were received with six signatures. 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: As the street is a no through street and narrows over its length the proposal will add to the current driving challenge. It is difficult to enter and exit the properties if there are cars parked in the street opposite the driveway.</p>
<p><i>Response 1:</i> <i>The application is able to provide the necessary number of car spaces for both the dwelling and accommodation units with each being able to enter the site, turn and exit in a forward direction. The application was referred to Council's traffic engineers who are satisfied with the proposal and traffic movements.</i></p>
<p>Issue 2: Pedestrians may also be at risk.</p>

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Response 2:

It is important to keep areas safe for walkers. The street is a no through street and serves 13 sites as their single access. There is a footpath on the western side of the street and the increase of the three visitor accommodation units is not considered excessive.

Issue 3:

Concerned of the proposed height of the north western corner of the dwellings and the impact it may have on the dwelling to the south of the existing dwelling. No shadow diagrams have been provided.

Response 3:

The height of the building must be considered against the performance criteria. It is well clear of boundaries so there is no Planning Scheme requirement to seek shadow diagrams. The design of the extension was to minimise impacts on neighbours by being clear of the boundaries. The architect provided the following comments: "The part of the development application in question is the point where the proposed roof of the residential dwelling rises up to accommodate the second level on the north side of the building. This high point in the design is located over 30m away from the property to the south. Due to this large distance, and the many other interferences such as existing large mature trees, thick vegetation and the topography of the land, it is very difficult to accurately forecast the over shadowing in winter. However, given the majority of the southern property sits below natural ground level, behind a retaining wall, behind a 1.8m high boundary fence, behind a number of boundary trees in excess of 3m tall, behind the existing 11c house (which existing roof ridge is 7.46m higher than the eve of the neighbour) and a very large oak tree, it would be reasonable to assume it is already in shade at 3.00pm in winter. Not changing the current solar access to the southern neighbour."

Issue 4:

The existing lounge and dining overlook the neighbours and increasing the height will make it worse.

Response 4:

The redevelopment of the dwelling relocates the living areas to the northern side of the dwelling with the main bedroom being relocated to the southern side of the dwelling. Therefore any overlooking will be greatly reduced.

Issue 5:

The application states the three visitor accommodation units will not be multiple dwellings. What guarantees can be given?

Response 5:

A condition will be included if the application is approved to limit the use under this permit and state that any change of use, including to multiple dwellings, would be subject to a further application to Council.

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<p>Issue 6: Where will rubbish collection be?</p>
<p><i>Response 6:</i> The applicant is aware additional bins cannot be provided but does not consider there will be too much waste generated for this to be a concern.</p>
<p>Issue 7: The proposed north facing window of dwelling 1 will overlook the northern neighbour.</p>
<p><i>Response 7:</i> While the window will be over 4m away, and this would be sufficient if the building was classed as a multiple dwelling, the applicant is agreeable to this window being removed.</p>
<p>Issue 8: The proposed drive is very close to the northern side boundary. Can this be moved? Will any vegetation be removed?</p>
<p><i>Response 8:</i> The driveway principally adjoins the internal driveway of the neighbouring property before turning into the site. No vegetation requires removal with further screen plantings proposed.</p>
<p>Issue 9: What are the finished levels for the car spaces for the visitor accommodation?</p>
<p><i>Comment 9:</i> The parking spaces will located at natural grade, with a slope down towards the units. The spaces will not be raised to create the opportunity for overlooking to adjoining properties.</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.

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ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

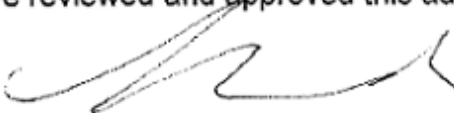
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

1. Locality Map - 11B-11D Churchill Crescent, Newstead (*distributed electronically*)
 2. Plans to be Endorsed - 11B-11D Churchill Crescent, Newstead (*distributed electronically*)
 3. TasWater SPAN - 11B-11D Churchill Crescent, Newstead (*distributed electronically*)
 4. Representations - 11B-11D Churchill Crescent, Newstead (*distributed electronically*)
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9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayors Announcements

FILE NO: SF2375

Friday 1 November 2019

- Attended the Entally Estate Bicentennial Cocktail Party

Saturday 2 November 2019

- Officiated at the Greater Regional City Challenge launch

Wednesday 6 November 2019

- Officiated at the *Aged Care Embraces Diversity* Program Graduation Morning Tea
- Attended the Launceston College Graduation and Awards Ceremony

Thursday 7 November 2019

- Officiated at the Trevallyn Primary School *Be Brave and Shave* Event

Friday 8 November 2019

- Officiated at the launch of the 2020 Transplant Games
- Attended the 40th anniversary of Karinya Young Women's Shelter event
- Officiated at the 7th Birthday Celebrations for Gallery Pejean

Monday 11 November 2019

- Officiated at the Remembrance Day Commemorative Service
- Attended the 2019 Australian Veteran Golf Championship Welcome Party

Tuesday 12 November 2019

- Attended the Kings Meadows High School Arts evening

Wednesday 13 November 2019

- Attended the launch event for *Snug*
-
-

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.)

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

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Heritage Advisory Committee Meeting - 24 October 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 24 October 2019.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 24 October 2019.

REPORT:

The Heritage Advisory Committee, at its Meeting on 24 October 2019, discussed the following items:

1. Tasmanian Heritage Register - 'Provisional Revised' registrations -

After advertising the revised registration of the Cataract Gorge Reserve (64 Gorge Road, Trevallyn, 274 Brisbane Street and 74-90 Basin Road, West Launceston) and receipt of a number of representations from the public, Heritage Tasmania have proposed that the registration area be extended to address the concerns of representors. The amended area has been described by the Heritage Council as being to *the first ridgeline of hills around First Basin, thereby extending the registration to acknowledge view sheds as well as individual features. This area includes an additional two x whole and two part parcels owned by LCC.*

Heritage Tasmania requested that this proposal be forwarded to the Heritage Advisory Committee and the Cataract Gorge Committee to consider the impacts of this change.

It was also reported that the Tasmanian Heritage Council (THC) endorsed the request made for an extension of time for the City of Launceston, as the owner of the affected area, to lodge a submission, under section 20(2)(b) of the *Historic Cultural Heritage Act 1995*, in respect to the permanent replacement entry of the Cataract Gorge. This extension was offered until 22 November 2019, which allows further consideration at the next Meeting of the Heritage Advisory Committee and any further time required prior to the December 2019 Meeting of the THC.

12.1 Heritage Advisory Committee Meeting - 24 October 2019 ...(Cont'd)

On review of the revised area and the above explanation, the Committee resolved to provide the following advice to Council:

That it supports the amended registration of the Cataract Gorge Reserve as proposed by Heritage Tasmania, pending receipt of further justification for the changes made in response to representations, and consultation with the community in regard to the expanded area.

A follow-up meeting with officers from the THC has been scheduled and a subsequent report by Council officers will be prepared for consideration at a subsequent Council meeting.

2. Significant Development Applications - involving heritage issues

Although there were no significant development applications involving heritage issues, on advertising at the time of the Meeting, the Committee were provided with a status update on the following applications:

- DA0305/2019 - 90-110 Cimitiere Street, Launceston - vehicle parking - construction of multi-storey car park, Subdivision - Subdivide Two lots into Four lots
- DA0306/2019 - 90-110 Cimitiere Street, Launceston - Community Meeting and Entertainment, Food Service and Hotel Industry - construction of alterations and additions for a change of use for Art gallery, makers workshop, cafe, bar and restaurant
- DA0405/2019 - 189 George Street, Launceston - Subdivision - Subdivide one lot into three lots

3. 2020 Heritage Awards - Heritage Snap!

The Awards sub-committee met in September and October and planning is well advanced for the 2020 Heritage Snap! photographic award program for young people.

It was reported that entries will open in March and awards will be presented at an event in May, to coincide with the National Trust's Heritage Festival. The theme for the competition will be *Should I stay or should I go?*

4. Princes Square Rubbish Bin Proposal

Following concerns expressed by Councillor T G Walker and officers of Heritage Tasmania in regard to the visual impact of the large rubbish and recycling bin enclosures installed in Princes Square earlier this year, the City of Launceston Waste and Environment Officer prepared a report proposing alternative options for these structures which was provided to the Committee for their advice.

On consideration of the options in regard to heritage and general visual impacts, as well as issues of sustainability, it was agreed that a vinyl wrapping in a dark neutral grey would be an acceptable compromise in the short term.

12.1 Heritage Advisory Committee Meeting - 24 October 2019 ...(Cont'd)

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 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.

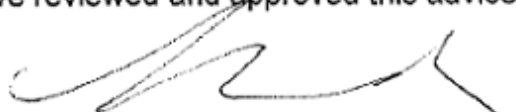
BUDGET & FINANCIAL ASPECTS:

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 - 14 November 2019****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 7 and 14 November 2019:

Upgrade of Facilities on Ben Lomond

A presentation was received from the Ben Lomond Committee seeking support for a facility upgrade to the Ben Lomond Village.

Proposed Amendments of the Dog Control Policy

Councillors engaged in discussions to include Riverbend Park in the declared areas and allow for provision of off-leash areas and vulnerable dog off-leash areas.

Stormwater System Management Plan

Councillors were provided with the draft Stormwater System Management Plan document.

City Deal Updates

Councillors were provided with an update following the release of the City Deal's Annual Progress Report.

Lilydale Agriculture Mapping

Councillors were advised of the proposed changes to the agriculture/rural mapping within the greater Lilydale area.

Launceston Brand Development - Brand Framework

Councillors were provided with an update on the next steps of the development of brand framework.

13.1 Council Workshop Report - 14 November 2019 ...(Cont'd)

Amended Combined System Overflow Investment Plan and kanamaluka/Tamar Estuary River Health Action Plan

Councillors considered an amended Combined System Overflow Investment Plan and kanamaluka/Tamar Estuary Health Action Plan (TERHAP) identifying proposed works which would improve public health measures in the kanamaluka/Tamar Estuary.

Launceston's Levee-Protected Areas - Towards a Risk-Based Approach to Land Use Planning

Councillors considered a project proposal regarding risk-based approaches to land use planning in levee-protected areas.

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.

13.1 Council Workshop Report - 14 November 2019 ...(Cont'd)

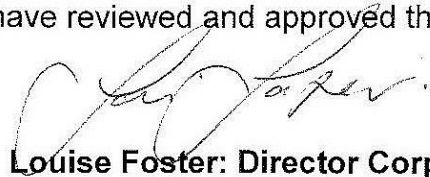
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

14 NOTICES OF MOTION

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

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

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*****FILE NO:** SF2611/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Building Act 2016 (Tas)* and the *Building Regulations 2016 (Tas)*.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 23 January 2017 - Agenda Item 19.4 - Delegation from Council to General Manager - *Building Act 2016 (Tas)* and Building Regulations 2016

RECOMMENDATION:

That Council:

1. pursuant to section 8(3) of the *Building Act 2016 (Tas)* delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Building Act 2016 (Tas)* and the regulations of the *Building Regulations 2016 (Tas)* specified in Column B of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.
 2. determines that although the decision to delegate the powers and functions under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* is made today, the effective date of delegation is 9 December 2019.
 3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*.
 4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
 5. notes that the following table is the schedule referred to at Recommendation 1.
-

15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(Cont'd)

The Schedule

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
General Manager Community and Place Manager Health and Compliance Team Leader Compliance	Section 27, 265, 266, 267, 269, 271. Regulation 43, 53.	Nil
Coordinator Administration Administration and Technical Officer Team Leader Statutory Services Statutory Services Officer Permit Authority Officer Planning Administration Officer Administration Officer - City Development	Section 27.	Nil
General Manager Organisational Services Manager Governance Team Leader Legal Services	Section 27(3).	Nil

REPORT:

As a result of the definite decision made by the Council's General Manager, there will be a number of changes to the workforce and structure of the City of Launceston, resulting in a number of new positions, redundancies and title changes across the organisation. The effective date of change is 9 December 2019.

The sections listed in Column Two of the Schedule relate primarily to building compliance. The sections have previously been delegated to the General Manager and are not required to be delegated again. With the exception of section 27, the performance of the functions and powers contained in the relevant sections and regulations will be confined to senior Council officers. Each section and regulation confers the following function or power on Council:

- Section 27 requires Council to keep relevant building records and permits Council to release those records to various parties including a property owner, building surveyor and Director of Building Control.

15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(Cont'd)

- Section 265 allows Council to perform work that is required by an emergency order, building order or plumbing order in circumstances where the person so ordered has failed to comply.
- Section 266 allows Council to initiate court proceedings to take and remain in possession of a building to allow work to be completed under section 265.
- Section 267 allows Council to serve a demolition order on a person in circumstances including where the person has not complied with a building order, or where building work does not comply with the Act and is detrimental to the health and safety of the occupant or the public
- Section 269 allows Council a general power to enter land and perform work required under the Act and recover its expenses incurred in doing so.
- Section 271 allows Council to sell a building it has ordered to be demolished and requires Council to pay the balance of proceeds of sale after expenses to the owner.
- Regulation 43 prevents a person from conducting certain stormwater work without Council approval, and allows Council to enter premises to perform certain stormwater work and recover costs.
- Regulation 53 relates to Council assessing land as having a reasonably probability of flooding.

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

Priority Area 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 Area -

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

15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* ...(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.



Leanne Hurst: Director Development Services

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas)***FILE NO:** SF2378/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)*.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 13 August 2018 - Agenda Item 15.1 - Delegation from Council to General Manger - *Land Use Planning and Approvals Act 1993 (Tas)* and *Land Use Planning and Approvals Regulations 2014 (Tas)*.

RECOMMENDATION:

That Council:

1. pursuant to section 6 of the *Land Use Planning and Approvals Act 1993 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 5, the powers and functions under the sections of the *Land Use Planning and Approvals Act 1993 (Tas)* and the *Land Use Planning and Approvals Regulations 2014 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
 2. determines that although the decision to delegate the powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* is made today, the effective date of delegation is 9 December 2019.
 3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Land Use Planning and Approvals Act 1993 (Tas)* or *Land Use Planning and Approvals Regulations 2014 (Tas)*.
 4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

5. notes that the following table is the schedule referred to at Recommendation 1.

The Schedule

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
Chief Executive Officer General Manager Community and Place Manager City Development	Sections 35C, 35F, 35G, 35I, 35M, 35P, 40G, 40U, 40W, 43(2), 43(6), 43(7), 43(9), 43(10), 48AA, 48A, 51, 52(1B), 53(5A), 54, 55, 56, 57(2), 57(3), 57(5), 57(6), 57(6)(b), 57(6A), 57(7), 57A, 58, 59(7), 60P(4), 60Q(5), 60Y, 63, 63B(3), 65C(5), 65G, 71, 74(3), 75, 76, 78, together with the <i>Land Use Planning and Approvals Regulations 2014</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993</i> .	The delegation under section 57(2) is exercisable only where such an application cannot lawfully be approved; and/or only exercised where an applicant will not agree to an extension of time that appears that Council will not be able to deal with the application within the time prescribed by section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> ; and/or only where Council is not able to or does not make a decision upon the application within the time prescribed under section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> .

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
		<p>The delegation under section 57(6) is exercisable only in those cases where:</p> <p>(a) no, or up to two, representations have been received in respect of such applications pursuant to section 57 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> and/or</p> <p>(b) any submissions received from a regulated entity pursuant to section 56P(1) of the <i>Water and Sewerage Industry Act 2008</i>, indicates it 'does not object to' or 'does not object if the permit is subject to conditions' regarding a notice of application from Council to the regulated entity pursuant to section 56O(2) of the <i>Water and Sewerage Industry Act 2008</i>.</p> <p>The delegation under section 57A is only exercisable where the power or function to accept a mediated outcome of a development decision that has been subject to an appeal against a Council decision so long as the outcome is not contrary to the spirit of the original Council decision on the development application.</p>

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

Column One	Column Two	Column Three
Position	Extent of Delegation	Restrictions
Team Leader Planning Assessments Senior Town Planner Development Senior Town Planner - Policy and Projects Town Planner Graduate Town Planner Team Leader Strategic Planning Urban Design Planner Heritage Planner (hereinafter Planners)	Sections 40U, 48AA, 48A, 54, 57(3), 60P(4), 60Q(5), 61, 63, 65C(5), 71, 74(3), 75, 76, 78 together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> and the former sections 38(1), 39(2), 43J and 43K of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> saved by section 87C and Schedule 6 of the <i>Land Use Planning and Approvals Act 1993 (Tas)</i> .	
Manager Health and Compliance Team Leader Compliance Planning Compliance Officer	Sections 48AA, 48A, 64, 65C(5).	
Team Leader Statutory Services Statutory Services Officer	Sections 57(3), 71, 74(3), 75, 76, 78 together with Regulations 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> .	
Permit Authority Permit Authority Officer Planning Administration Officer Administration Officer - City Development Administration Assistant	Sections 57(3) together with Regulation 9 of the <i>Land Use Planning and Approvals Regulations 2014 (Tas)</i> .	

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

REPORT:

As a result of the definite decision made by Council's General Manager, there will be a number of changes to the workforce and structure of the City of Launceston, resulting in a number of new positions, redundancies, and title changes across the organisation. The effective date of change is 9 December 2019.

The delegation of powers and functions under the *Land Use Planning and Approvals Act 1993 (Tas)* (the Act) proposed in the Recommendations will ensure that powers and functions under the Act can continue to be performed by the appropriate officers of Council.

There are no new powers to be delegated, however, some powers have been delegated to additional officers to ensure those powers can be exercised in an efficient manner.

Major functions remain with Council and have not been delegated. These functions and powers include preparing a draft Local Planning Scheme (LPS) and draft special LPS, amending or modifying an LPS, the making of proposals that projects are of regional significance and withdrawing or modifying a planning scheme following a determination of compensation.

Applications for discretionary permits, where more than two representations have been received, must be determined by Council. This power has not been delegated.

The delegations under consideration reflect the fact that the majority of the remaining formal decisions to be made and powers to be exercised will be restricted to the Chief Executive Officer, General Manager Community and Place and Manager City Development.

Chief Executive Officer, General Manager Community and Place and Manager City Development

The restrictions listed in the Recommendations are adopted from previous restrictions that were placed upon previous delegations, passed by Council at the Council Meeting of 13 August 2018. There is no reason to remove such restrictions.

Sections 35C-40W are new delegations and deal with the Local Planning Scheme amendments to the Act:

- Sections 35C, 35D deal with the publishing of an exhibition notice in relation to a draft LPS, ensuring other relevant authorities and agencies are advised of it and making it available for viewing by the public.
-

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

- Section 35F empowers Council to provide a report to the Tasmanian Planning Commission, containing representations regarding a draft LPS, Council's opinion as to each representation received, whether a draft LPS ought to be thereby modified, and recommendations of Council in relation to a draft LPS.
- Section 36G provides Council with the ability to advise the Commission that State Planning Provisions should be altered.
- Section 35I allows Council to withdraw a draft LPS from the Commission.
- Section 35M requires Council to provide notice of the Commission's approval of a Local Provisions Schedule.
- Section 35P sets out the requirements for Council if it is required to conduct a review, including publishing notice of a review of an LPS is occurring, inviting and receiving and considering comments in relation to the LPS review, and to prepare and provide a report to the Commission containing an opinion as to whether amendment, replacement or continuance of the LPS is required.
- Section 40G requires Council to publish an exhibition notice in relation to the draft amendment to an LPS, inviting representations.
- Section 40U allows Council to request further information where an applicant seeks an amendment to an LPS and also permit under section 40T.
- Section 40W allows Council to agree or refuse to agree to concurrently consider a permit and an application to amend an LPS.
- Section 43(2) allows Council to make a minor amendment to a permit.
- Section 43(6), (7), (9) and (10) requires Council to give notice of permit amendments to various persons.

Sections 48AA to 71 deal with more general matters:

- Section 48AA places a duty on Council to enforce observance of conditions in a special permit.
 - Section 48A allows Council to require the removal of signs in breach of permit requirements.
 - Section 51 provides the broad decision making process for determining planning permits
 - Section 53(5A) allows Council to grant an extension to a permit.
 - Section 54 allows Council to request further information relating to a permit.
 - Section 55 allows Council to correct permits containing clerical mistake or miscalculation.
 - Section 56 allows Council make minor amendments to permits.
 - Section 57(2)-(7) relate to the granting or refusal of a discretionary permit.
 - Section 57A relates to mediation.
-

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

- Section 58 relates to non-discretionary permits.
- Section 59(7) allows Council to make a decision on an application for a discretionary permit following a deemed decision to grant a permit, but before an application has been made to the Appeal Tribunal.
- Section 60P(4) allows Council to provide information to the Development Assessment Panel in relation to projects of regional significance.
- Section 60Q(5) requires Council to arrange the public exhibition of a project of regional significance.
- Section 60Y allows Council to consult with the Commission relating to amending a planning scheme.
- Section 63 allows Council to carry out work that a person ordered by a court to complete but has not completed.
- Section 63B requires Council to issue a notice where a person has provided written notice of a contravention of the Act.
- Section 65C(5) requires Council to notify an owner of land of an enforcement order where the enforcement order has been served on a person who is not the owner.
- Section 65G allows a Council to cancel a permit in certain circumstances.
- Sections 71, 74(3), 75, 76 and 78 allow Council to enter, amend and end agreements relating to, amongst other things, the restriction of use or development and conditions of the development, and to lodge agreements with the Commission and Recorder of Titles.

Provisions of the Act (pre-Tasmanian Planning Scheme amendments) which apply under Schedule 6:

- Section 38(1) relates to public exhibition of draft amendment of planning scheme.
- Section 39(2) requires Council to provide a report on representations received regarding draft amendment of a planning scheme under section 38(1).
- Section 43J allows Council to correct clerical and similar mistakes.
- Section 43K allows Council to make minor amendments of a permit.

Planners

The delegation of powers under the Act to Planners is further restricted. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

Manager Health and Compliance, Team Leader Compliance and Planning Compliance Officer

There are a limited number of powers to be delegated to Compliance officers, as outlined above. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

Team Leader Statutory Services and Statutory Services Officer

There are a limited number of powers to be delegated to Compliance officers, as outlined above. The proposed delegations will ensure that Council is able to operate in an efficient and timely manner, without needing to refer procedural matters to Manager City Development or Council.

Permit Authority, Permit Authority Officer, Planning Administration Officer and Other Administrative Officers

A single delegation is required for this category of officers to ensure notices can be issued.

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

Priority Area 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 Area -

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

15.2 Delegation from Council to Council Officers - *Land Use Planning and Approvals Act 1993 (Tas) ... (Cont'd)*

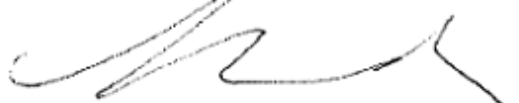
BUDGET & FINANCIAL ASPECTS:

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.



Leanne Hurst: Director Development Services

15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship**FILE NO:** SF5892**AUTHOR:** Stephanie Berns (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider Special Event Sponsorship for the 2020 BMX Australia National Championship.

RECOMMENDATION:

That Council commits funds of \$30,000 from the 2019/2020 Special Event Sponsorship budget for the 2020 BMX Australia National Championship.

REPORT:

The 2020 BMX Australia National Championship is to be held at the Launceston BMX Club, St Leonards Road, St Leonards, from the 23 - 28 March 2020. The organisers are estimating close to 3,750 of expected attendees for this event with an estimated 3,375 of these attendees being from interstate.

The BMX Australia National Championships is the premier event on the Australian BMX calendar, bringing together male and female riders from five years of age to over 50 years of age. The event sees representatives from all States take part in the Championships which is the highlight of the year for Australian BMX riders. BMX Australia aims to provide a world class event for riders from grassroots through to elite, forming part of BMX Australia's framework of providing members with the opportunities for participation and pathways to excellence.

The full application was considered by the Event Sponsorship Assessment Panel*.

* Please note individual scoring undertaken by the Event Sponsorship Assessment Panel was the way this event was scored. Individual scoring differs slightly to other items that are generally considered by the Panel, whereby there is opportunity to integrate and alter scores, with reference to information provided, at a group meeting.

The Panel assessed the application against the assessment criteria (detailed below).

15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship ...(Cont'd)

Assessment Criteria

- **Participation** - Enables social connections to take place within the community, including volunteering and participation opportunities.
- **Creativity and Innovation** - Encourages and supports creativity, innovation and local talent.
- **Community Spirit** - Building community spirit, pride and a sense of place.
- **Economic** - Demonstrates positive economic benefits through visitor spend, employment and/or investment.
- **Tourism and profile** - Demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation.
- **Asset Usage** - Utilisation and activation of community assets including cultural, entertainment, sport and recreation venues, including Council owned and operated assets.

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

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

The 2020 BMX Australia National Championship application assessment resulted in a score of 82%.

Organisation	Event	Score	\$Request	\$Assess	\$Recom
BMX Australia Limited	2020 BMX Australia National Championship	82%	\$30,000	\$30,000	\$30,000

Using the distribution funds formula for event sponsorship, an application with a score between 81% and 100% is recommended to receive 100% of the amount requested.

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship ...(Cont'd)

SOCIAL IMPACT:

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

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 Areas:

1. To develop and consistently utilise contemporary and effective community engagement processes.
3. To advocate and collaborate to enhance regionally significant services and infrastructure for the benefit of our communities.

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.
 4. To promote tourism and the development of a quality tourism offering for Launceston.
-

15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship ...(Cont'd)

BUDGET & FINANCIAL ASPECTS:

Proposed 2019/2020 Special Event Sponsorship Budget

Event	\$Recommended Funds available 2019/2020	\$Pre-committed funds 2019/2020	Balance
2019 Australian Veteran Gold Championship	\$70,000	\$15,000	\$55,000
39 th FIPS Mouche World Fly Fishing Championship 2019	\$55,000	\$22,500	\$32,500
Australian Karate Federation 2019 National Karate Championship	\$32,500	\$15,000	\$17,500
2020 BMX Australia National Championship	\$17,500	\$30,000	\$-12,500
2019/2020 Major Events Sponsorship Budget - Surplus Funds Transfer			\$12,500
2019/2020 Special Event Sponsorship Budget (remaining)			\$0
2019/2020 Major Events Sponsorship Budget (remaining)			\$3,500

The proposed budget for 2019/2020 Special Event Sponsorship is \$70,000. Should the recommendation for \$30,000 for the 2020 BMX Australia National Championship be approved and the funding pre-committed, there will be potentially a \$12,500 shortfall in the proposed 2019/2020 budget for Special Events Sponsorship.

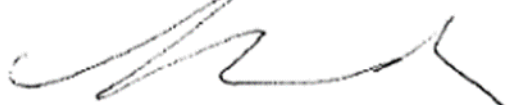
The 2019/2020 Major Events Budget has excess funds remaining of \$16,000 with all funding rounds now closed for the 2019/2020 Financial Year. It is recommended to utilise \$12,500 from the remaining 2019/2020 Major Events Budget to supplement the 2019/2020 Special Event Sponsorship, resulting in sufficient funding for the 2020 BMX Australia National Championship.

15.3 Special Event Sponsorship 2019/2020 - 2020 BMX Australia National Championship ...(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

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 Invermay Traffic Masterplan****FILE NO:** SF6773**AUTHOR:** Nigel Coates (Engineering Officer Traffic)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider and adopt the Invermay Traffic Masterplan.

PREVIOUS COUNCIL CONSIDERATION:

Strategic Planning and Policy Committee - 8 April 2013 - Agenda Item 4.3 -
Goderich/Lindsay Street Intersection - Treatment Options

Council - 23 April 2018 - Agenda Item 18.1 - Draft Invermay Traffic Masterplan - Stage 1
Major Initiatives

Workshop - 3 September 2018 - Invermay Traffic Masterplan

Council - 22 October 2018 - Agenda Item 18.1 - Invermay Traffic Masterplan

Workshop - 13 December 2018 - Invermay Traffic Masterplan

Workshop - 22 August 2019 - Invermay Traffic Masterplan

RECOMMENDATION:

That Council:

1. notes the information provided in relation to the benefits of the individual projects in achieving the aims of the Invermay Traffic Masterplan
 2. adopts the following Traffic Masterplan (Major Initiatives):
 - (a) Invermay Traffic Masterplan (refer to plan below)
 - (b) Invermay Traffic Masterplan Project Delivery Timeframes
-

18.1 Invermay Traffic Masterplan ...(Cont'd)

Short Term (1 - 3 years)

1. Lindsay Street (West) - street improvements
2. New Link Road - connecting Lindsay Street to Gleadow Street
3. Gleadow Street - street improvements (South side)
4. Goderich Street/Gleadow Street - new traffic lights
5. Goderich Street/Forster Street double right turn lane and Forster Street - improved traffic flow (Stage 1 – North side): Goderich Street to Invermay Road
7. Invermay Road/Lindsay Street - new traffic lights (including changes to Esplanade/Boland Street lights)
8. Forster Street - carpark right turn lane
9. Goderich Street/Charles Street intersections with Lindsay Street and Esplanade - Investigating changes to reduce delay on the East Tamar Highway corridor (new project) including changes to prohibit right turns into the Esplanade and right turns out of the Esplanade.
10. Lindsay Street (East) - street improvement
14. Improved synchronisation of traffic lights along Goderich Street and Charles Street.

Medium Term (3 - 5 years):

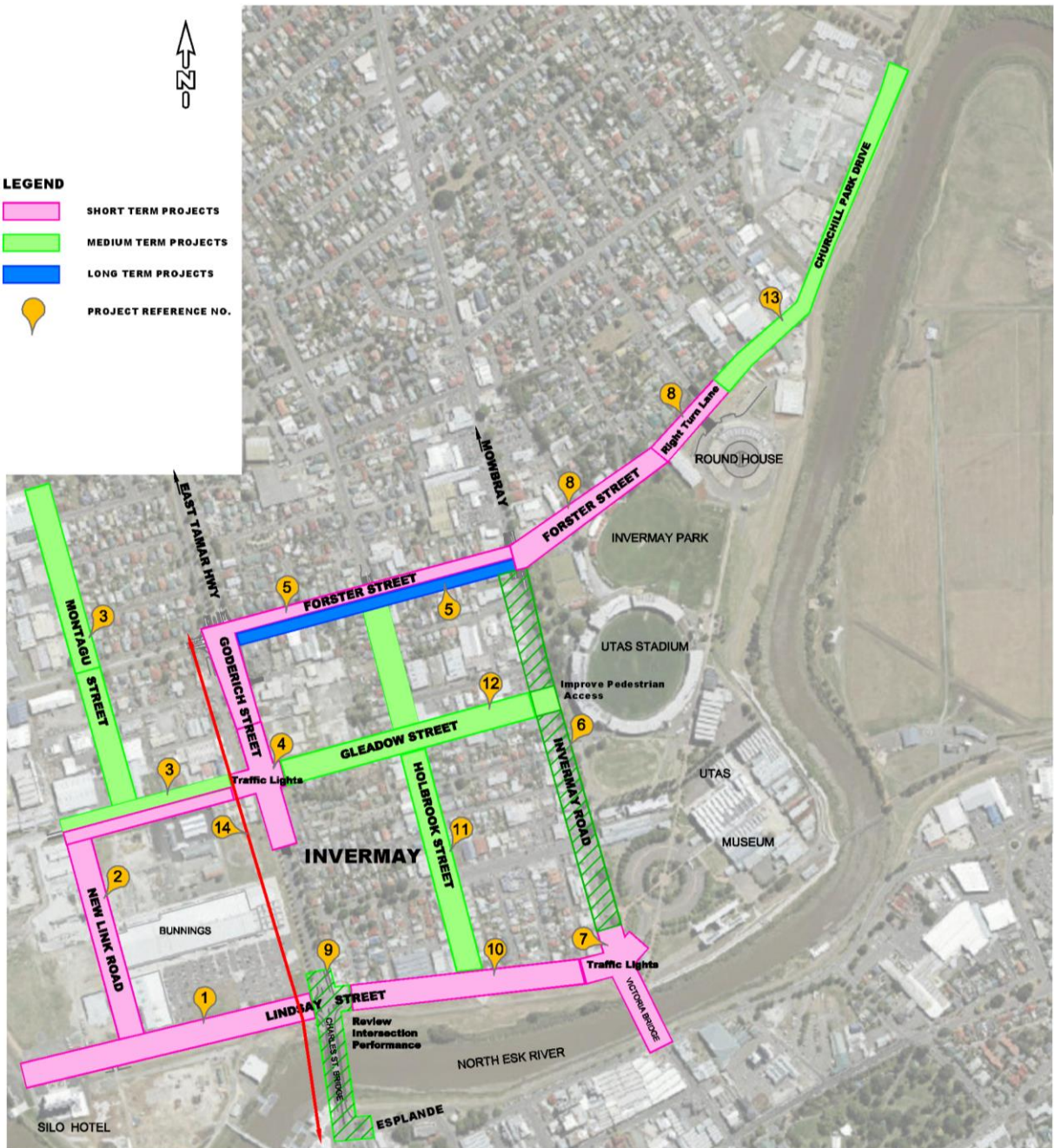
3. Gleadow Street (North side) and Montagu Streets - street improvements
6. Invermay Road - Corridor Review - pedestrian/cycling connectivity across Invermay Road (to be completed post Inveresk Masterplan and University of Tasmania building design complete)
11. Holbrook Street (South) - bike lanes and street improvement
12. Gleadow Street (East) - bike trail and street improvement
13. Churchill Park Drive - road widening and on-street car parking opportunities (new project)

Long Term (6+ years)

5. Forster Street - improved traffic flow (Stage 2 - South side)
 3. notes that projects 2 and 3 are being delivered by the developer as conditions of DA0261/2018.
 4. notes that projects 4 and 5 are being delivered by the Department of State Growth and have been the subject of a separate consultation exercise.
 5. undertakes a trial in consultation with the Department of State Growth to implement a right turn prohibition for a three month period between Charles Street Bridge/Goderich Street into Lindsay Street following the introduction of the traffic signals at Goderich/Gleadow Streets.
-

18.1 Invermay Traffic Masterplan ...(Cont'd)

- 6. develops a Transport Network Operating Plan in consultation with Councillors to provide guidance on how the new traffic signals will operate.



INVERMAY - TRAFFIC MASTER PLAN

NOT TO SCALE

18.1 Invermay Traffic Masterplan ...(Cont'd)

REPORT:**Background**

On 23 April 2018, Council considered a report detailing the extent of new development occurring in the Invermay area and the likely impact on traffic and local amenities.

The report explained that the Invermay area is about to undergo significant change as a result of several major developments aimed at providing increased employment, education opportunities, public amenity, new recreation and open space assets and general City activation.

Council agreed that the Draft Invermay Traffic Masterplan (containing a number of major initiatives to help manage the impact of this development) be released for community consultation.

A period of public consultation was carried out between 30 April and 8 June 2018 and the results were reported to Council on 22 October 2018. At that Meeting, Council decided to:

1. *receive the information contained in the report and defer consideration of the recommendations to the newly formed Council following the current election process.*
2. *request the General Manager to complete further investigation and provide advice on matters such as traffic and pedestrian movement changes relating from the University of Tasmania relocation as well as the progress and details of traffic light signal upgrades committed to by the Department of State Growth for consideration by the Council.*

This report relates the Invermay Traffic Masterplan projects to the modelling of the impacts of the relocation of the University of Tasmania (UTAS) and the other major development projects in the Invermay area.

The traffic signal upgrade project and its potential to better manage traffic demands in this area is detailed later in the report and will also be the subject of a more detailed report later this year. This report will be developed in consultation with Councillors and will detail uses/route priority and levels of service provided by the signals upgrade project.

Invermay Precincts and Development Projects

There are a number of recent or imminent developments that either has or will increase traffic generation in and out of the Invermay precincts, placing increased pressure on the State and local road network within the area.

18.1 Invermay Traffic Masterplan ...(Cont'd)

Inveresk Precinct:

- Relocation of the UTAS to Inveresk

Riverbend (formerly North Bank)/Lindsay Street Precinct:

- New Riverbend Park (now opened) and North Esk River pedestrian bridge (complete)
- Improvements to the Riverbend rowing precinct (in progress)
- Silo Hotel (complete)
- Boral concrete batch plant relocation (complete)
- Relocation of National Automobile Museum of Tasmania to Lindsay Street (complete)
- Proposed subdivision and development of 65-85 Gleadow Street, Invermay. Proposed use includes car sales, light industrial/commercial and minor car-parking (in progress)

Masterplan Objectives

A Draft Masterplan was developed to detail a series of major traffic initiatives aimed at mitigating the impact of these developments, while continuing to improve the amenity and liveability of the Invermay area. The Masterplan had the following objectives:

- Avoid congestion (objective 1)
Maximise the use of major roads throughout Invermay for vehicle and freight movements to avoid congestion on local streets (eg. Goderich and Forster Streets).
 - Improve performance (objective 2)
To improve the performance of the East Tamar Highway/Goderich Street corridor as a major north-south gateway into the City.
 - Minimise impact (objective 3)
To minimise traffic impact on the local Invermay Road network.
 - Pedestrian/cycling connections (objective 4)
To maximise opportunities for pedestrian and cycling connections to Inveresk, Riverbend/Lindsay Street precinct and to the central City.
 - Improved circulation (objective 5)
To provide a 'loop road' for the Riverbend/Lindsay Street Precinct via the 'New Link Road' between Lindsay Street and Gleadow Street to improve circulation of commercial vehicles, buses and visitors to the precinct.
-

18.1 Invermay Traffic Masterplan ...(Cont'd)

The purpose of each of the projects Council is being asked to support and their alignment to the Masterplan objectives is included in the following table:

No.	Project	Purpose	Master Plan Objective				
			1	2	3	4	5
<i>Short Term (1 - 3 years)</i>			1	2	3	4	5
1	Lindsay Street (West) - street improvements	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
2	New Link Road - connects Lindsay Street to Gleadow Street	Improved traffic circulation and reduced demand on Lindsay Street/Goderich Street	✓				✓
3	Gleadow Street - street improvements (South side)	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
4	Goderich Street/Gleadow Street - new traffic lights	Improved traffic circulation and reduced demand on Lindsay Street/Goderich Street		✓			✓
5	Goderich Street/Forster Street double right turn lane and Forster Street - (Stage 1 - North side): Goderich Street to Invermay Road	Improved traffic flow	✓				
7	Invermay Road / Lindsay Street - new traffic lights (including changes to The Esplanade/ Boland Street lights)	Improved traffic flow and safety and amenity for pedestrians and cyclists	✓		✓	✓	
8	Forster Street - carpark right turn lane	Improved traffic flow	✓		✓		
9	Goderich Street/Charles Street intersections with Lindsay Street and Esplanade	Investigating changes to reduce delay on the East Tamar Highway.	✓	✓			
10	Lindsay Street (East) - street improvement	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
14	Goderich Street and Charles Street.	Improved synchronisation of traffic lights	✓	✓			

18.1 Invermay Traffic Masterplan ...(Cont'd)

No.	Project	Purpose	Master Plan Objective				
			1	2	3	4	5
<i>Medium Term (3 - 5 years)</i>			1	2	3	4	5
3	Gleadow Street (North side) and Montagu Streets - street improvements	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
6	Invermay Road - Corridor Review - pedestrian/cycling connectivity across Invermay Road (post Inveresk Masterplan and University of Tasmania building design)	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
11	Holbrook Street (South) - bike lanes and street improvement	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
12	Gleadow Street (East) - bike trail and street improvement	Improved street environment and safety and amenity for pedestrians and cyclists			✓	✓	
13	Churchill Park Drive - road widening and on-street car parking	Improved traffic flow and additional parking			✓		
<i>Long Term (6+ years)</i>			1	2	3	4	5
5	Forster Street - improved traffic flow (Stage 2 - South side)	Improved traffic flow	✓				

Project Benefits - Traffic Flow

The projects detailed in this report will seek to improve traffic flow in the Invermay area, particularly that related to developments to the west of Goderich Street and the relocation of UTAS to the Inveresk site.

The specific impact on the road network resulting from the relocation of UTAS will not be fully known until a development application, with an associated traffic impact assessment, is submitted. However, traffic analysis has been carried out on the revised Masterplan for the Inveresk Precinct (which includes the anticipated impacts from the UTAs relocation) and this has been used to model the benefit of the initiatives proposed in this report.

The impact of the proposed intersection changes has been described in terms of 'level of service' (LoS), which is a measure of travel time delay and traffic density dependant on the volume of traffic using an intersection. LoS is described on a scale of A to F, with A being least congested and F being most congested.

18.1 Invermay Traffic Masterplan ...(Cont'd)

A summary of level of service is provided below.

A	Drivers are unaffected by intersection
B	Flow is stable within reasonable freedom to manoeuvre
C	Flow is stable with some restriction to speed and manoeuvring in the traffic
D	Close to the limit of stable flow
E	Traffic lanes are at capacity
F	Intersection is flowing

A full description of Levels of Service is provided in Attachment 8.

All traffic modelling has been completed based on 2017 being the base year, with the future modelling being based on the year 2033 and assuming implementation of all short and medium term initiatives.

Goderich Street Corridor

Projects on this corridor include:

- The addition of a second north bound right turn lane at Forster Street to improve capacity for vehicles accessing the Inveresk Precinct. Eastbound traffic in Forster Street is predicted to increase from 580 vehicles per hour to 900 vehicles per hour during the morning peak. The intersection modelling shows LoS D for the year 2017 and will remain at LoS D in 2033 which is a positive result given the extra traffic that will be accommodated.
- New traffic signals at Gleadow Street, along with the new link road between Lindsay Street and Gleadow Street, better distribute traffic in this area and relieve pressure on Lindsay Street. Although these lights will introduce a new stopping point for Goderich Street traffic, the modelling shows they will operate at LoS A (2033).
- Improved synchronisation of the traffic lights along the Goderich Street and Charles Street corridor. This will be facilitated by the traffic signals upgrade project detailed later in this report.

There is also the potential to improve the performance of this corridor with alterations to the intersections at each end of the Charles Street Bridge, Lindsay Street and Esplanade. A project involving major works to the bridge is likely to also involve changes to the operation of these intersections, however, it would be possible to achieve these benefits with minor alterations without the significant cost of changes to the bridge.

- Trial of a right turn prohibition for northbound and southbound traffic at Lindsay Street. This would remove a signal phase and is an efficient way to improve performance at the intersection; which suffers from congestion on the Goderich Street corridor and increasing demands on the Lindsay Street approach. Any implementation of such a proposal would need to be preceded by the Goderich Street/Gleadow Street traffic signals to provide an alternative access for north bound traffic into the Riverbend Precinct. This trial is discussed further in the report.

18.1 Invermay Traffic Masterplan ...(Cont'd)

- Improvements to the Esplanade intersection will also be investigated. This will consider the impact on the network of removing the right turns into and out of the intersection and removal of the traffic signals, except for crossing provision for pedestrians and cyclists.

Invermay Road Corridor

The modelling shows decreased flows southbound, due to some transfer to Goderich Street, and increased flows northbound on Invermay Road. Currently the only project proposed for the corridor is:

- Traffic signals at the Lindsay Street intersection. These signals, coordinated with those at Boland Street will help to better manage traffic into the future. While the existing roundabout provides a reasonable LoS for north/south traffic in isolation, it does not perform well in conjunction with the Boland Street traffic signals immediately to the south and significantly compromises the LoS on the Barnards Way and Lindsay Street legs of the intersection. With the addition of UTAS traffic and other traffic growth by 2033, the roundabout is predicted to perform significantly worse than traffic signals. The proposed traffic signals will also significantly improve the LoS for pedestrians at the intersection, noting the increase in pedestrians expected post the relocation of UTAS and the ongoing growth in events and activities within the Inveresk Precinct.

Forster Street

Eastbound traffic during the morning peak in Forster Street is predicted to increase from 580 vehicles per hour to 900 vehicles per hour. The project for this corridor is:

- The addition of a second eastbound lane and the change of north side car parking from 90 degree to parallel. The modelling for the project shows the corridor's performance going from LoS D (2017) to LoS E (2033). This is to be expected and would justify further investigation of a second westbound lane at some time in the future to further improve the corridor's performance (currently identified as a *long-term* initiative within the Masterplan).

Lindsay Street

The proposed projects generally reduce traffic in Lindsay Street, however, with the increased traffic forecasted for Forster Street it is expected that some traffic may redirect to Lindsay Street during peak times of the days.

18.1 Invermay Traffic Masterplan ...(Cont'd)

Consultation

Community consultation was carried out between 30 April to 8 June 2018 on the nine major projects in the Invermay Traffic Masterplan as listed below:

1. Lindsay Street (West) - street improvements
2. New Link Road - connects Lindsay Street to Gleadow Street
3. Gleadow and Montagu Streets - street improvements
4. Goderich Street/Gleadow Street - new traffic lights
5. Forster Street - improved traffic flow
6. Pedestrian/Cycling connectivity across Invermay Road
7. Invermay Road/Lindsay Street - new traffic lights
8. Forster Street - carpark right turn lane
9. Lower Charles Street Bridge

Consultation involved four initiatives, being:

Your Voice, Your Launceston

Community Information Evenings

Key Stakeholder Briefings

One-on-one meetings with property owners and businesses

In general, most of the community and stakeholder feedback was supportive of the need to proactively manage the increasing traffic demands in the Invermay area. Eighty respondents completed the on line survey.

A general summary of findings found:

- Greater than 72% support, or somewhat support, the proposed new projects in the masterplan (ie. projects 2, 3, 4, 5, 7 and 8), with strongest support being for the New Link Road (94%), Gleadow and Montagu Street upgrade (88%) and Forster Street right turn lane (80%). The lowest support was for Goderich Street/Gleadow Street traffic lights (72%), Forster Street traffic flow improvement (75%) and Invermay Road/Lindsay Street traffic lights (77%).
 - The lowest individual support response (not including *somewhat support*) was Forster Street traffic flow improvement (42% support and 33% somewhat support). Most of this concern was related to on-street car parking and resulted in several meetings with concerned residents and business owners.
 - The community expressed frustration about the current performance of the Goderich Street/Lindsay Street traffic lights, particularly relating to exiting Lindsay Street onto Charles Street Bridge and general queuing during peak times.
 - The community expressed concern about the introduction of new traffic lights within the area (ie. proposed for Goderich Street and Invermay Road), with most concerns around potential queuing and delays. However, this was countered by recognised benefits associated with improved ability for turning movements and pedestrian safety.
-

18.1 Invermay Traffic Masterplan ...(Cont'd)

- Some concerns were raised about the increasing traffic on local Invermay streets (including “rat running”) and the safety impact this has on residential and business properties.
- The community information sessions highlight the public's lack of understanding or engagement in the UTAS relocation to Inveresk. Many questions were asked about, why the relocation, what are the benefits to the City, what will happen at Newnham Campus, how big will the campus get, what changes will occur to local on-street car parking around Inveresk, etc.
- Although not part of the specific scope of the Masterplan, the community expressed concern about the increasing demand for on-street parking within close proximity to the city and major employment areas.

Major Issues and Opportunities

New Traffic Lights

The introduction of new traffic lights was raised as a major theme from community comments.

Officer Response

Traffic signals are the most effective way of meeting the needs of large traffic volumes, competing turning movements at intersection and the safety of pedestrians and cyclists. Traffic signals also provide an opportunity to prioritise or discourage particularly turning movements to meet the needs of the local area or alter signal phasing over time as traffic conditions changes.

The Council, in conjunction with State and Commonwealth Governments, has commenced an upgrade program on traffic signals throughout the City. This upgrade will improve the reliability, monitoring and responsiveness of the City signals and maximise their ability to synchronise with other traffic signals in the network and better respond to peak traffic periods.

Forster Street On-street Car Parking

The proposed work along Forster Street (Goderich Street to Invermay Road) will see the addition of a second east bound lane (short term) and a second west bound lane (longer term). This improved traffic capacity will see a 50% reduction in on-street parking along the north side; noting on-street parking is proposed to change from the current 90 degree parking to parallel.

18.1 Invermay Traffic Masterplan ...(Cont'd)

Officer Response

An on-street car parking usage survey was undertaken on 7, 9 and 11 May 2018 to understand the general parking usage along the street (Attachment 3). The survey results show current occupancy rates between 23% and 54% of available on-street parking, with the northern side experiencing slightly lower trends than the south side. It is also acknowledged that some businesses, such as the takeaway food shop, will experience a peak around lunch time which is likely to see occupancy rates greater than these figures.

A detailed audit of the current concept design and further design refinement was able to accommodate a further four on-street spaces by adjustment of kerb and channel alignments and driveway adjustments to combat community concerns about lost parking.

Timing for Project Delivery - Forster Street Improvements

Landowners and businesses along Forster Street questioned the need to deliver the Forster Street traffic capacity and right turn works in the short term, noting these major traffic changes were the result of the UTAS relocation to Inveresk (due to open in 2022).

Officer Response

These works were originally proposed for the 2018/2019 financial year. It is recommended that the works take place in the 2019/2020 financial year which has allowed time for the community to adjust to these changes whilst still allowing the work to benefit the UTAS construction activities and increased traffic occurring to and from the Inveresk site.

Goderich Street/Lindsay Street Intersection

Many comments echoed the ongoing concerns within the community regarding the delays and queuing experienced at the Goderich Street/Lindsay Street traffic lights.

Officer Response

An ultimate solution to the intersections design and/or potential change will not be known until the State Government has completed detailed modelling and option analysis of the East Tamar Highway corridor and potential changes to Charles Street Bridge. Widening of the Charles Street Bridge would be a significant investment but will, in isolation, not fix the network capacity issues because of the constraints to the north and the south. Further discussions with the State Government and investigations have indicated the benefits of prohibiting right turns from Charles Street Bridge/Goderich Street into Lindsay Street as it would enable a phase to be removed at this intersection.

18.1 Invermay Traffic Masterplan ...(Cont'd)

There was previous consideration of banning the north bound right turn in 2013 but this did not proceed due to objections from the local business community. Modelling has also shown that the northbound right turn ban in isolation would have limited benefit in addressing capacity and safety issues. Any potential right turn ban for south bound traffic would need to be preceded by the introduction of the traffic signals at Goderich Street/Gleadow Street and the new link road as an alternative means of accessing the Riverbend Precinct. It should be noted that this proposal was not included in the community consultation and there will need to be further engagement with the community before any such proposal would be introduced.

Changes to the operation of The Esplanade intersection would also be a likely consequence of changes to the bridge but could potentially, depending on the impacts on the network, proceed independently.

The New Link Road between Gleadow Street and Lindsay Street, currently under construction, will provide an opportunity for motorists to utilise an alternative access to the Bunnings complex and broader precinct.

Forster Street (East)/Churchill Park Drive - Review and Opportunities

Council officers have reviewed this section of road in an attempt to ensure the corridor from Invermay Road through to Churchill Park sports grounds best meets the needs of the Inveresk Precinct and the redevelopment of Churchill Park.

Officer Response

Additional initiatives are proposed beyond the package originally exhibited. These include changes to kerb and channel at the northern access into Inveresk to improve on-street parking and pedestrian safety, and the widening of Churchill Park Drive between Inveresk and Churchill Park to ensure the safe movement of mixed traffic along this section of road and an opportunity for further on-street parking between the road and levee.

Invermay Road - Corridor Review - Pedestrian and Cycling Crossing

General comments were raised by the community relating to the existing pedestrian facilities along Invermay Road and the need for greater understanding about the UTAS relocation to Inveresk.

Officer Response

It is recommended that a more detailed review of the Invermay corridor be undertaken once the Inveresk Masterplan and UTAS building designs are complete to ensure a better informed response to the needs of pedestrians and cyclists in the area.

18.1 Invermay Traffic Masterplan ...(Cont'd)

Parking

Parking in the Invermay area will be a significant issue following the relocation of UTAS. This will be addressed through a combination of off street and on street parking management. The main parking areas proposed for UTAS will be the existing roundhouse site accessed from Forster Street, and other sites currently being investigated. The pricing structure for these will be designed to maximise their use. On street parking in the area will be reviewed to determine where commuter parking will be acceptable and where additional timed parking can be introduced to ensure that residents and businesses are not significantly disadvantaged by all day parking.

Launceston Traffic Signal Upgrade Project

The Department of State Growth, in partnership with the City of Launceston and the Commonwealth Government, are in the process of delivering a significant traffic signal upgrade project across the City. The project is a \$3.4m investment that includes the replacement of old traffic signal control boxes, upgrading telecommunication infrastructure to, and between, signal sites, installing a network of CCTV (closed-circuit television) camera units across the network and the installing a City-wide network of sensors to monitor the performance of the network.

The project will seek to deliver the following outcomes:

- Utilise the latest traffic signal technology to manage the transport network, including an upgrade of the traffic signal software (software was unable to be upgraded due to the age of many traffic signal units that do not integrate with the latest software);
- Enable high quality monitoring of the network through live travel times, variable signal phasing to manage peak traffic, live video streaming of intersections to improve traffic and incident management;
- To increase the quality of traffic signal infrastructure such as telecommunication, control boxes, electrical supply and road sensor loops to meet the future demands of the network;
- Improve the location of traffic signal boxes and minimise their conflict with pedestrian movement and sightlines;
- Improve the communication and information available to the public to inform travel planning and movement;
- Allow remote connection, monitoring and changes to the traffic signals via the Hobart control centre.
- Allow prioritisation of public transport, emergency vehicles and large freight through the network, especially inner Launceston.

This project is one of many Smart City initiatives the Council is delivering and forms part of a broader \$4.8m Traffic Signals and Intelligent Transport System project.

18.1 Invermay Traffic Masterplan ...(Cont'd)

This project will have a significant improvement of how traffic and pedestrians move around the City. The project will see coordination of signals along major routes such as Goderich Street/Carpark and Invermay Road/Tamar Street. Installation of new hardware for these routes is expected to be complete this calendar year. The new technology will provide intermediate benefits and through collection of data overtime will allow the continual improvement.

A Transport Network Operating Plan is currently being developed which will provide a long-term approach for operating the road networks that makes it safer and more efficient. In particular it will give certain modes of transport and routes priority to lead a more strategic approach to how people move around our city.

Removal of Goderich Street/Lindsay Street Right Turn Trial

The intersection of Goderich Street and Lindsay Street is subject to increased traffic demand and congestion as part of the East Tamar Highway corridor and developments in the local area. Right turn movements from Charles Street Bridge and Goderich Street to Lindsay Street have a separate traffic signal phase which takes away time from the through traffic. The right turn lane from Charles Street Bridge into Lindsay street is short, only accommodating three vehicles before encroachment on the neighbouring through lane. This results in safety issues and also negatively impacts on congestion at this intersection.

There are two main safety issues at this intersection that relate to the right turn movement, particularly from Charles Street Bridge (northbound) into Lindsay Street. These are:

- Vehicles slowing access to the right turn lane, and encroaching into the through lane, results in rear end crashes.
- The presence of the right turn lane results in a difficult alignment for southbound traffic and also for vehicles turning right out of Lindsay Street (W). This has resulted in crashes involving these vehicles which frequently results in the central signal pole being removed.

Removing the right turn phase will provide greater time for through traffic on Goderich Street/East Tamar Highway. Modelling has indicated that the level of service will improve from C to B with average delays reducing from 21 seconds to 13 seconds. (Note: level of service is a function of traffic volume and travel time delay, and ranges from A to F; with A being minimal congestion, to F having significant congestion).

Proposed Monitoring

The trial is proposed for a period of three months, or one school term. A program to monitor the impact of the removal of the right turn phase, both on traffic flow and local businesses will be agreed with the Department of State Growth and reported to Council before the end of the trial to determine if it should be made permanent.

18.1 Invermay Traffic Masterplan ...(Cont'd)

Next Steps

The next key steps are the completion of detailed design for all short term major initiatives included in the Masterplan.

This detailed design process will allow further targeted consultation on the detailed nature of projects and revision of construction estimates.

Medium term projects will progress to a concept design stage and be reviewed in conjunction with the final Inveresk Masterplan and UTAS campus/building design currently under development.

ECONOMIC IMPACT:

The delivery of these major transport initiatives will provide significant input into the Launceston economy; providing a quality transport network that services the Inveresk Precinct, Riverbend/Lindsay Street Precinct and the broader Invermay area. The construction package alone will contribute over \$40m in State and Local Government funding into the local economy; with this investment facilitating the continued development and growth of the Invermay area.

ENVIRONMENTAL IMPACT:

As part of future street improvement initiatives within the Invermay area, several environmental initiatives are being investigated relating to the planting of additional street trees, water sensitive urban design treatments (ie. rain gardens) and general landscaping improvements.

SOCIAL IMPACT:

Major benefits will include improved cycling and pedestrian connections, improved streetscapes and local amenity, high quality access into the new UTAS Inveresk campus (Forster Street and Barnards Way), and a safe and efficient road network.

In contrast, some of the local impacts resulting from development and implementation of the proposed major transport initiatives will include increased traffic movements surrounding the two precincts, potential impact on property access arrangements resulting from road environment changes and impacts on car-parking along Forster Street and Lindsay Street.

18.1 Invermay Traffic Masterplan ...(Cont'd)

It is also acknowledged that final impacts on car parking will not be understood until community consultation and detailed design is complete, however, the loss of car-parking on Forster Street will be moderate in the short term (estimated 25% reduction) and more significant in the longer term (estimated 50% reduction).

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:

2. To take a strategic approach to development sites and infrastructure investment within the municipality to maximise public benefit and encourage development and investment.
3. To improve and maintain accessibility, transport options and infrastructure within the Launceston area, including its rural areas.

BUDGET & FINANCIAL ASPECTS:

Allocations in the 2019/2020 budget are:

Project	Program	Total Budget	Grant	Council Budget 2019/2020
North Bank (Riverbend) and Lindsay Street Project	Roads Urban Upgrade Program	\$250,000	N/A	\$250,000
New Link Road - Lindsay Street to Gleadow Street	Roads Urban Upgrade Program	\$940,000	\$420,000	\$520,000
Invermay Road/Lindsay Street Traffic Signals	Roads Urban Upgrade Program	\$1,500,000	\$500,000	\$1,000,000

In addition to this Council funding, the State Government is contributing \$40m to the Invermay/Inveresk road network improvement package, including the following projects:

1. Forster Street/Goderich Street intersection improvement (additional right turn lane);
2. Forster Street corridor improvement (Goderich Street to northern access to Inveresk);
3. Goderich Street/Gleadow Street new traffic lights;

18.1 Invermay Traffic Masterplan ...(Cont'd)

4. Charles Street Bridge improvement for through traffic, including Goderich Street/Lindsay Street intersection;
5. Lindsay Street/Gleadow Street link road (contribution).

These projects are scheduled for delivery in the 2019/2020 financial year.

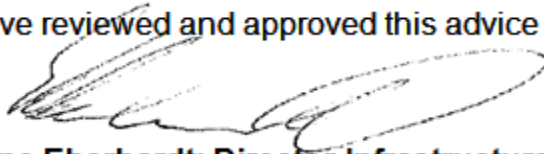
Invermay Road/Lindsay Street Signals have been budgeted for delivery in 2019/2020.

Projects identified as medium to long term will require further investment over the next 4 - 10 years. These projects will be captured within forward long term works programs and subject to availability of funds.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Lindsay Street (West) Proposed Street Improvements (*electronically distributed*)
 2. Lindsay Street to Gleadow Street Proposed New Link Road (*electronically distributed*)
 3. Gleadow Street Proposed Upgrade (*electronically distributed*)
 4. Goderich Street/Gleadow Street Proposed Traffic Lights (*electronically distributed*)
 5. Goderich Street/Forster Street Proposed Double Right Turn Lane (*electronically distributed*)
 6. Invermay Road/Lindsay Street Proposed Traffic Lights (*electronically distributed*)
 7. Churchill Park Drive Proposed Car Parking (*electronically distributed*)
 8. Explanation of *Level of Service* (*electronically distributed*)
-

19 CORPORATE SERVICES DIRECTORATE ITEMS**19.1 Annual Financial Statements for Year Ended 30 June 2019****FILE NO:** SF2633**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive the annual financial statements for the year ended 30 June 2019.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 6 November 2019 - Agenda Item 7.1 - External Audit Report (Acceptance of final audited financial statements for year ended 30 June 2019)

RECOMMENDATION:

That Council, pursuant to:

1. section 84(4) of the *Local Government Act 1993* (Tas), receives the audited financial statements for the year ended 30 June 2019 and notes that:
 - (a) the General Manager has certified the financial statements (ECM Document Set ID 4145172) in accordance with section 84(3); and
 - (b) the financial statements have been audited by the Auditor General (ECM Document Set ID 4171868) in accordance with section 84(1) and the statements have received an unqualified audit opinion.
 2. section 72 of the *Local Government Act 1993* (Tas), notes the financial statements will be included in the Annual Report.
-

REPORT:

Under the *Local Government Act 1993* (Tas) and the *Audit Act 2008*, the Council is required to have its annual financial statements complete in all material respects and forwarded to the Auditor General within 45 days after the end of the financial year. Whilst there is no formal requirement to have these accounts adopted by Council, there is a requirement under section 84(4) "... that the certified financial statements are tabled at a meeting of the council ...".

19.1 Annual Financial Statements For Year Ended 30 June 2019 ...(Cont'd)

The financial statements for the year ended 30 June 2019 were signed by the General Manager, Michael Stretton, on 27 September 2019 and the audit certificate was signed by the Auditor General on 27 September 2019. The opinion was issued without qualification.

The statements will be incorporated into the Council's Annual Report which will be presented at the Council's Annual General Meeting on Thursday, 5 December 2019. The financial statements and the Annual Report will be a public document available in hard copy and on the Council's website.

A briefing on the financial statements was made available to the Audit Panel on 6 November 2019. A summary of some of the key financial results is as follows:

Statement of Financial Position

The Council's Statement of Financial Position shows the net assets of \$1.911b compared to \$1.843b in 2018. The major changes in the Council's financial position are:

1. Infrastructure Assets have increased by \$30m primarily due to the revaluation of assets.
2. Current Assets have increased by \$3.48m with cash and investments being the main change.
3. Current Liabilities are lower by \$2.05m due mainly to Sundry Payables and Accruals.
4. Non-current Liabilities have increased by \$2.93m primarily as a result of an increase in the waste rehabilitation provision of \$1.24m and an increase in superannuation obligation of \$1.81m.

Statement of Comprehensive Income

The Statement of Comprehensive Income shows both the Operating Results and also other non-operating items such as valuation adjustments. The Council's underlying result for the year ending 30 June 2019 was a surplus of \$2.05m which compares favourably to the underlying budget deficit of \$2.34m.

Operating revenues of \$111.1m were greater than budget by \$4.2m.

Operating expenses of \$109.1m were \$0.16m less than budget.

Significant items that varied from budget were:

• Fees and Charges	\$0.3m	favourable
• Operating Grants	\$2.5m	favourable
• Investment Revenue	\$0.3m	favourable
• Other Revenue	\$0.8m	favourable
• Employee Benefits	\$1.1m	favourable
• Materials and Services	\$0.2m	favourable
• Scheduled Loss on Disposal of fixed assets	(\$0.6m)	unfavourable

19.1 Annual Financial Statements For Year Ended 30 June 2019 ...(Cont'd)

Overall, the underlying surplus of \$2.055m is a sound result and will be used to offset the forecast 2019/2020 underlying deficit of \$1.889m.

Operating Summary

	Actual \$'000	Budget \$'000	Variance \$'000
Revenue	111,172	106,934	4,238
Less Expenses	109,117	109,276	159
Underlying Surplus(Deficit)	2,055	(2,342)	4,397
Add			
Capital Grants	18,139	14,450	3,689
Bequests	157	-	157
Capital Interest	4	-	4
Infrastructure Take Up Adjustments	477	-	477
Less			
Finance Assistance Grants 2018/2019	(2,174)	-	(2,147)
Finance Assistance Grants for 2017/2018 paid in June 2017	2,261	-	2,261
Unscheduled Loss on Disposal of Fixed Assets	(613)	-	(613)
Surplus/(Deficit)	20,306	12,108	8,198
Other Adjustments	47,340	-	47,340
Comprehensive Result	67,646	12,108	55,538

Capital Result

The following figures summarise the 2018/2019 Capital Program:

	Total \$'m
Assets Capitalised in 2018/2019	48.3
2018/2019 Capital Spending	33.3
Gross Capital Budget Carried Over to 2019/2020	46.7
Actual Spending Carried Over to 2019/2020	<u>30.5</u>
Net Capital Budget Carried Over to 2019/2020	<u>16.2</u>

19.1 Annual Financial Statements For Year Ended 30 June 2019 ...(Cont'd)

Overall Summary of the Council's Financial Position

- The Council's Balance Sheet continues to be in accordance with the current and long term budgets.
- Loan balances are in accordance with budget.
- Cash balances remain in accordance with long term strategy and are consistent with budget project requirements.

The Council's Balance Sheet continues to be in a very sound position.

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.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

19.1 Annual Financial Statements For Year Ended 30 June 2019 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

ATTACHMENTS:

1. Independent Auditor's Report
 2. City of Launceston Audited Financial Statements - Year Ended 30 June 2019
(electronically distributed)
-

Attachment 1 - Independent Auditor's Report**Independent Auditor's Report****To the Aldermen of Launceston City Council****Report on the Audit of the Financial Report****Opinion**

I have audited the financial report of Launceston City Council (Council), which comprises the statement of financial position as at 30 June 2019 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies, other explanatory notes and the statement of certification by the General Manager.

In my opinion the accompanying financial report:

- (a) presents fairly, in all material respects, Council's financial position as at 30 June 2019 and its financial performance and its cash flows for the year then ended
- (b) is in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of Council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

My audit responsibility does not extend to the budget figures included in the statement of comprehensive income, the asset renewal funding ratio disclosed in note 5.1, nor the Significant Business Activities disclosed in note 14.2 to the financial report and accordingly, I express no opinion on them.

...1 of 4

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgement, were of most significance in my audit of the financial report of the current period. These matters were addressed in the context of my audit of the financial report as a whole, and in forming my opinion thereon, and I do not provide a separate opinion on these matters.

Why this matter is considered to be one of the most significant matters in the audit	Audit procedures to address the matter included
<p>Valuation of property and infrastructure <i>Refer to notes 4.5, 8.4 and 13.2</i></p>	
<p>Property, infrastructure, plant and equipment at 30 June 2019 includes land, buildings, roads, bridges, stormwater, drainage and other infrastructure totalling \$1.33bn. The fair values of these assets are based on depreciated current replacement cost. Council undertakes formal revaluations on a regular basis to ensure valuations represent fair value. The valuations are highly dependent upon a range of assumptions and estimated unit rates. Between valuations Council reviews fair values and applies relevant indexation where considered necessary to ensure the carrying amount does not differ materially.</p> <p>In 2018-19 Council revalued roads, bridges, stormwater and drainage assets, based on depreciated replacement cost valuations determined by internal experts. The valuations are highly dependent upon a range of assumptions and estimated unit rates.</p> <p>The calculation of depreciation requires estimation of asset useful lives, which involves a high degree of subjectivity. Changes in assumptions and depreciation policies can significantly impact the depreciation charged.</p> <p>Capital expenditure in 2018-19 totalled \$0.35bn on a number of significant programs to upgrade and maintain assets. Capital projects can contain a combination of enhancement and maintenance activity which</p>	<ul style="list-style-type: none"> • Assessing the scope, expertise and independence of experts engaged to assist in the most recent valuations. • Evaluating the appropriateness of the valuation methodology applied to determine fair values. • Testing, on a sample basis, the mathematical accuracy of the valuation model’s calculations. • Evaluating indexation applied to assets between formal valuations. • Evaluating management’s assessment of the useful lives. • Performing substantive analytical procedures on depreciation expenses. • Testing, on a sample basis, significant expenditure on maintenance and capital works to corroborate appropriate treatment. • Testing, on a sample basis, capital work-in-progress to ensure that active projects will result in usable assets and that assets commissioned are transferred in a timely manner. • Evaluating the adequacy of disclosures made in the financial report, including those regarding key assumptions used.

...2 of 4

Why this matter is considered to be one of the most significant matters in the audit	Audit procedures to address the matter included
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are not distinct and therefore the allocation of costs between capital and operating expenditure is inherently judgemental.

Responsibilities of the General Manager for the Financial Report

The General Manager is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the *Local Government Act 1993* and for such internal control as determined necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the General Manager is responsible for assessing Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Council is to be dissolved by an Act of Parliament or the Aldermen intend to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the General Manager.
- Conclude on the appropriateness of the General Manager's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability

...3 of 4

to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause Council to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the General Manager regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

From the matters communicated with the General Manager, I determine those matters that were of most significance in the audit of the financial report of the current period and are therefore the key audit matters. I describe these matters in my auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, I determine that a matter should not be communicated in my report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.



Stephen Morrison
Assistant Auditor-General Financial Audit Services
Delegate of the Auditor-General

Tasmanian Audit Office

27 September 2019
Hobart

...4 of 4

To provide independent assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public sector.
Professionalism | Respect | Camaraderie | Continuous Improvement | Customer Focus

Strive | Lead | Excel | To Make a Difference

19.2 Financial Report to Council - 30 September 2019**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the Council's financial performance for the three months ended 30 September 2019.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 6 November 2019 - Agenda Item 9.4 - Financial Statements - Analysis and Commentary

RECOMMENDATION:

That Council adopts the financial report for the three months ended 30 September 2019 which shows an overall deficit of \$0.582 million and notes that after allowing for Financial Assistance Grant revenue received in June 2019 (\$2.261 million) and excluding capital grants, the underlying surplus is \$1.673 million.

REPORT:**Operations Summary**

The Statement of Comprehensive Income for the three months to 30 September 2019 follows this commentary.

Employee costs are \$0.621m under budget and materials and services are \$0.153m over budget.

Revenues are generally better than budget at this stage, except for Financial Assistance Grant (FAG) revenue that was received in June 2019 but relates to the 2019/2020 financial year.

If this anomaly is corrected and capital grant income excluded, the adjusted variance to budget would be \$0.859m favourable.

19.2 Financial Report to Council - 30 September 2019 ...(Cont'd)

CITY OF LAUNCESTON STATEMENT OF FINANCIAL POSITION As at 30 September 2019	20GLACT	19GLACT	18GLACT
	2019/20	2018/19	2017/18
	YTD \$	YTD \$	YTD \$
EQUITY			
Capital Reserves	213,757,950	199,658,861	185,016,410
Revenue Reserves	1,020,966,286	1,017,401,548	1,012,752,386
Asset Revaluation Reserves	655,175,927	663,164,898	622,605,640
Investment Reserves	19,084,960	(15,478,099)	(18,188,202)
Trusts and Bequests	2,356,681	2,196,206	1,953,156
Operating Surplus	(582,413)	(268,774)	2,625,820
TOTAL EQUITY	1,910,759,390	1,866,674,640	1,806,765,210
Represented by:-			
CURRENT ASSETS			
Cash at Bank and on Hand	1,471,964	1,758,642	2,738,779
Rate and Sundry Receivables	45,813,518	43,987,485	44,473,002
Less Rates not yet Recognised	(52,591,509)	(50,598,606)	(48,710,358)
Short Term Investments	83,827,310	71,352,066	78,248,304
Inventories	739,332	701,387	601,958
Assets Held for Sale	3,401,885	4,242,217	840,329
	82,662,500	71,443,191	78,192,014
NON-CURRENT ASSETS			
Deferred Receivables	257,556	257,556	257,556
Investments	272,195,078	237,631,020	234,923,274
Superannuation Surplus	-	622,000	-
Intangibles	5,088,009	4,887,525	4,513,273
Infrastructure and Other Assets	1,352,133,074	1,348,840,545	1,285,465,302
Museum Collection	237,817,922	237,624,029	237,490,778
	1,867,491,639	1,829,862,674	1,762,650,183
TOTAL ASSETS	1,950,154,139	1,901,305,865	1,840,842,197
CURRENT LIABILITIES			
Deposits and Prepayments	498,323	557,076	714,192
Employee Provisions	7,231,430	6,714,814	6,566,148
Rehabilitation Provision	-	-	-
Interest-bearing Liabilities	-	769,413	2,356,885
Lease Liabilities	-	-	-
Sundry Payables and Accruals	9,529,061	8,855,218	7,316,279
	17,258,814.58	16,896,521	16,953,503
NON-CURRENT LIABILITIES			
Employee Provisions Non Current	790,709	919,357	988,864
Superannuation Obligation	1,814,000	-	461,080
Interest-bearing Liabilities Non Current	9,000,000	9,000,000	9,769,414
Lease Liabilities	-	-	-
Rehabilitation Provision	10,531,225	7,815,348	5,904,125
	22,135,934	17,734,704	17,123,483
TOTAL LIABILITIES	39,394,749	34,631,225	34,076,986
NET ASSETS	1,910,759,390	1,866,674,640	1,806,765,210

Unaudited - Internal Use Only

19.2 Financial Report to Council - 30 September 2019 ...(Cont'd)

CITY OF LAUNCESTON
Statement of Comprehensive Income
For Year to Date 30 September 2019

	2019/20 YTD \$ Actual	2019/20 YTD \$ Budget	Variance YTD \$ Fav/(Unfav)
REVENUES FROM ORDINARY ACTIVITIES			
Rates	17,558,519	17,562,857	(4,338)
Fees and Charges	7,117,466	6,660,115	457,351
Revenue Grants			
Financial Assistance	527,754	2,766,292	(2,238,538)
Other Grants	854,702	545,286	309,416
Interest	472,649	523,706	(51,057)
Interest Committed	-	-	-
Investment Revenue	375,000	559,000	(184,000)
Bequests	16,779	50,330	(33,551)
Other Income	808,954	732,009	76,945
	<u>27,731,823</u>	<u>29,399,595</u>	<u>(1,667,772)</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Maintenance of Facilities and Provision of Services			
Employee Benefits	10,278,718	10,900,031	621,313
Materials and Services	10,054,969	9,902,031	(152,937)
Impairment of Debts	8,248	6,375	(1,873)
Finance Costs			
Interest on Loans	50,422	50,422	(0)
Provision for Rehabilitation	79,589	79,589	-
Change in Rehabilitation Provision	-	-	-
Depreciation	5,537,110	5,339,490	(197,620)
State Government Fire Service Levy	2,077,430	2,077,430	(0)
Rate Remissions and Abatements	233,682	229,625	(4,057)
Write Down of Assets Held For Sale	-	-	-
	<u>28,320,167</u>	<u>28,584,993</u>	<u>264,826</u>
OPERATING SURPLUS / (DEFICIT)	(588,345)	814,601	(1,402,946)
Capital Grants	5,932	(20,000)	25,932
Infrastructure Take Up	-	-	-
Other Comprehensive Income	-	-	-
	<u>5,932</u>	<u>(20,000)</u>	<u>25,932</u>
Non-Operating Expenses			
Loss on Disposal of Fixed Assets	-	-	-
Comprehensive Result	<u>(582,413)</u>	<u>794,601</u>	<u>(1,377,014)</u>
Underlying Result (excl Capital Grants)	<u>(588,345)</u>	<u>814,601</u>	<u>(1,402,946)</u>

19.2 Financial Report to Council - 30 September 2019 ...(Cont'd)

Loan Balances

The loan balance as at 30 September 2019 is \$9.0m in respect of the interest free loan provided by State Government's Accelerated Local Government Capital Program (ALGCP).

The State Government offered an interest free loan facility as part of an economic stimulus package to Northern Tasmania. The Council made submissions under this program for \$19.5m in loan funding (\$9.0m was borrowed in 2016/2017 for the CH Smith car park project and the loan is due to be repaid in five years (28 February 2022) from cash the Council has available now.

We also plan to borrow \$4.2m under the ALGCP for 18 months for the St John Street Redevelopment project (again interest free). These loans will be paid out from funds the Council has available now.

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.
 5. To maintain a financially sustainable organisation.
-

19.2 Financial Report to Council - 30 September 2019 ...(Cont'd)

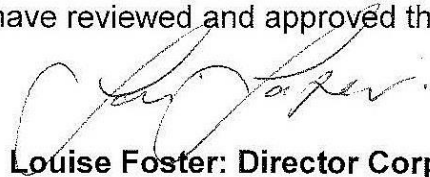
BUDGET & FINANCIAL ASPECTS:

As per Agenda Item.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

COUNCIL AGENDA

Thursday 14 November 2019

19.3 Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)*

FILE NO: SF0113

AUTHOR: Duncan Campbell (Governance and Paralegal Officer)}

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider the delegation from Council to Council Officers of particular powers and functions under the *Local Government (Highways) Act 1982 (Tas)*.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 11 July 2019 - Agenda Item 19.1 - Delegation From Council to General Manger and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 7 February 2019 - Agenda Item 15.3 - Delegation From Council to General Manger and Council Officers - *Local Government (Highways) Act 1982 (Tas)*

Council Meeting - 10 August 2015 - Agenda Item 18.1 - Delegations Under Heavy Vehicle National Law (Tasmania) Act

RECOMMENDATION:

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*, delegates to the holder(s) of the position(s) in Column One of the schedule listed at Recommendation 7, the powers and functions under the sections of the *Local Government (Highways) Act 1982 (Tas)* specified in Column Two of that schedule, subject to restrictions (if any) referred to in Column Three of that schedule.
 2. determines that although the decision to delegate the powers and functions under the *Local Government (Highways) Act 1982 (Tas)* is made today, the effective date of delegation is 9 December 2019.
 3. notes that the delegation of powers under sections 41, 46 and 99 includes delegation of Council's power to:
 - (a) authorise a Council officer to be an authorised officer pursuant to section 41;
 - (b) authorise another person to exercise Council's powers pursuant to section 46; and
 - (c) authorise a person to be an authorised officer for the purpose of section 99(1) and to
 - (d) authorise an officer to exercise Council's powers under section 99(4).
-

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ... (Cont'd)*

4. notes that the holder of a position delegated a power or function by these Recommendations may seek the assistance of such other Council employees, agents or contractors as are necessary to exercise the power or perform the function so delegated, provided always that the decision to exercise the power or perform the function is made by the delegate.
5. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government (Highways) Act (1982)*.
6. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
7. notes that the following table is the schedule referred to at Recommendation 1.

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
Chief Executive Officer (CEO)	7(2), 10, 11, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 45, 46, 50, 52, 54, 55, 95, 96, 99, 104, 107, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with 14 days' written notice to the landowner. Section 54 may only be exercised with the permission of the landowner.
General Manager Infrastructure and Assets	7(2), 10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 43, 44, 46, 50, 52, 54, 95, 96, 99, 104, 109, 110, 112.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of GM. Section 54 may only be exercised with the permission of the landowner.

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)

Column One Position	Column Two Extent of delegation	Column Three Restrictions
Manager Operations	27, 30, 34, 39, 42, 44, 54, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Manager Infrastructure and Engineering	10, 19, 20, 27, 30, 31, 32, 34, 39, 40, 41, 42, 44, 46, 54, 95, 96, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.
Team Leader Roads and Traffic	19, 20, 27, 30, 31, 34, 39, 44, 54, 95, 96, 104.	Except in the case of an emergency, section 27 may only be exercised with the CEO's approval and with 14 days' written notice to the landowner. Section 39(9) may only be exercised with permission of the CEO. Section 54 may only be exercised with the permission of the landowner.

19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)

Column One Position	Column Two Extent of delegation	Column Three Restrictions
General Manager Community and Place	45, 104, 107.	
Manager Health and Compliance	45, 104, 107.	
Parking Coordinator	104, 107.	
Team Leader Regulation Services	45.	
Team Leader Environmental Health	45.	
Regulations Officer	45.	
Coordinator Administration	45.	
Administration and Technical Officer	45.	
General Manager Organisational Services	109(2), 55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Manager Governance	109(2).	
Team Leader Procurement	109(2).	
Manager Innovation and Performance	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
Team Leader Strategy, Economic Development and Analytics	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Systems Administrator	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.
GIS Data Officer	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ... (Cont'd)*

Column One Position	Column Two Extent of delegation	Column Three Restrictions
Spatial Data Officer - Property	55(1).	Section 55(1) may only be exercised to allot a number and cannot be used to have a building marked with a number.

REPORT:

As a result of the definite decision made by the Council's General Manager, there will be a number of changes to the workforce and structure of the City of Launceston, resulting in a number of new positions, redundancies and title changes across the organisation. The effective date of change is 9 December 2019.

The delegation of powers and functions under the *Local Government (Highways) Act 1982 (Tas)* (the Act) proposed in the Recommendations will ensure that powers and functions under the Act can continue to be performed by the appropriate officers of Council.

With the exception of section 55 of the Act, the powers and functions to be delegated are the same as those delegated by Council on 11 July 2019. The delegation of section 55 will ensure that that power can be exercised by appropriate officers of Council.

A summary of each of the powers and functions identified as suitable for delegation is provided below:

- Section 7 provides Council the power to dedicate land as a highway. Section 7(2) allows Council to provide notice to the Department of State Growth of its intention to give an approval to dedicate land as a highway.
- Section 10 places obligations on landowners carrying out construction works in respect of a highway over land to the satisfaction of Council.
- Section 11 provides Council with the power to enter into and carry into effect an agreement for works to be completed to discharge obligations arising under section 10.
- Section 17 allows Council to apply to a magistrate for a local highway order, defining the boundaries of a local highway.
- Section 18 relates to service of notice with respect to local highway orders.
- Section 19 provides Council with the power to close a local highway for public functions, after consulting with the Commissioner of Police.

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)

- Section 20 allows Council to close a public highway for the purpose of providing a place for the sale of goods and entertainment.
 - Section 27 allows Council to use land adjoining a highway to carry out highway works, including using uncultivated land as a temporary deviation.
 - Section 30 allows Council to carry out works to a highway to make it safer, more convenient or improving its appearance.
 - Section 31 allows Council, with the approval of the Department of State Growth, to place obstructions on a highway for the purpose of preventing or restricting the movement of traffic.
 - Section 32 allows Council to light a public highway or public place and to carry out works on any land for that purpose.
 - Section 34 allows Council to make and maintain drains and watercourses.
 - Section 39 allows Council to provide an occupier of land with a written notice requiring the removal of vegetation from the land. If the notice is not complied with, Council may carry out the works and recover the costs from the occupier.
 - Section 40 allows Council to give permission to erect a fence or gate over a highway.
 - Section 41 allows Council to prohibit traffic of a particular kind from using a highway, where it has been provided with a report from a Council Officer authorised to provide a consent or report pursuant to that section.
 - Section 42 allows Council to close a highway that is unsafe to general or specific traffic where a relevant officer has so certified.
 - Section 43 allows Council to recover cost of repairs caused by excessive weight on a highway.
 - Section 44 allows Council to restrict the weight of vehicles permitted to use a bridge.
 - Section 45 allows Council to remove articles from a highway and specifies how a removed article can be disposed.
 - Section 46 allows Council, in accordance with its by-laws, to grant a person written permission to do various things in relation to a highway, including the digging of soil, making drains and installing pipelines.
 - Section 50 allows Council to carry out highway works in a local highway not maintainable by it, ie. highways opened by private persons outside cities or towns.
 - Section 52 allows Council to remove projections onto highways in agreement with the occupier of the building or otherwise on 30 days' notice.
 - Section 54 allows Council to put up or paint the name of a highway or other public place by use of a post or by painting on a building, wall or fence near that highway or place.
 - Section 55 allows Council to allot a distinguishing number to a piece of land, and may cause a building on that piece of land to be marked with that number.
 - Section 95 allows Council to mark out parking spaces and install parking meters and voucher machines.
-

19.3 Delegation from Council to Council Officers - Local Government (Highways) Act 1982 (Tas) ...(Cont'd)

- Section 96 allows Council to prescribe the days and hours that controlled parking operates.
- Section 99 allows Council to place a notice on a parking space or meter for that space restricting parking to a *no parking, no standing or no parking without a municipal parking permit*, thereby making the parking space subject to the *Traffic Act 1925 (Tas)*. The section allows the Chief Executive Officer and other Council Officers authorised by Council to exercise the power to issue related municipal permits.
- Section 104 allows Council to issue permits to allow various vehicles to use parking spaces without the use of a parking meter or voucher.
- Section 107 directs Council to issue a certificate of employment to parking attendants, which confers investigative powers upon those attendants in relation to car hire businesses.
- Section 109 allows Council to light a State highway and allows Council to pay contributions towards the lighting of a State highway.
- Section 110 allows Council to exercise powers and carry out works in respect to State Highways with the permission of the relevant Minister. The section allows Council, with the Minister's permission, to exercise the powers conferred by section 19 as if the State highway were a local highway maintainable by Council.
- Section 112 requires Council to maintain a highway on which authorised road works were carried out by the relevant Minister.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.3 Delegation from Council to Council Officers - *Local Government (Highways) Act 1982 (Tas) ...*(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Priority Area 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 Area -

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

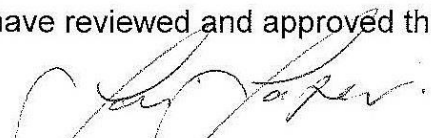
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster: Director Corporate Services

20 GENERAL MANAGER'S DIRECTORATE ITEMS

20.1 Council Meeting Schedule 2020

FILE NO: SF0095

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider the Council Meeting Schedule for 2020.

Pursuant to Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015 this item requires an absolute majority of Council.

RECOMMENDATION:

That, pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, Council approves the following Council Meeting Schedule for 2020:

DAY	DATE	MEETING	TIME
JANUARY			
Thursday	23 January	Council	1.00pm
FEBRUARY			
Thursday	6 February	Council	1.00pm
Thursday	20 February	Council	1.00pm
MARCH			
Thursday	5 March	Council	1.00pm
Thursday	19 March	Council	1.00pm
APRIL			
Thursday	2 April	Council	1.00pm
Thursday	16 April	Council	1.00pm
Thursday	30 April	Council	1.00pm
MAY			
Thursday	14 May	Council	1.00pm
Thursday	28 May	Council	1.00pm
JUNE			
Thursday	11 June	Council	1.00pm
Thursday	25 June	Council	1.00pm
JULY			
Thursday	9 July	Council	1.00pm
Thursday	23 July	Council	1.00pm
AUGUST			
Thursday	6 August	Council	1.00pm
Thursday	20 August	Council	1.00pm

20.1 Council Meeting Schedule 2020 ...(Cont'd)

DAY	DATE	MEETING	TIME
SEPTEMBER			
Thursday	3 September	Council	1.00pm
Thursday	17 September	Council	1.00pm
OCTOBER			
Thursday	1 October	Council	1.00pm
Thursday	15 October	Council	1.00pm
Thursday	29 October	Council	1.00pm
NOVEMBER			
Thursday	12 November	Council	1.00pm
Thursday	26 November	Council	1.00pm
DECEMBER			
Thursday	3 December	Annual General Meeting	5.30pm
Thursday	10 December	Council	1.00pm

REPORT:

It is a requirement of the *Local Government (Meeting Procedures) Regulations 2015* (Regulation 6(1)) that for a Council Meeting to commence before 5:00pm Council must determine to do so by an absolute majority.

The proposed Council Meeting Schedule for 2020 was discussed at a pre-Council Workshop on 31 October 2019.

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 Council Meeting Schedule 2020 ...(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.

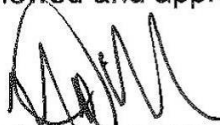
BUDGET & FINANCIAL ASPECTS:

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 Acquisition of Land at Lindsay Street, Invermay

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

22.3 General Manager's Performance Review

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

22.4 End of Closed Session

To be determined in Closed Council.

23 MEETING CLOSURE

UNCLASSIFIED AGENDA ITEMS:
