



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 24 JANUARY 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: 24 January 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

16 January 2019

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 20 December 2018 be confirmed as a true and correct record.

4 DEPUTATIONS

No Deputations have been identified as part of this Agenda

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

6 COMMUNITY REPORTS

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

6.1 Ms Ella Dixon (Chief Executive Officer) and Mr Roger Tyshing (Chairman) - Migrant Resource Centre - Community Kitchen**7 PUBLIC QUESTION TIME**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

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

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

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

7.2 Public Questions without Notice

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

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

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

8 PLANNING AUTHORITY

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School

FILE NO: DA0582/2018

AUTHOR: Iain More (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	GHD
Property:	368 St Leonards Road, St Leonards and 378A St Leonards Road, St Leonards
Zoning:	General Residential
Receipt Date:	12/10/2018
Validity Date:	20/11/2018
Further Information Request:	23/10/2018
Further Information Received:	05/12/2018
Deemed Approval:	23/01/2019
Representations:	Eight

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 DA0582/2018 - Educational and occasional care - Construction of a school at 368 and 378A St Leonards Road, St Leonards subject to the following conditions:

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

1. ENDORSED PLANS & DOCUMENTS

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

- a. Drawing Index & Location Plan, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A000, dated 09/10/2018;
- b. Sit Plan, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A101, dated 09/10/2018;
- c. Demolition Plan, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A102, dated 09/10/2018;
- d. Low Floor Plan, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A103, dated 09/10/2018;
- e. Floor Plan Upper, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A104, dated 09/10/2018;
- f. House Elevations & Sections, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A201-01, dated 09/10/2018;
- g. Class Room Plans Elevations & Sections, Prepared by Morrison & Breytenbach Architects, Drawing No. 1808 A202, dated 09/10/2018; and
- h. Traffic Impact Statement, Prepared by GHD, dated October 2018.

2. USE LIMITATION

This permit allows the educational and occasional care use as defined in the Launceston Interim Planning Scheme 2015. The use is limited to 102 students and 12 full-time equivalent (FTE) staff members. This number encompasses child care, kinder, prep, primary school and secondary school students. Any increase in student numbers and/or FTE staff numbers is subject to a further application and approval.

3. COMBINED SITE USE

The Educational and Occasional Care use located on 152338/4 cannot operate unless the parking and access located on 174941/4 is made available exclusively for the use.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

7.00am to 6.00pm Monday to Friday

8.00am to 5.00pm Saturday

No works on Sunday or Public Holidays

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2018/01692-LCC, dated 25/10/2018 and attached to the permit.

7. PARKING RESTRICTIONS IN ST LEONARDS ROAD

A plan of the parking restrictions in St Leonards Road and details of the completed public consultation are to be submitted for approval by the Director Infrastructure Services. Once approved, the parking restrictions are to be installed at the applicant's expense and prior to the school operations starting on the site.

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

9. DAMAGE TO COUNCIL INFRASTRUCTURE

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

10. VEHICULAR CROSSINGS

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

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

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

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

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

11. SOIL AND WATER MANAGEMENT PLAN

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

12. 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.

13. NO BURNING OF WASTE

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

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0582/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

- a. The 14 day appeal period expires; or*
 - b. Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
-

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

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

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

B. 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.

C. 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>>

D. Permit Commencement.

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

E. Access for People with a Disability

This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The developer is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

F. Food Premises

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code TAS Part H102.

G. Heat Pump Use

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

REPORT:**1. THE PROPOSAL**

It is proposed to construct a new school over two properties. The school will cater for a maximum of 102 students and 12 staff. Site development will include:

1. Redevelopment of the existing residential dwelling located at 368 St Leonards Road to incorporate on the ground floor, three classrooms, meeting room, office, administration kitchen and reception facilities;
2. Introduction of a mezzanine level which has been designed to provide a classroom, craft room, office/store, toilet facility and lobby;
3. An external bridge and pathway will enable external access to the mezzanine level;
4. In addition, two classrooms linked by a deck will be introduced onto the site positioned approximately 12m south west of the main building;
5. A new main vehicle entrance to the school will be constructed from 376-378 St Leonards Road and lead onto the site proper where a turning circle will provide for bus set down and associated parking;
6. Pedestrian access to the school will likewise extend from the main access adjacent the St Leonards Road frontage providing direct connection to the school grounds and buildings;
7. Future parking spaces for up to 18 vehicles will be developed on the northern side of the new entry point with associated landscaping; and
8. The existing site entry at 368 St Leonards Road will be retained.

The proposal will result in a total relocation of the existing Steiner school to the new location.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	368 and 376-378 St Leonards Road, St Leonards
Zone	General Residential
Size	1.94ha combined
Access	Two existing accesses off St Leonards Road.
Shape	Irregular
Slope	Slopes downwards from St Leonards Road from 47m AHD to 38m AHD, over 162m
Existing structures	A large single dwelling and several smaller sheds
Vegetation	Mostly cleared with areas of heavily planted residential vegetation
Connection to services	Connected to all reticulated services
Surrounding land	To the north, south, and east are residential lots containing residential uses. To the west is rural land.
Overlays	E9.0 Water Quality Code

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

<p>10.1.1 Zone Purpose Statements</p> <p>10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</p> <p>10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.</p> <p>10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.</p> <p>10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</p>
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8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

Consistent

The purpose of the zone is to provide for compatible non-residential uses that primarily serve the local community. An educational and occasional care use achieves this purpose by provided educational facilities for the youth of St Leonards, complying with the purpose of the zone.

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

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

Class hours of the school will be 8:30am to 3:30pm Monday to Friday and commercial related deliveries will occur within that time of the day.

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

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

All air conditioning, air extraction, heating or refrigeration systems or compressors will be designed to ensure there are no negative effects on nearby sensitive uses. This has been reflected in a recommended condition.

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

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.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

Complies

The site does not adjoin the Inner Residential, Low Density Residential, Urban Mixed Use or Village zones.

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

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

Complies

No goods and materials, including waste storage, will be visible from any public road or are of public open space.

10.3.5 Commercial vehicle parking

Objective:

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

Consistent

A1 Commercial vehicles must be parked within the boundary of the site.

Complies

All parking will be contained within the boundary of the site.

10.4 Development Standards

10.4.11 Outbuildings, swimming pools and fences

Objective:

To ensure that:

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

Consistent

10.4.12 Earthworks and retaining walls

Objective:

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

Consistent

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

<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>Complies</p> <p>Whilst earthworks are proposed, no cut or fill of more than 600mm below or above existing ground level is proposed. Furthermore, any earthworks will be located more than 1m from any service line or easement, and will ensure stormwater is contained on site and is not directed onto adjoining properties.</p>

10.4.13 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures parking locations reduce the visual impact on the streetscape.</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.</p> <p>A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Relies on Performance Criteria</p> <p>There are 18 car parking spaces located within the vehicle entrance access strip, being the primary frontage. As such, reliance on the performance criteria is sought.</p>
<p>P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to:</p> <ul style="list-style-type: none"> (a) the visual impact of the car parking location viewed from the road; (b) access for users of the site; (c) pedestrian and vehicular traffic safety; (d) the nature and characteristics of the street; (e) the need for the location; (f) any landscaping of the car parking or turning area location; and (g) construction methods and pavement types.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

Complies
 The closest parking space is located approximately 7.8m from the frontage. Between this space and the frontage will be two large trees to reduce any visual intrusion upon the streetscape. The 18 car parking spaces are located next to the entrance road, with further plantings behind. There is also a pedestrian walkway to the north of the spaces to allow pedestrians to enter and exit the site. It is considered that through the use of vegetation plantings for screening, the parking areas will reduce the visual impact on the streetscape whilst maintaining safe access and parking for users of the site. As such the proposal complies with the performance criteria.

10.4.14 Development for discretionary uses

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.

Consistent
 Consistency with the objective has been achieved as the proposal is considered to be compatible with the surrounding area and will not unreasonably impact on any nearby sensitive uses.

A1 No acceptable solution.

Relies on Performance Criteria

P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:

- (a) the setback of the building to a frontage;
- (b) the streetscape;
- (c) the topography of the site;
- (d) the height, bulk and form of the building;
- (e) the height, bulk and form of adjacent buildings and buildings in the surrounding area;
- (f) the setbacks to side and rear boundaries;
- (g) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings;
- (h) the degree of overshadowing and overlooking of adjoining lots;
- (i) mutual passive surveillance between the road and the building;
- (j) any existing and proposed landscaping;
- (k) the visual impact of the building when viewed from adjoining or immediately opposite lots;
- (l) the location and impacts of traffic circulation and parking; and
- (m) the character of the surrounding area.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(Cont'd)

Complies

The setback of all buildings proposed for the site is well in excess of that of the existing and established building frontage of existing allotments in the immediate area. As the development site is located behind the existing allotments along the St Leonards frontage, no building structures will be closer than 60m to the front boundary.

The streetscape will be unaffected by the development given the access proposed to the site. Whilst the main entry will be the equivalent of a residential block width, it is not expected that this will impact the amenity of nearby or adjoining residential uses, in fact this additional width enables adequate separation to existing residential use and the introduction of landscape screening.

The topography of the site which falls away from St Leonards Road, minimises the impact of the development on surrounding residential uses and enables its virtual obstruction from the main road. In terms of the existing residential structure and the proposed buildings to house classrooms 5 and 6, all are of a residential scale and appearance. The existing dwelling whilst being adapted for educational use will be no higher than 5.5m, well within the development standards for the zone. Likewise, the additional classroom structures, which at their highest point will be 3.9m. All structures will be consistent with the height and bulk of structures in the surrounding area. Importantly, the physical separation of the structures on the site further reduces the scale of the development, which together with the size of the allotment and landscaping existing and proposed, will maintain a residential feel and pattern.

The height, bulk and form is consistent with that of existing buildings in the surrounding area. The setback to the side and rear boundaries is 38m and 34m respectively which together with the landscaped setting will both buffer and blend the development in terms of the neighbourhood's residential appearance. Given the significant setbacks, it is even less likely that the development will negatively impact the amenity of nearby residential uses. The proposed walkway to the mezzanine level is setback at least 6m from the rear boundary of the property at 374 St Leonards Road. Given the setbacks proposed and orientation/position of the new structures and that of the existing building, the development will have no impact upon solar access and privacy of habitable rooms of adjoining dwellings.

There will be no shadowing of adjoining buildings or lots as a result of the proposed development. Mutual passive surveillance of the site will be maintained from existing buildings and lots adjacent the proposed site. Existing and proposed landscaping will both screen development and contribute to the residential ambience of the immediate area. The location is characterised by larger lots at the rear of the existing dwellings with direct frontage to St Leonards Road, and the development proposed will maintain this established spatial separation.

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The buildings when viewed from adjoining or lots which are immediately opposite will not change noticeably. The impact will be insignificant as the scale, orientation and position on the site relative to nearby properties will not present in contrast to the neighbourhood. The location and circulation of traffic is not expected to significantly impact the amenity of the neighbourhood and immediate area. Whilst there will be an increase in traffic movements to and from the site, this will generally occur at the peak periods of the day, at school commencement and at the end of the day. The Traffic Impact Statement discusses likely traffic movements and impacts, making recommendations as to design actions and site management to ensure traffic safety.

It is noted that the property at 380 St Leonards Road has a right of way over the development site's proposed main access. Access to that adjoining site will not be constrained by the proposed development.

The character of the surrounding area is typical of a neighbourhood in transition from a semi-rural environment to one of greater residential density adjacent the main road. Historically residential subdivision has occurred immediately adjacent St Leonards Road, whilst land north and south of the main road beyond this strip has been only partially developed with housing presenting as a rural residential type landscape. A Master Plan for the future development of St Leonards is in process, and the character of the area is expected to change significantly over time to meet the demands of an expanding growth area.

As such the proposal complies with the performance criteria.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

Consistent

Consistency with the code purpose has been achieved as the proposal ensures the protection of safety and efficiency of the road network and reduces conflicts between the site and sensitive use.

It is noted that a Traffic Impact Statement (TIA) was prepared and lodged as part of the application, which addressed parts of the code.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

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<p>Consistent Consistency with the objective has been achieved as the proposal ensures that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Relies on Performance Criteria The Traffic Impact Statement has provided traffic generation estimates. These conclude that the use is estimated to generate a total of 306 vehicle movements per day, which is an increase of more than 40 vehicle movements per day. As such the development is reliant on the performance criteria.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>Complies The performance criteria has been addressed below and in conjunction with the supporting Traffic Impact Statement.</p> <p>(a) the increase in traffic caused by the use The site is currently utilised now by a single dwelling. The development of the site will result in 306 movements per day to the site.</p> <p>(b) the nature of the traffic generated by the use The primary nature of the traffic will be students being picked up and dropped off. There will also be staff entering and existing the site outside of the main hours of the students who will access the site. The majority of drop-off and pick-up activity associated with the school is intended to be accommodated on-site within dedicated parking areas. The west side of St Leonards Road may also be utilised for drop-off and pick-up. Given the level of parking provided, it is considered unlikely that the opposite side of St Leonards Road will be used extensively and therefore a school crossing and 40km/h school speed zone should not be required to support this development.</p>

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

The majority of traffic activity would be at the proposed main access on St Leonards Road at the southern end of the site. This access would be sealed with a width of 6.2m.

(d) the nature and category of the road

St Leonards Road is a Category 5 Road. Category 5 Roads are primarily access roads for private properties and some may be used for comparatively low frequency heavy freight vehicle transport.

St Leonards Road is a Category 5 State Road owned and maintained by the Department of State Growth. Near the development site, St Leonards Road has one lane travelling in each direction and a posted speed limit of 60km/h. Footpaths and on-street car parking are provided along both sides of the road. St Leonards Road is marked with centre and edge lines. Traffic data obtained from the Department of State Growth indicates an Average Annual Daily Traffic (AADT) of approximately 1,510 vehicles per day in 2016 with 9.3% heavy vehicles (defined as Austroads class 3 trucks and above). Peak volumes are in the range of 145 to 165 vehicles per hour

Given an entry rate of up to 61 vehicle movements per hour and an opposing flow rate on St Leonards Road of around 150 vehicles per hour, the warrants for specific turn treatments as defined by Austroads (2017) are not met and therefore no specific treatment on St Leonards Road is required.

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

St Leonards Road has a speed limit of 60km/h, and a flow rate of 105 vehicles per hour.

(f) any alternative access to a road

The two accesses into the site are existing, with no other alternatives available.

(g) the need for the use

The school is proposed to cater for up to 102 students who will primarily be based in St Leonards. The school is currently based in St Leonards, however, the proposed new site will allow for an expansion of the existing school to a new site. The new site will accommodate the primary school (classes 1 through to 6).

(h) any traffic impact assessment

The applicant provided a Traffic Impact Assessment as part of the application. The assessment has helped respond to the provisions within this performance criteria. The assessment concluded with some recommendations, including that the proposed access driveway should be constructed with a concrete crossover so as to be clearly recognised by drivers as a driveway property access, rather than an intersection with vehicular priority.

Development will be required to comply with the requirements of the assessment.

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(i) any written advice received from the road authority

The road, being St Leonards Road, is owned maintained by the Department of State Growth. Council is responsible from maintain the areas for parking control. The Department of State Growth has given its conditional consent for the application.

As discussed above, the proposal has demonstrated that the new use will ensure the safety and efficiency of the road is maintained.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal ensures that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.

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

Relies on Performance Criteria

The site consists of two titles, both of which have their own separate access.

P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the nature of the road;
- (c) the speed limit and traffic flow of the road;
- (d) any alternative access to a road;
- (e) the need for the access or junction;
- (f) any traffic impact assessment; and
- (g) any written advice received from the road authority.

Complies

Clause E4.6.4 of the Planning Scheme requires a minimum Safe Intersection Sight Distance (SISD) of 105m for a vehicle speed of 60km/h in an area with a speed limit of 60km/h or less. The available sight distance exceeds 150m in all directions and therefore complies with this requirement. The Department of State Growth has provided advice that it's satisfied with the access arrangements. As such the proposal complies with the performance criteria.

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent
A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
Complies Table E4.6.4 requires a minimum SISD of 105m for a vehicle speed of 60km/h in an area with a speed limit of 60km/h or less. The available sight distance exceeds 150m in all directions and therefore complies with this requirement.

E6.0 Parking and Sustainable Transport Code

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

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 An educational and occasional care use requires one space per employee and one space per six tertiary education students. As the use is not for tertiary students, the number of parking spaces is determined by the number of staff, in this case 12 car parking spaces are required to be provided. A total of 30 car parking spaces have been provided, complying with the acceptable solution.
A1 The number of car parking spaces must: (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or

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<p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Complies An educational and occasional care use requires one space per employee and one space per six tertiary education students. As the use is not for tertiary students, the number of parking spaces is determined by the number of staff. As the development proposed 12 staff, 12 car parking spaces are required. A total of 30 car parking spaces have been provided, complying with the acceptable solution.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies The National Construction Code requires a school have one space for every 100 car parking spaces or part thereof, resulting in the requirement of one space. The development proposes a total of two accessible parking spaces, complying with the acceptable solution.</p>

E6.5.2 Bicycle parking numbers

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Consistent</p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>
<p>Complies Bicycle spaces are required at a rate of one space per five employees. As such, two bicycle spaces are required. Accordingly, two bicycle spaces will be provided.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

<p>Objective: To ensure that parking areas are constructed to an appropriate standard.</p>
<p>Consistent</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather

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<p>seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.</p>
<p>Relies on Performance Criteria All parking spaces, access ways, manoeuvring and circulation spaces will:</p> <ul style="list-style-type: none"> • Have a gradient of 10% or less; • Be formed and paved with an impervious all weather seal; • Be line parked <p>Stormwater will initially be contained onsite, however, will then feed into the waterway. As such reliance on the performance criteria is required.</p>
<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.
<p>Complies The principles of water sensitive urban design will be investigated and where practical applied to the balance of water runoff from the development to manage flows and rates of discharge as part of vegetated swale design in the collection distribution and management of point source flows. Natural flows through the site will be managed to ensure that flooding and erosion are mitigated. The extent of site hardstand is not significant and runoff can be managed with careful design for flow paths and natural water distribution will allow infiltration and displacement, benefiting landscaped and vegetated areas of the site.</p> <p>Therefore the proposal complies with the performance criteria.</p>

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2;

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<p>(c) have parking space dimensions in accordance with the requirements in Table E6.3;</p> <p>(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</p> <p>(e) have a vertical clearance of not less than 2.1m above the parking surface level.</p> <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies</p> <p>All car parking spaces, access ways, manoeuvring and circulation spaces will allow all vehicles to enter and exit the site in a forward direction. In accordance with Table E6.3, parking and access dimensions have been designed with the following dimensions:</p> <p>Access and manoeuvring width: 5.8 - 6.2m Car Park Widths: 2.8m Car Park Length: 5.4m</p> <p>There will also be a vertical clearance of not less than 2.1m above parking level. Furthermore, the accessible parking spaces are located closest to the main building and will be constructed, signed, and line marked in accordance with the Australian Standard.</p>

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent</p> <p>A1.1 Uses that require 10 or more parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>

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Complies

A 1.3m wide pedestrian footpath is proposed from St Leonards Road into the site. The footpath curves and at all times is more than 2.5m away from the driveway, however, at times is less than 1m from parking bays. However, plantings are to occur between the parking bays and footpath for safety. Disability parking contains line marked crossings and a minimum 2m wide footpath to the main entry point of the building.

E9.0 Water Quality Code

E9.1 The purpose of this provision is to:

- (a) manage adverse impacts on wetlands and watercourses.

Consistent

Consistency with the code purpose has been achieved as the proposal ensures development will have no adverse impacts on wetlands or watercourses.

E9.6 Development Standards

E9.6.1 Development in the vicinity of a watercourses and wetlands

Objective:

To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.

Consistent

Consistency with the objective has been achieved as the proposal ensures development will have no adverse impacts on wetlands or watercourses.

A1 No acceptable solutions.

Relies on Performance Criteria

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 Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.

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Complies
 The only development within 30m of the watercourse that runs through the site is the walkway. As such it is not expected that stormwater drainage from the development will negatively impact the existing watercourse in terms of flow or water quality. The use of swale drainage as part of sensitive water management will enable use of the site's topography to both drain and slow water flows to reduce erosion, avoid siltation and sedimentation and reduce the impact of flooding.

The site and water course do not contain natural values of any significance, as the rear curtilages of the site are grassed and devoid of significant plantings. The scale of development is limited and is not expected to generate significant flows beyond the natural flows impacting the site. The detailed design of all hard stand areas and drainage from new structures will seek to minimise water flows and achieve water balance across the site.

As such the proposal is compliant with the performance criteria.

E9.6.3 Discharges to watercourses and wetlands

<p>Objective: To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal ensures the watercourse will not be unreasonably impacted upon.</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>Relies on Performance Criteria It is proposed that stormwater management be achieved through the introduction of swale drainage from hard stand areas to the existing watercourse which ultimately drains to the North Esk River. As such reliance on the performance criteria is sought.</p>
<p>P1 Stormwater discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to: (a) the characteristics, volume and flow rates of the discharge; (b) the characteristics of the receiving waters; (c) the potential for erosion; (d) the potential for siltation and sedimentation; (e) the impact on hydrology; (f) any measures to mitigate impacts; and (g) any soil and water management plan.</p>

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<p>Complies The purpose of the swale drains will be to capture runoff from the new structures and hardstand areas, reducing flow rates to avoid erosion and improve water management on the site. Design will be undertaken as part of detailed design of these areas, particularly the vehicle stand and circulation paths. Therefore, the proposal complies with the performance criteria.</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>Relies on Performance Criteria As stormwater will be discharging to a watercourse reliance on the performance criteria is required.</p>
<p>P2 New and existing point source pollution discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to: (a) the characteristics, volume and flow rates of the discharge; (b) the characteristics of the receiving waters; (c) the impact on hydrology; (d) the opportunities to recycle or reuse the discharge; (e) any measures to mitigate impacts; (f) best practice environmental management; and (g) any emission limit guidelines or protected environmental values or water quality objectives issued by the Board of Environment Protection Authority in accordance with the State Policy for Water Quality Management 1997.</p>
<p>Complies The principles of water sensitive urban design will be investigated and where practical applied to the balance of water runoff from the development to manage flows and rates of discharge as part of vegetated swale design in the collection distribution and management of point source flows to ensure the watercourse is not negatively impacted upon.</p> <p>Natural flows through the site will be managed to ensure that flooding and erosion are mitigated. The extent of site hardstand is not significant and runoff can be managed with careful design for flow paths and natural water distribution will allow infiltration and displacement, benefiting landscaped and vegetated areas of the site.</p> <p>As such the proposal complies with the performance criteria.</p>

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided. It is noted that a request from the applicant proposed that the driveway into the site was to be sealed at a later date, once the use has commenced. This is generally not accepted as good practice or design, and the standard condition of driveway sealing has been recommended.
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 No. 2018/01692-LCC, dated 25/10/2018.
State Growth	State Growth provided road authority consent on 20/11/2018.
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 8 December 2018 to 2 January 2019. Eight representations were received.

A representor meeting was held on Wednesday, 9 January 2019 to allow representors to discuss their concerns.

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.

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<p>Issue 1: The angle of the current northern driveway creates a blind spot when exiting onto St Leonards Road and turning into the site. Potential safety issues for two cars trying to enter/exit at the same time.</p>
<p><i>Response: A Traffic Impact Assessment was prepared and lodged as part of the application. The access in question will only be utilised by teachers of the school who will be accessing the property before and after school. There is a driveway approximately 50m in length from the road until a fork in the road to allow a turnoff into the school and a continuation along a right of way for 366 St Leonards Road to access. This is considered suitable should traffic come to a head.</i></p>
<p>Issue 2: St Leonards road is utilised by heavy vehicles, there are safety concerns regarding the safe exit and entry from the site.</p>
<p><i>Response: A Traffic Impact Assessment was prepared and lodged as part of the application. As part of this assessment safety was addressed where it was considered vehicles will be able to exit and enter the site safely.</i></p>
<p>Issue 3: Due to the increased vehicles there are risks to the nearby residences when entering and existing their properties, as well as other users of the road.</p>
<p><i>Response: A Traffic Impact Assessment was prepared and lodged as part of the application. As part of this assessment safety was addressed where it was considered vehicles will be able to exit and enter the site safely.</i></p>
<p>Issue 4: The no standing zones outside of the nearby properties will reduce the number of vehicles able to park on the road who visit these properties.</p>
<p><i>Response: Whilst it is acknowledged that a no standing area is proposed, all dwellings that would be affected have sufficient room on their properties for visitors to park in tandem.</i></p>
<p>Issue 5: The school is not in keeping with the character of the area which is primarily single dwellings and a more rural aspect outside of these properties. Concerns are raised about the visual impact the car park will have on the streetscape as well as the impact the buildings will have from adjoining lots. This will affect the character of the surrounding area.</p>
<p><i>Response: An educational and occasional care use is a discretionary but permissible use within the General Residential Zone. The purpose of the zone is to allow uses that are other than residential to be developed, is they primarily serve the local community. In this case a new school will directly serve the local community of St Leonards. With the majority of the development being located behind the primary frontage and located on the outskirts of rural land, it has been determined that the use is compatible with the area and surrounding uses. The car park is located along an access strip and will be screened via new vegetation.</i></p>
<p>Issue 6: The sight distances for the entry are not long enough.</p>
<p><i>Response: A Traffic Impact Assessment was prepared and lodged as part of the application. The assessment has determined that sight distances are sufficient.</i></p>

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Issue 8: There will be an extra 102 students in cars being dropped off and collected which may increase in the future. Should the school increase a school crossing of 40km/h may be installed.

Response: The application is for a total of 102 students. A condition will be placed on the permit that this is the total number of students permitted. If an increase is proposed further Council consideration will be necessary.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not relevant to this report.

8.1 368 and 378A St Leonards Road, St Leonards - Educational and Occasional Care - Construction of a School ...(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 (distributed electronically)
 2. Plans to be Endorsed (distributed electronically)
 3. TasWater SPAN (distributed electronically)
 4. DSG Advice and Correspondence (distributed electronically)
 5. Representations (distributed electronically)
 6. Applicants Response to Representations (distributed electronically)
-

8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision**FILE NO:** DA0680/2018**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Cohen and Associates Pty Ltd
Property:	94 Arthur Street, East Launceston
Zoning:	Inner Residential
Receipt Date:	23/11/2018
Validity Date:	24/11/2018
Further Information Request:	30/11/2018
Further Information Received:	04/12/2018
Deemed Approval:	24/01/2019
Representations:	Six

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 DA0680/2018 - Residential - Two lot subdivision at 94 Arthur Street, East Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Plan of Subdivision, Ref: 40-53 (4824) Sheet 1 of 1, prepared by Cohen & Associates P/L, dated 04/12/2018

2. LEGAL TITLE

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

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2018/01938-LCC, 03/12/2018 and attached to the permit.

4. HOURS OF CONSTRUCTION

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

7.00am to 6.00pm Monday to Friday

9.00am to 6.00pm Saturday

10.00am to 6.00pm Sundays and Public Holidays

5. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the subdivider's expense.

6. DAMAGE TO COUNCIL INFRASTRUCTURE

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

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

8. SOIL AND WATER MANAGEMENT PLAN

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

10. SEALING PLANS OF SUBDIVISION

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

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

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

12. CONSTRUCTION PLAN APPROVAL (NO PUBLIC WORKS)

Prior to the commencement of works, detailed plans and specifications shall be submitted to the Council's Director Infrastructure Services for approval. Such plans and specifications are:

- (a) To include all works required by the permit or shown in the endorsed plans and specifications.
- (b) To be prepared by suitably qualified persons and certified as complying with current Council standards.
- (c) Where required, include a Soil and Water Management Plan.

Such plans and specifications are to include the necessary pipe sizes for drains and the materials to be used in construction.

13. CONSTRUCTION OF SERVICE CONNECTIONS (PRIVATE WORKS)

The applicant must construct the private works in accordance with plans and specifications approved by the Council's Director Infrastructure Services. The works required for the development include:

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

(a) Stormwater

Provision of a single DN 100 stormwater connection point for each lot located so as to drain the lowest part of the lot. Application for stormwater connection must be made on the approved form and accompanied by the requisite fee.

(b) Constructed Driveways

All lots must be provided with a constructed concrete driveway from the edge of road pavement to the property boundary. Any existing unused or redundant vehicle crossing(s) shall be removed and the footpath, nature strip and/or kerb and channel be reinstated to match the adjacent existing construction. Application for all new driveways, alterations to, and removal of redundant driveways must be made on the approved form.

14. COMPLETION OF WORKS

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

15. 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.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0680/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(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 Council.

B. 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.

C. 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>

D. Permit Commencement.

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

REPORT:**1. THE PROPOSAL**

It is proposed to subdivide a single lot into 2. The subdivision will result in Proposed Lot 1 being 520m² in size and contain the existing dwelling. Proposed Lot 2 will be 400m² in size, and contain the existing right of way as well as a new easement. It is also proposed to demolish two outbuildings on proposed lot 2 which will allow the lot to have a useable building envelope. It is also noted that as the demolition is being approved as part of the subdivision approval, assessment is not required under Clause 9.4.

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	94 Arthur Street, East Launceston
Zone	Inner Residential
Size	931m ²
Access	One access via Arthur Street, two via My Street
Shape	Rectangular, with an 'L' shaped right of way connecting at the northern boundary
Slope	Generally flat
Existing structures	Single dwelling and two outbuildings
Vegetation	Minimal planted residential vegetation
Connection to services	Connected to all reticulated services
Surrounding land	Predominantly single dwellings on single lots. The size and shape of surrounding lots vary greatly from 94m ² to 1,174m ² . The types, styles, and sizes of surrounding dwellings also vary from small cottages to three storey dwellings.
Overlays	Nil

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

<p>11.1.1 Zone Purpose Statements</p> <p>11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.</p> <p>11.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.</p> <p>11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.</p> <p>11.1.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.</p> <p>Consistent</p> <p>Consistency with the zone purpose has been achieved as the proposal will provide an additional vacant lot for future residential development.</p>
--

8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

Objective:

To ensure that the setback from frontages:

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

Consistent

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

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

Complies

The additional lot will have no effect on the rear boundary setbacks of the existing dwelling and will maintain the existing frontage setbacks.

11.4.2 Site coverage and rear setback for single dwellings

Objective:

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

- (a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity;
- (b) assists with the management of stormwater;
- (c) provides for setback from the rear boundary; and
- (d) has regard to streetscape qualities.

Consistent

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

Complies

The subdivision will result in proposed Lot 1 containing a single dwelling on a 520m² lot. This will result in a site coverage of approximately 225m² (43%).

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

Complies

The subdivision will result in a rear setback of 5m to the rear dwelling.

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

11.4.3 Building envelope for single dwellings

Objective:

To ensure that the siting and scale of single dwellings:

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

Consistent

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

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

Complies

The existing dwelling on proposed Lot 1 will be wholly within the building envelope.

11.4.22 Earthworks and retaining walls

Objective:

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

Consistent

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

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

Complies

No earthworks requiring cut or fill more than 600mm below or above existing ground level are proposed.

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

11.4.24 Lot size and dimensions

Objective:

To ensure the area and dimensions of lots are appropriate for intended use of the lots.

Consistent

A1.1 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) have a minimum area of no less than:
 - (i) 300m²; or
 - (ii) 500m² where the average slope of the lot is 15% or greater; and
- (b) be able to contain
 - (i) for lots of between 300 to 500m², a rectangle measuring 10m by 12m; or
 - (ii) for lots larger than 500m², a rectangle measuring 10m by 15m; or

A1.2 Each lot, or a lot proposed in a plan of subdivision, must:

- (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or
- (b) be required for the provision of public utilities; or
- (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and

A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

Complies

The existing lot has a site area of 931m². It is proposed to subdivide the land that will result in the following:

Proposed Lot 1:

- Site area of 520m²
- Contains an existing dwelling
- Able to contain a rectangle measuring 10m x 12m

Proposed Lot 2:

- 400m²
- Will be vacant
- Able to contain a rectangle measuring 10m x 12m

It is important to note that Proposed Lot 2 is unusual in that its total size contains an access strip and easements, as the following image illustrates:

8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
 ...(Cont'd)



Figure 1 - Proposed Lot 2 Shape

Under the provisions of the Inner Residential Zone, all site area, including easements, right of ways, and access strips, must be counted in the total size when ensuring compliance against lot sizes and dimensions. It is noted that whilst development over right of ways and easements is generally limited, the applicant has demonstrated that the remaining area is able to contain the relevant rectangle under A1.1(b). As such, the development complies with the Acceptable Solution.

11.4.25 Frontage and access

Objective:

To ensure that lots:

- (a) provide appropriate frontage to a road;
- (b) provide safe and appropriate access suitable for the intended use.

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

<p>Consistent Consistency with the objective has been achieved as the proposal provides appropriate frontage and safe access.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>
<p>Complies Each lot has a frontage to a road maintained by the road authority.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area ; and (e) the advice of the road authority.</p>
<p>Complies Each lot has an existing vehicle crossover, complying with the performance criteria.</p>

11.4.26 Discharge of stormwater

<p>Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal is able to ensure stormwater is able to be satisfactorily drained and discharged.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>
<p>Complies Each lot is capable of connecting to a public stormwater system.</p>
<p>A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</p>
<p>Relies on Performance Criteria</p>
<p>As no written advice has been provided reliance on the performance criteria is required.</p>
<p>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to: (a) the location of the discharge point (if any), (b) stormwater flow paths both internal and external to the site; (c) the topography of the site; (d) the characteristics of the site, including rainfall; (e) the development of the site;</p>

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

- (f) the additional runoff from the subdivision development and likely future development of the land; and
- (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

Complies

Advice from Councils Infrastructure Assessment team has determined that the site is capable of being connected into the reticulated system. Any future application over the site will need to ensure that the stormwater system has capacity to handle new flows or new development will be required to retain stormwater on site. The proposal complies with the performance criteria.

11.4.27 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.

Consistent

A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.

Complies

Both lots are able to connect into the reticulated water supply.

A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.

Complies

Both lots are able to connect into the reticulated sewerage supply.

11.4.28 Lot diversity

Objective:

To provide a range and mix of lot sizes to suit a variety of dwelling and household types.

Consistent

A1 Subdivision is for 5 lots or less.

Complies

11.4.29 Solar orientation of lots

Objective:

To provide for solar orientation of lots and solar access for future dwellings.

Consistent

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

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

<p>adequate;</p> <p>(d) ensure that parking does not adversely impact on the amenity of a locality;</p> <p>(e) ensure that parking spaces and accesses meet appropriate standards; and</p> <p>(f) provide for the implementation of parking precinct plans.</p>
<p>Consistent</p> <p>Consistency with the code purpose has been achieved as the proposal ensures safe and appropriate access and parking is maintained. It should be noted that this clause only relates to proposed Lot 1 as there is no development proposed over proposed Lot 2. It is further noted that only Clause E6.5.1 is applicable in the assessment of this application as no new accesses or parking spaces are proposed.</p>

E6.5 Use Standards

E6.5.1 Car parking numbers

<p>Objective:</p> <p>To ensure that an appropriate level of car parking is provided to meet the needs of the use.</p>
<p>Consistent</p> <p>A1 The number of car parking spaces must:</p> <p>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</p> <p>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</p> <p>(c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</p> <p>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</p>
<p>Complies</p> <p>Whilst it is acknowledged that due to the subdivision, proposed Lot 1 will lose two car parking spaces at the rear of the property, the lot will be able to maintain two car parking spaces, in tandem, accessed via Arthur Street. This meets the requirements of Table E6.1.</p>

8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA TWDA 2018/01939-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 8 December 2018 to 7 January 2019. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report. All representors were contacted regarding their representations.

<p>Issue 1: The application has not met section 57 of the <i>Land Use Planning and Approvals Act 1993</i> with regard to advertising.</p> <p><i>Response: Section 57 of Land Use Planning and Approvals Act 1993 (LUPAA) requires a public notice be placed on the subject site, an ad in the newspaper, all adjoining landowners be notified in writing, and all application documents available at a Council office to be viewed. On the 8 December 2018 the public notices were placed in the paper and on site and at the same time application documents were available to be viewed online, and available to be viewed at Council Offices. During public notification Council was made aware that adjoining landowner letters had not yet been received. These letters were sent out on 14 December 2018, six days after the initial advertising occurred. Under section 57(5) of LUPAA, Council has the authority to extend the public notification period for a period of not more than 14 days. As such the public advertising period was extended until 7 January 2019, an extra six days. This was considered appropriate and allowed the 'lost' days to be made up. Therefore, Council has undertaken public notification in accordance with the requirements of the LUPAA.</i></p>
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**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

Issue 2: The area for proposed Lot 2 cannot be built upon. When this area is deducted from the 400m² for proposed Lot 2, the actual building area is significantly reduced and below the minimum required for a subdivision.

Response: Section 11.4.24 of the Launceston Interim Planning Scheme 2015 outlines the requirements for lot size and dimensions. When calculating lot size, the scheme takes into account the site in its entirety and includes right of ways and easements. Furthermore, the plan of subdivision shows a rectangle measuring 10m x 12m as required by A1.1(b). The proposal wholly complies with the Acceptable Solutions in this manner and lot size is not considered to be a discretion.

Issue 3: Car parking in My Street is very limited. If a new dwelling is erected more car parking would be required.

Response: Any new development over a new lot would need to comply with the provisions of the planning scheme, including car parking arrangements.

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

**8.2 94 Arthur Street, East Launceston - Residential - Two Lot Subdivision
...(Cont'd)**

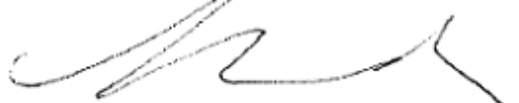
BUDGET & FINANCIAL ASPECTS:

Not relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

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

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven**FILE NO:** DA0642/2018**AUTHOR:** Duncan Payton (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Next Developments
Property:	240 Vermont Road, Mowbray
Zoning:	Low Density Residential
Receipt Date:	7/11/2018
Validity Date:	14/12/2018
Further Information Request:	19/11/2018
Further Information Received:	13/12/2018
Deemed Approval:	25/01/2019
Representations:	Three

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 DA0642/2018 - Subdivision - subdivide one lot into seven at 240 Vermont Road, Mowbray, 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) Landscape Plan - Access to Lots 1-3, prepared by Carawah Environmental Design, drawing no.C-01, Proposed subdivision 204 Vermont Road, dated 06/11/2018
AMENDED PLAN REQUIRED
 - (b) Landscape Plan - Access to Lots 4-7, prepared by Carawah Environmental Design, drawing no.C-02, Proposed subdivision 204 Vermont Road, dated 06/11/2018
AMENDED PLAN REQUIRED
 - (c) Landscape Plan - Entrance Elevation for lots 4-7, prepared by Carawah Environmental Design, drawing no.C-03, Proposed subdivision 204 Vermont Road, dated 06/11/2018
 - (d) Subdivision Plan, prepared by Survey & Alignment Services, drawing no.2018040 sheet 1 of 3, Proposed subdivision 204 Vermont Road, revision04, dated 29/11/2018
-

**8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven
...(Cont'd)**

- (e) Subdivision Plan, prepared by Survey & Alignment Services, drawing no.2018040 sheet 2 of 3, Proposed subdivision 204 Vermont Road, revision03, dated 29/11/2018
- (f) Subdivision Plan, prepared by Survey & Alignment Services, drawing no.2018040 sheet 3 of 3, Proposed subdivision 204 Vermont Road, revision03, dated 29/11/2018
- (g) Bushfire Hazard Management Report: Subdivision, prepared by Livingston Natural Resource Services, 204 Vermont Road, dated 16/11/2018
- (h) TasRail letter, prepared by Jennifer jarvis, Manager-Property and Compliance, dated 11/12/2018

2. AMENDED PLANS REQUIRED

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

- (a) The removal of car parking bays.
- (b) The removal of separate pedestrian access

3. FINAL PLAN OF SURVEY

The Final Plan will not be sealed until all conditions have been complied with.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

7.00am to 6.00pm Monday to Friday

8.00am to 5.00pm Saturday

No works on Sunday or Public Holidays

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2018/01855-Lcc, dated 20/11/2018 and attached to the permit.

7. COVENANTS ON SUBDIVISIONS

- 1. Burdening covenants shall be placed on lots 1-5 such that:
 - (a) The northern or uphill side of all buildings shall be single storey; and
 - (b) Buildings shall have skillion roof profiles with a pitch of not more than 15 degrees rising from the north or uphill side of the building; and
 - (c) Such covenants shall benefit the adjoining titles to the north-east where those owners consent; and
-

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2. Other covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:
 - (a) Such covenants or controls are expressly authorised by the terms of this permit; or
 - (b) Such covenants or similar controls are expressly authorised by the consent in writing of the Council; and
 - (c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

8. DAMAGE TO COUNCIL INFRASTRUCTURE

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

9. 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.

10. 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.
-

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- (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 & Final inspections.

11. CONSTRUCTION OF WORKS

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

- (a) Stormwater
 - (i) Provision of a public drainage system to serve the proposed lots and discharging to the open drains on the western side of the rail corridor or other suitable location as may be agree between the developer, TasRail and the Director Infrastructure Services for the City of Launceston.
 - (ii) The provision of a stormwater connection to the lowest point of each lot,
 - (iii) Provision of an overland flow path for flows up to a 100 year ARI storm event.
- (b) Roads
 - (i) Provision of shared access points including driveway crossover, parking spaces, landscaping and drainage.
- (c) Electricity, Communications and Other Utilities
 - (i) An underground reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - (ii) An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - (iii) Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - (iv) Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

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

- (a) Construction requirements,
 - (b) Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
 - (c) Construction Audit inspections,
 - (d) Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.
-

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12. CONSTRUCTION DOCUMENTATION

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

- (a) An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure Services Directorate.
- (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.

13. EASEMENTS

Easements are required over all Council and third party services located in private property. The minimum width of any easement must be 3m for Council (public) mains. A greater width will be required in line with the LCC document '*How close can I build to a Council Service?*' where the internal diameter of the pipe is greater than 475mm or where the depth of the pipe exceeds 2.1m. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

14. SEALING PLANS OF SUBDIVISION

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

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

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

15. COMPLETION OF WORKS

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

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16. AS CONSTRUCTED PLANS

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

17. AMENITY

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

18. NO BURNING OF WASTE

No burning of any waste materials, 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. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved lots shown on the final plan. The valuation shall be determined by a registered land valuer and must be not more than 12 months old at the time of the sealing of the final plan. Valuations are to be procured at the subdivider's expense.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0642/2018. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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

B. 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.

C. 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>>

D. Permit Commencement.

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

REPORT:**1. THE PROPOSAL**

It is proposed to subdivide the existing 27,400m² internal low density residential lot at 240 Vermont Road, Mowbray, into seven lots. The lots will range in size from 2,223m² to 10,120m². All lots will gain frontage, meeting the scheme expectations, to Vermont Road via access strips. Through reciprocal rights of way, only two driveways will be constructed to service the seven lots.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is a 27,400m², irregularly shaped lot located between the railway corridor and some eighteen residential lots - most developed with single dwellings - on the southern side of Vermont Road and adjoins Vermont Road at three points.

The land slopes away from the rear boundaries of the existing dwellings and falls steeply to the railway line. There is a 50m wide buffer from the railway line, within which residential development is discouraged. Additionally, the site, located on a hillside forming the eastern back drop to the city, is within a Scenic Protection Special Area addressing the river flats and flood plain.

These factors, combined with several rock shelves existing within the site, present a visually attractive development site with a number of topography and infrastructure constraints. Hence the low density residential zoning.

Thus, the expectations of the adjoining residents that the relatively characterless rural land would remain undeveloped are no longer realistic.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose****12.0 Low Density Residential Zone****12.1.1 Zone Purpose Statements**

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

Consistent

The proposed subdivision of the 27,400m² lot into seven lots ranging between 2,223m² and 10,120m² is consistent with the purpose of the zone to provide for residential development on larger lots where there are infrastructure or environmental constraints that limit development.

Specifically, more intensive residential development is precluded by the slope of the land, the location of the rail reserve and its associated buffer and the scenic protection overlay applied in this area.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

12.4 Development Standards

12.4.5 Lot size and dimensions

<p>Objective: To ensure:</p> <ul style="list-style-type: none"> (a) the area and dimensions of lots are appropriate for the intended use of the lots; and (b) adjoining land is protected from adverse impacts.
<p>Consistent The area and dimensions of the proposed lots are appropriate for the intended low density residential use. The adjoining land will not be unreasonably impacted.</p>
<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a minimum area of no less than 1,500m²; and (b) be able to contain 25m diameter circle with the centre of the circle no greater than 25m from the frontage; or <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Relies on Performance Criteria All proposed lots have an area in excess of 1,500m² and are able to contain a 25m circle, although as the lots are all internal lots, these circles are not within 25m of the frontage with Vermont Road and performance Criteria are relied upon.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> (a) the relevant acceptable solutions for development of buildings on the lots; (b) the likely location of buildings on the lots; (c) the likely provision of on-site parking and manoeuvrability for vehicles; (d) the topography of the site; (e) the presence of any natural hazards; (f) adequate provision of private open space; and (g) the existing pattern of development in the area.
<p>Complies The proposal plan demonstrates a nominal building site of 150m², which is considered to be sufficient useable area for the construction of a dwelling. Even on Lot 1, the most constrained by the railway buffer, there is room to expand this building footprint and the area increases substantially on the other lots as the impact of the railway buffer reduces.</p>

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As the land falls towards the railway line, it is likely that future residential development will be located in areas not dissimilar to those depicted in the proposal plan. Parking and turning areas are likely to be on higher ground outside these areas.

Having regard to the specified matters, each lot has sufficient useable area and dimensions suitable for its intended use.

12.4.6 Frontage and access

<p>Objective: To ensure that lots:</p> <ul style="list-style-type: none"> (a) provide appropriate frontage to a road; and (b) provide safe and appropriate access suitable for the intended use.
<p>Consistent Each proposed lot is provided with adequate individual frontage to Vermont Road, it is intended that through reciprocal rights of way lots 1-3 will have a single joint access and lots 4-7 will also have a single joint access.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 4m.</p>
<p>Complies Each proposed lot has frontage to Vermont Road, a road maintained by Council, of more than 4m.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies The proposal includes individual access strips for each lot, however, it is intended that only two crossovers and driveways be utilised, with the lots having reciprocal rights of way over the corresponding access strips.</p> <p>Individual driveways will be constructed from these joint accesses - effectively the rear boundary line of the existing general residential zone - to access individual dwellings in the future.</p>

12.4.7 Discharge of stormwater

Objective:
To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

<p>Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>
<p>Complies A new stormwater main will be constructed at the rear of the existing general residential properties and the applicant will construct further stormwater infrastructure to collect this and the stormwater from the subject lots and direct it through the rail reserve to the existing open drain to the river flats. TasRail have indicated that they will allow piped stormwater through to this drain but will not consent to additional stormwater being directed into the rail corridor or existing railway drainage infrastructure. An appropriate drainage condition is recommended.</p>

12.4.8 Water and sewerage services

<p>Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.</p>
<p>Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</p>
<p>Complies Each lot will be connected to the TasWater reticulated water supply in accordance with the TasWater Submission to Planning Authority Notice TWDA2018/01855-LCC.</p>
<p>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</p>
<p>Complies Each lot will be connected to the TasWater reticulated sewerage system in accordance with the TasWater Submission to Planning Authority Notice TWDA2018/01855-LCC.</p>

12.4.9 Integrated urban landscapes

<p>Objective: To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.</p>
<p>Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.</p>

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

12.4.10 Walking and cycling network

Objective: To:
(a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists;
(b) design footpaths, shared path and cycle path networks and cycle lanes that are safe and accessible; and
(c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.
Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.
A1 Subdivision does not create any new road, footpath or public open space.
Complies No new roads, footpaths or public open spaces are proposed.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:
(a) protect the safety and efficiency of the road and railway networks; and
(b) reduce conflicts between sensitive uses and major roads and the rail network.
Consistent The proposal to construct only two driveways - one serving three lots and the other serving four - is consistent with the purpose of the code to protect 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 Compliance with appropriate acceptable solutions and performance criteria is demonstrated.
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 two proposed access points will serve three and four lots respectively. Using the accepted expectation of eight vehicle movements per day per dwelling, the subdivision, once developed with a single dwelling on each lot, will generate an AADT of 24 and 32 movements from the two access points. This is an increase of less than 40 and complies with the acceptable solution.

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E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

Objective:

To ensure that development adjacent to category 1 or category 2 roads or the rail network:

- (a) ensures the safe and efficient operation of roads and the rail network;
- (b) allows for future road and rail widening, realignment and upgrading; and
- (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.

Consistent

Compliance with appropriate acceptable solutions and performance criteria is demonstrated.

A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:

- (a) new buildings;
- (b) other road or earth works; and
- (c) building envelopes on new lots.

A1.2 Buildings must be:

- (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or
- (b) an extension which extends no closer than:
 - (i) the existing building; or
 - (ii) an immediately adjacent building.

Complies

The proposal plan includes potential building envelopes more than 50m from the rail line.

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

Compliance with appropriate acceptable solutions and performance criteria is demonstrated.

A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.

Complies

Vermont Road has a speed limit of 60km/h at this point.

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 individual lots will have only a single access to Vermont Road to provide both entry and exit, only two of which will be constructed.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.
A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
Complies The proposed access points comply with the requirements of the Table.

E7.0 Scenic Management Code

E7.1 The purpose of this provision is to: (a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and (b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and (c) ensure that vegetation is managed for its contribution to the scenic landscape.
Consistent The proposed subdivision will provide for the construction of up to seven single dwellings on the parcel of land between the railway line and an existing row of dwellings fronting Vermont Road. The future development of such dwellings will be consistent with the provisions of the Code and as such the proposal is consistent with the purpose of the Code to ensure that the siting and design of development is unobtrusive and compliments the visual amenity of the locality and the landscape.

E7.6 Development Standards

E7.6.2 Scenic management areas

Objective: The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.
Consistent Compliance with appropriate acceptable solutions and performance criteria is demonstrated.
A3 Subdivision is in accordance with a specific area plan.
Relies on Performance Criteria There is no specific area plan applicable to this site.
P3 Subdivision must have regard to: (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

- (b) the size, shape and orientation of the lot;
- (c) the density of potential development on lots created;
- (d) the need for the clearance or retention of vegetation;
- (e) the need to retain existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the subdivision;
- (i) the extent of works required for roads or to gain access to sites, including any cut and fill;
- (j) the physical characteristics of the site and locality;
- (k) the existing landscape character;
- (l) the scenic qualities of the site; and
- (m) any agreement under section 71 of the Act affecting the land.

Complies

The subject site is within the North Esk Flood Plain Scenic Management Area, which is a substantial precinct encompassing the North Esk Flood Plain, beginning at the southern side of Victoria Bridge in the north and following the river's flood plain southwards terminating at Musselboro Road in Blessington. The Precinct's northern section has an agricultural character defined by cleared paddocks where trees and major vegetation are not common.

The Management Objectives of the Precinct seek to ensure that development complements the existing historic development nearby or minimises visual impact in the landscape; and subdivision must not adversely affect the existing character of the Precinct.

Having regard to the relevant matters, the proposed subdivision is considered to be consistent with the standards of the Code. It is noted that:

- the site is elevated on the eastern hillside but well below the skyline;
- future residential development will, due to the topography, remain below the backdrop of the existing dwellings along Vermont road;
- the existing character of the Precinct, which is principally concerned with river flats and flood plains, will not be affected by this proposal;
- there is very little existing vegetation, beyond overgrown pasture, on the site and future development will likely result in the planting of gardens to improve the vegetative screening of future development;
- improved stormwater infrastructure will benefit the area;
- design treatment of individual dwellings will be given regard at the time of their individual application; and
- the character of the area is predominately residential with the specific site currently being vacant low density residential land.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

E10.0 Open Space Code

E10.1 The purpose of this provision is to:

- (a) Ensure that the location and area of land required for public open space in subdivisions meets the reasonable ongoing needs of the community.

Consistent

It is intended that public open space not be taken from this proposal as such a small parcel in this location would not meet the reasonable ongoing needs of the community. Thus, consistent with the purpose of the Code, a cash in lieu contribution will be required.

E10.6 Development Standards

Objective:

To:

- (a) ensure that the location and area of land required for public open space meet the reasonable ongoing needs of the community; and
- (b) provide public open space which meets user requirements for outdoor recreational and social activities.

Consistent

A cash in lieu contribution will assist in the provision or improvement of public open space in size, facilities and location to meet the ongoing needs of the community.

A1 No acceptable solution.

Relies on Performance Criteria

P1 The location, area and characteristics of public open space must meet the reasonable needs of the community, having regard to:

- (a) the physical characteristics of the land;
- (b) the needs of people with disabilities;
- (c) the range of recreational facilities in the surrounding area;
- (d) the existing public open space in the surrounding area and its relationship to any proposed public open space;
- (e) connectivity for pedestrians and cyclists;
- (f) the ability of the community to access the land;
- (g) any limitations imposed by services and utilities;
- (h) any drainage requirements, or the existence of wetlands;
- (i) public health and safety;
- (j) the likely cost of maintenance; and
- (k) the relationship and alignment with adjoining land uses, including fencing and landscaping.

Complies

It has been determined that the location and characteristics of the site are such that public open space in this locality would not meet the reasonable needs of the community, thus a cash in lieu contribution will be required.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2018/01855-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

Prior to exhibition of the proposal, the applicant advised the adjoining residents of the proposed subdivision and met on-site with a number of them. A further on-site meeting was held, prior to the close of public exhibition, with residents, the author of this report and the applicant.

As a result of those meetings, the applicant made a slight adjustment to lots one and two to allow for a possible future dwelling on lot one to be located to reduce the impact on the adjoining resident. In an effort to minimise future impacts on the existing adjoining residents, the applicant agreed to apply burdening covenants on lots 1-5 and corresponding benefiting covenants to the lots of the adjoining residents, where they are agreeable. These covenants will limit development to a single level on the uphill side and require skillion roof profiles with a pitch not exceeding 20 degrees.

Additionally, the proposed parking spaces shown in the access ways will not be included. Lots 1-3 will gain access from the north-western access way and lots 4-7 from the north-eastern access way. Those access ways comprise the access strips and legal frontage of the relevant lots, each of which will have a reciprocal right of way over the others. Only a single driveway and crossover will be constructed at each of the two access ways.

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 15 December 2018 to 7 January 2019. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue: Was not notified of the change of zoning from rural to low density residential and believes the change should not have been made.</p>
<p><i>Response: The change in zoning was made by the Tasmanian Planning Commission - contrary to the recommendations of council. The changed zoning is not a matter for consideration in the assessment of the proposed subdivision against the relevant scheme provisions.</i></p>
<p>Issue: The proposed subdivision has a direct impact on eighteen existing properties.</p>
<p><i>Response: The proposed subdivision adjoins nineteen existing properties in the general residential zone. Whilst previously these properties have enjoyed an undisturbed view over the river flats to the city and the western hill sides, it is expected that each of the new lots will be developed for a single dwelling and that these dwellings will to some extent impact upon those views. Notwithstanding the general acceptance that residents do not own the view, it is clearly a contributing factor to their residential amenity. The relevant consideration therefore is whether or not the likely impact is unreasonable. Significantly, the subject site falls away from the rear boundaries of the existing dwellings and future floor levels will therefore be several metres below those of the existing dwellings. It is also relevant that no dwellings are currently proposed and that, as the land remains within a scenic protection special area, future applications for dwellings will be discretionary and the adjoining residents will have a further opportunity to comment at that time, plus the ability to enforce the aforementioned covenants. Whilst it would not be reasonable to block all, or even most, of an individual's view, similarly it would not be reasonable to void all or most of an individual's development opportunity to protect the entirety of a view.</i></p>
<p>Issue: The access is unsafe and does not take into account the future potential use of the site.</p>
<p><i>Response: Council's Infrastructure Services Department does not support the assertion. The concept of reciprocal rights of way minimises the number of driveways and crossovers required and presents an improved visual and water sensitive urban design outcome. It does not preclude the expansion or construction of additional driveways if required in the future.</i></p>
<p>Issue: If subdivided, the concern to the existing owners will be ongoing as individual applications for development are lodged.</p>
<p><i>Response: Future applications to develop single dwellings on these lots will be discretionary and adjoining owners will have an opportunity to make appropriate representation at that time if they wish.</i></p>

8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven ... (Cont'd)

<p>Issue: The topography and geology are not suitable for future development as supported by the original zoning.</p>
<p><i>Response: This view is not supported by the Tasmanian Planning Commission. The topography and geology will be matters to which future developers will need to have regard in their design and engineering solutions.</i></p>
<p>Issue: The site is in a bushfire prone zone. Who is responsible for the ongoing inspection of the proposal's effectiveness?</p>
<p><i>Response: The requirement for bushfire reports is a state wide provision designed to ensure all subdivisions are capable of safe building sites. The results of the report will also influence the design and construction of future dwellings which are assessed during the building approval stage. The Building Surveyor is responsible for the construction of future dwellings and the owners and occupiers are responsible for the maintenance of their property and any measures that may be required by the bushfire risk assessment.</i></p>
<p>Issue: The application includes recommendations for future plantings and these may add to the bushfire risk.</p>
<p><i>Response: The application refers to the planting of the unconstructed access ways with natives to provide visually attractive entrances and reduce stormwater impacts. It is expected that the individual owners of the proposed lots will be responsible for the maintenance of these areas and their properties consistent with any requirements of applicable bushfire reports.</i></p>
<p>Issue: The adjoining residents request that future dwellings be limited to single level on the uphill side and that roof profiles be skillion with pitches limited to 15 degrees.</p>
<p><i>Response: The applicant has agreed to impose covenants to this effect and an appropriate condition is proposed.</i></p>
<p>Issue: The adjoining residents request that the proposed pedestrian access and parking areas be removed from the access ways and that the driveway be of compacted granite to reduce dust.</p>
<p><i>Response: The applicant has agreed to these requests and an appropriate condition is proposed.</i></p>
<p>Issue: Lots one and two should be joined into a single lot to reduce the potential impact of a dwelling on the adjoining properties.</p>
<p><i>Response: The applicant does not agree to this change. The proposal plans demonstrate a possible building envelope on each of these lots and as discussed previously, the significant change in elevation will significantly mitigate the loss of views and the impact on adjoining amenity is not unreasonable.</i></p>

6. CONCLUSION

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

**8.3 240 Vermont Road, Mowbray - Subdivision - Subdivide One Lot Into Seven
...(Cont'd)**

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not 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 (electronically distributed)
 2. Plans to be Endorsed (electronically distributed)
 3. TasWater SPAN (electronically distributed)
 4. Representations (electronically distributed)
-

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living**FILE NO:** SF6852**AUTHOR:** Iain More (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To make a recommendation to the Tasmanian Planning Commission regarding a draft amendment to the Launceston Interim Planning Scheme 2015.

PLANNING APPLICATION INFORMATION:

Applicant: Jaffa International Pty Ltd
Properties: 38A Faulkner Road, Ravenswood
Received: 17/09/2018
Advertised: 10/11/2018 - 3/12/2018
Representations: Six

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 October 2018 - Agenda Item 8.2 - Initiate Amendment 47 to the Launceston Interim Planning Scheme 2015, to rezone the land at 38A Faulkner Road, Ravenswood from Rural Resource and General Residential to Rural Living

RECOMMENDATION:

That Council:

1. considers the representations received to Amendment 47 to the Launceston Interim Planning Scheme 2015, together with the responses provided; and
 2. recommends to the Tasmanian Planning Commission that draft Amendment 47 be approved as certified and exhibited
-

Note

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

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

REPORT:

1. Purpose of Report

At its Meeting on 22 October 2018, Council resolved to initiate and certify Amendment 47 to the Launceston Interim Planning Scheme 2015.

The draft amendment was placed on public exhibition and six representations were received. In accordance with sections 39(2) and 43F(6) of the former *Land Use Planning and Approvals Act 1993* (the Act), Council must, within 35 days after the exhibition period, forward to the Tasmanian Planning Commission a report comprising a copy of each representation and a statement of its opinion on the merit of each representation and any recommendations regarding the draft amendment and planning permit it considers necessary.

2. Application

The application for the planning scheme amendment was lodged in accordance with section 33 of the Act.

Amendment 47 is a zoning amendment that would result in:

1. For a change of zoning to the Launceston Interim Planning Scheme 2015 from General Residential and Rural Resource to Rural Living at 38A Faulkner Road, Ravenswood.

3. Public Exhibition

The draft amendment and the planning permit were placed on public exhibition between 10 November - 3 December 2018. Six representations were received from different representors.

4. Representations

The issues raised in the representations are summarised below. Whilst every effort has been made to accurately summarise the issues, the summaries should be read in conjunction with the full representations (Attachment 2). A statement of opinion on the merit of the issues is provided, including consideration of their impact on the draft amendment and planning permit and any need for modification.

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

4.1 Alison Baker - Representation No. 1

<p>Issue: Privacy - My home adjoins 38A Faulkner Road and the main reason for purchasing it was privacy. If the subject site were to be rezoned, the houses would not meet the performance criteria for 10.4.6 Privacy for Dwellings.</p>
<p><i>Response: The proposed amendment is to re-zone the property only, with no development proposed. The amendment cannot consider privacy based on assumptions only. Should a subdivision application be lodged with Council in the future, the provisions of the Rural Living Zone will need to be addressed, including privacy.</i></p>
<p>Issue: River health/water quality - Any disturbance of land may affect the water quality of Distillery Creek.</p>
<p><i>Response: Distillery Creek is not physically located on the subject site and the proposed amendment is for a change of zoning only with no development proposed. Any future application over the site will need to consider soil disturbance and its potential effects on Distillery Creek. Future septic systems will need to be individually applied to ensure acceptable environmental impact.</i></p>
<p>Issue: Habitat Corridor - Areas through the land is likely to be classed as a habitat corridor. Adding dwellings to 38A Faulkner Road will block migration, colonisation, and interbreeding of flora and fauna. Clause 14.4.5 - Landscaping and vegetation management needs to be considered.</p>
<p><i>Response: The Northern Tasmanian Land Use Strategy has a strategic direction that requires land be recognised for its flora and fauna communities and preserve these areas. There is some regrowth over the land but the area has been farmed for many years. A preliminary site investigation has determined that there are no threatened flora or fauna communities on site. Notwithstanding, any future application may need to address flora and fauna concerns through a report, if required to by the scheme.</i></p>
<p>Issue: Rural resource and land capability - The land is class 6 agricultural and routinely have cattle grazing. Such a proposal will result in a further reduction in grazing land. Rezoning rural land to create more vacant properties is not a solution to increasing population.</p>
<p><i>Response: An agricultural report was provided as part of the application. The report concluded that rezoning the land for residential use would not result in a loss of land to the agricultural productivity in the area, and would not constrain nearby agricultural uses.</i></p>

4.2 Brian Collighan - Representation No. 2

<p>Issue: The report states the land is unsuitable for horticulture cropping and limited grazing. However, the land was previously utilised for vegetable production and cows currently graze on the site.</p>
<p><i>Response: The application can only be assessed on the information provided, including the conclusions of the agricultural report. Whilst it is possible for the site to be utilised for some limited grazing, due to its size, location, and characteristics, the site is constrained for more intensive agricultural uses.</i></p>

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

<p>Issue: The population in Ravenswood is not declining because of demographic trends but because of poor reputation and low-socio economic standing. Increase infrastructure and amenities to attract people, not 34 more lots.</p>
<p><i>Response: The application is from a private developer who believes there is an opportunity to offer a different type of residential lot in an area consisting mainly of higher density residential lots. The hope is that a new form of development and a diversity of options may stimulate new development.</i></p>
<p>Issue: Property value will be lost.</p>
<p><i>Response: Council cannot comment on potential loss of value to existing properties.</i></p>
<p>Issue: Having a green zone between two suburbans meets the NTRLUS by ensuring the community has access to a range of space and recreational opportunities</p>
<p><i>Response: The subject site is a private lot and is not open to be utilised by the public.</i></p>
<p>Issue: Ravenswood Road is already overused.</p>
<p><i>Response: A Traffic Report will be required to be provided should a subdivision application be lodged. At this stage there is nothing to suggest that this rezoning would be detrimental to the functionality of the roads in the area.</i></p>

4.3 James Baker - Representation No. 3

<p>Issue: The rezoning would dramatically affect my privacy by allowing others to have a direct view into our backyard and dwelling. Value needs to be placed on a rural setting.</p>
<p><i>Response: No subdivision application is proposed as part of this amendment. If an application is approved and lots were open to development, they would be subject to the provisions of the Rural Living Zone, including relevant setback standards. If a dwelling were proposed that would not meet the setback requirements, the application would be discretionary and required to address privacy clauses within the scheme.</i></p>

4.4 Jillian Koshin - Representation No. 4

<p>Issue: The liveability and community section of the NTRLUS states the intention is to 'create healthy, strong and vibrant urban and rural settlements in accordance with the regional land use categories and related regional planning policies'. Serious consideration needs to be given to the area and its access connections. All connecting roads are subject to flooding and road closures. Rural resource should remain in order to avoid putting more pressure on emergency services and the road network.</p>
<p><i>Response: The subject site currently has four potential access points. Connecting roads and associated infrastructure, including access points will be the subject of a future application.</i></p>

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

<p>Issue: Residential development and subdivision should be discouraged in favour of its current use and its value to the environment. This parcel of land already meets the Strategies of NTRLUS Goal 2 section in that is 'distinct land' with the 'visual amenities characteristic of municipal areas and Northern Tasmania collectively' as stated in Goal 2. It is an open space of environmental value, and should remain as part of the 'range of quality open space' (Goal 2) for the benefit of the wider community. The application fails to give any consideration to the reasons that people have chosen to live there in the first place - that is, the open rural feel and 'bush' nature of the area.</p>
<p><i>Response: The subject site is a private lot and is not open to be utilised by the public. Assessment against the strategies of the NTRLUS have been addressed within the application assessment. The change of use to Rural Living still requires a rural character of the area.</i></p>
<p>Issue: Much of the site is physically unsuitable for development would result in unknown consequences for the environment and for existing local residential properties located below the site. Unknown consequences would be inevitable any development would interfere with water runoff into that Creek, which feeds into the North Esk River Estuary. It is not a sound environmental proposition to rezone such land from its current use.</p>
<p><i>Response: As no development is proposed it is difficult to consider that development is unsuitable on the site. Any potentially issues, including natural environment issues, will need to be addressed during any future applications. It should also be noted that this may necessitate the lot sizes. Whilst 1ha lots are the absolute minimum in the Rural Living Zone, depending on any potential environmental conditions, they may need to be larger.</i></p>

4.5 Patrick Hardinge - Representation No. 5

<p>Issue: Land capability assessment findings by AK Consultants may be flawed - the original farmer of the land made a living through crop growth and it is currently utilised for cattle and sheep grazing.</p>
<p><i>Response: AK Consulting are qualified consultants who focus of natural values and agricultural assessments. Their report stated that the site does have limited potential for rural uses, however, is constrained due to the physical limitations of the site and surrounding uses.</i></p>
<p>Issue: Current infrastructure in "old" Ravenswood already under resourced - there is very little current service infrastructure including limited food and shops. Council should purchase the land and create a community garden.</p>
<p><i>Response: The land has not been identified by Council as a community area. It is a private parcel of land that has been purchased with the intention of developing self-sustainable development on larger rural lots. Additional development within the area may increase the viability of existing services.</i></p>

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

<p>Issue: Comments and reactions from some residents bordering the proposal - Residents did not understand the proposal.</p>
<p><i>Response: The application was publicly advertised in accordance with the requirements of the Land Use Planning and Approvals Act 1993.</i></p>

4.6 Deborah Dinsmore - Representation No. 6

<p>Issue: The agricultural report failed to recognise the site was utilised as a market garden and supported approximately 56 head of cattle. The existing flora assists in water penetration and reduction in erosion. There may be opportunity for future soil structure improvements.</p>
<p><i>Response: The agricultural report was prepared by suitability qualified persons and addresses the potential for the land to be utilised for agricultural properties. Whilst it is acknowledged that the site once was used for cropping, due to the surrounding development of land throughout the years the viability for that use to occur again is limited. This has to do with land surrounding the site being developed for sensitive uses as well as the potential impact cropping practices would have on these uses. No development is currently proposed, noting that when development does occur, the scheme will need to be addressed, including the retention of vegetation where possible, in accordance with the rural living zone.</i></p>
<p>Issue: Subdivision may adversely affect flooding by not retaining open pasture lands.</p>
<p><i>Response: This will be addressed when a subdivision application is received.</i></p>
<p>Issue: How will the proposal revitalise Ravenswood, improve the community, and ensure a safer and more economically vibrant locality?</p>
<p><i>Response: The proposal is for the change of zoning to allow for larger lots in a semi-rural setting. This type of land is currently unavailable in the immediate vicinity of the Ravenswood area. It is proposed that this type of land will attract new people to the area.</i></p>
<p>Issue: There seems to be a contradiction between sewer servicing the site and onsite retention.</p>
<p><i>Response: Servicing of any future sites will be subject to the provisions of the planning scheme, and in particular the rural living zone. The rural living zone allows on-site disposal given the large lot sizes. Any future subdivision application would need to address this.</i></p>
<p>Issue: Where is the access to Faraday Street?</p>
<p><i>Response: There is currently no access onto Faraday Street. Road reports will be provided at the time of any future subdivision.</i></p>

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

<p>Issue: At this stage, the application is for rezoning, however, the supporting documentation within the 108 page submission outlines over 30 x1ha allotments for living. A required buffer zone along the eastern boundary of the site would make some allotments too small to consider building on, so either the allotments would have to be larger, configured differently or the properties to the east acquired and subsumed into the 38A site (removing the required buffer zone). If the zoning is changed, is there a time frame for the carve-up into allotments?</p>
<p><i>Response: The application provided a preliminary design for a potential subdivision. A new application would be required for any subdivision and would be required to address all relevant provisions of the scheme.</i></p>
<p>Issue: The report mentions the high cost of waste disposal, in particular sewage and storm water. How that is overcome would need to be considered not only from an environmental perspective, but also with respect to current neighbouring properties?</p>
<p><i>Response: All servicing issues would be required to be addressed through a subdivision application.</i></p>
<p>Issue: There will be a social impact as the green belt is taken away, including interaction with animals. Increased numbers of residential allotments increases the likelihood of domestic pets that may destroy local fauna and flora.</p>
<p><i>Response: There are currently no formal overlays that have identified threatened flora or fauna. Notwithstanding, a new application for as subdivision would need to address any potential issues.</i></p>
<p>Issue: The adjoining lots enjoy a lifestyle amenity through the subject site.</p>
<p><i>Response: The rural living zone allows for larger lots in a rural setting. It is considered that the rural aspect will be maintained.</i></p>

CONCLUSION

The representations have been considered and it has been determined that there are no reasons for Council not to proceed with the draft Amendment 47. The report has provided an assessment of the representations and it is recommended that it be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved without change.

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.

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

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:

Land Use Planning and Approvals Act 1993 (the Act)
Launceston Interim Planning Scheme 2015
Northern Regional Land Use Strategy (NRLUS) 2016
Greater Launceston Plan (GLP) 2014
Launceston Residential Strategy (LRS) 2009-2029
The State Coastal Policy 1996
The State Policy on the Protection of Agricultural Land 2009
National Environmental Protection Measures (NEPMS)
Gas Pipelines Act 2000


BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

8.4 Amendment 47 - 38A Faulkner Road, Ravenswood - Rezone the Land From Rural Resource to Rural Living ...(Cont'd)

ATTACHMENTS:

1. Amendment 47 - Representations (distributed electronically)
 2. Amendment 47 - Certified Instrument (distributed electronically)
-

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

Thursday 20 December 2018

- Co-launched City of Launceston/Northern Tasmanian Visitor website at Launceston Travel Centre

Friday 21 December 2018

- Attended Christmas Morning Tea - Tasmanian Police Headquarters

Saturday 22 December 2018

- Officiated at the launch of the Nepali Language Literacy Campaign at 8 High Street, East Launceston

Sunday 23 December 2018

- Attended 'Season - A Christmas Theatre Experience' produced by Door of Hope in their Main Auditorium
- Delivered Christmas greetings at Carols by Candlelight, City Park

Tuesday 25 December 2018

- Officiated at Launceston City Community Christmas luncheon at the Albert Hall

Thursday 27 December 2018

- Attended official start of the Launceston to Hobart Yacht Race from Beauty Point Club House
- Attended the Christmas Sport Carnival at the Silverdome

Sunday 30 December 2018

- Attended Big Bash Cricket - Hurricanes versus Perth Scorchers at UTAS Stadium

Monday 31 December 2018

- Attended funding announcement from Cricket Tasmania for practice wickets at Invermay Park
 - Attended Beerfest at Royal Park
-

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

Friday 11 January 2019

- Attend Good Neighbourhood Council barbeque at the Greek Community Hall, South Launceston

Sunday 13 January 2019

- Attended MONA FOMA - Giant Sculpture of Man at the First Basin

Monday 14 January 2019

- Attended MONA FOMA - Workers Club Opening Night at 66 Elizabeth Street
- Attended MONA FOMA - Large Steel Structures at Design Tasmania

Tuesday 15 January 2019

- Attended MONA FOMA - Art Crawl Opening Night at QVMAG School of Creative Arts
-

10 COUNCILLOR'S REPORTS

(This item provides an opportunity for Councillors to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)

11 QUESTIONS BY COUNCILLORS**11.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

11.1.1 Councillor's Questions on Notice - Councillor N D Daking - Council Meeting - 20 December 2018**FILE NO:** SF2375**AUTHOR:** Tracey Mallet (Manager Community and Economic Development)**DIRECTOR:** Leanne Hurst (Director Development Services)

QUESTION and RESPONSE:

The following question was asked by Councillor N D Daking at the Council Meeting of 20 December 2018 and a response has been provided by Tracey Mallet (Manager Community and Economic Development).

Question:

1. *With reference to questions about the pop up event on High Street and events like those held in Royal Park, would Council Officers please provide Councillors with information around the definition of an event?*

Response:

The City of Launceston does not have a set definition of what constitutes an event. The Council provides guidance, advice and information for the organisation of any public gathering, celebration or function in the Launceston municipality. If an event is to be held in a City of Launceston Park, Mall or Reserve then approval is sought from the Asset Manager through the Event Notification process.

Under Part 5 of the *Public Health Act 1997*, a Place of Assembly Licence is required if a public event is likely to attract 1,000 people or more, present for two hours or more. A public event as defined in the *Public Health Act 1997* includes, but is not limited to, any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance and publicly advertised lecture. The Council is responsible for assessing Place of Assembly Licence applications to help ensure public events do not pose a risk to the health and safety of the community.

The City of Launceston Event Strategy 2016-2019 provides the strategic framework for Launceston's event related activities. The event strategy provides scope for major and community events and festivals that take place annually, biannually, occasionally or once-off. It includes arts and cultural events, food and beverage, sporting and special interest events, community celebrations and civic commemorations as well as one-off major events that have a capacity to draw a substantial number of visitors to the city. The Event Strategy is due for review this year.

11.1.2 Councillor's Questions on Notice - Councillor T G Walker - Council Meeting - 20 December 2018**FILE NO:** SF2375**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTION and RESPONSE:

The following question was asked by Alderman T G Walker at the Council Meeting of 20 December 2018 and a response has been provided by the Michael Stretton (General Manager).

Question:

1. *Over 50% of the Australian public are in favour of changing the date of Australia Day. What conversations has the City of Launceston had with the Aboriginal community in respect of this issue and would Council consider taking a position regarding changing the date of Australia Day?*

Response:

The Council has recognised Australia day on 26 January since the 1970s and at this stage has not adopted a formal position in respect to changing the date on which it recognises Australia Day. Accordingly, there have been no formal discussions between the Council and the community on this matter.

Given the political nature of this matter, it is suggested that a Notice of Motion would be required from a Councillor in order for the Council to formally consider its policy position and there is little doubt that the Council would welcome an open and inclusive discussion on this important matter.

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

12 COMMITTEE REPORTS**12.1 Launceston Access Advisory Committee Report - 17 December 2018****FILE NO:** SF0025**AUTHOR:** Sarah McCormack (Community Development Project Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Launceston Access Advisory Committee.

RECOMMENDATION:

That Council receives the report from the Launceston Access Advisory Committee Meeting held on 17 December 2018.

REPORT:

The Launceston Access Advisory Committee held its regular Meeting on 17 December 2018.

The Committee was updated on the following:

- Jane Wing, Strategy and Engagement Business Partner from Life Without Barriers met with Council staff to discuss their Changing Places in Tasmania campaign and the future direction of the organisation.
 - Committee members attended a City of Launceston Tourism Department Workshop, Launceston Place DNA, facilitated by Destination Think!
 - City of Launceston promoted National Disability Day on 3 December 2018 via social media.
 - Council is working on a traffic signal consultation project.
 - The Committee was given the opportunity to provide feedback on access related developments for the St Leonards Growth Plan. The St Leonards Growth Plan will be presented to Council for consideration in 2019 following community engagement.
 - A new Planning Scheme is in draft stage and will be presented to Council early 2019 and will be made available for community comment.
 - Riverbend Park is the current major project for Council. The Civic Square, Brisbane Street Mall and Quadrant Mall major projects have been completed. The next focus for the CBD is St John Street relating to public transport and infrastructure.
-

**12.1 Launceston Access Advisory Committee Report - 17 December 2018
...(Cont'd)**

- The National Disability Insurance Scheme is rolling out a new improved Mental Health Pathways Program for people with severe and persistent mental health issues. This includes improved access and support in the National Disability Insurance Scheme.
- There is a lack of Auslan interpreters in Northern Tasmania. Local training to build the pool of interpreters in Launceston is not yet available. Expression Australia has courses for people to learn basic Auslan in their Launceston Cameron Street office.
- The City of Launceston Access Plan is being renewed in 2019. There are no legislative requirements to have a disability access plan, however, an appropriate guide is the Tasmanian Disability Framework. The Access Committee will be consulted about the developing plan.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 3 - A city in touch with its region

Ten-year goal - To ensure Launceston is accessible and connected, through efficient transport and digital networks

Key Direction -

2. To improve and maintain accessibility within the City of Launceston area, including its rural areas.

Priority Area 4 - A diverse and welcoming City of Launceston

Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities

Key Direction -

5. To offer equitable access to services and facilities, including the design of public spaces that are accessible and suited to all abilities.
-

**12.1 Launceston Access Advisory Committee Report - 17 December 2018
...(Cont'd)**

Greater Launceston Plan Direction

To develop a socially inclusive Launceston where people feel valued, their differences are respected and their basic needs are met so they can live with dignity.

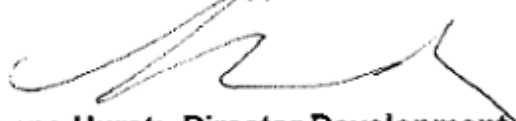
BUDGET & FINANCIAL ASPECTS:

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

No Council Workshops have been conducted since the last Council Meeting

14 NOTICES OF MOTION

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

14.1 Notice of Motion - Councillor T G Walker - Australia Day Acknowledgement

FILE NO: SF5547

AUTHOR: Leanne Purchase (Acting Manager Corporate Strategy)

GENERAL MANAGER: Michael Stretton (General Manager)

DECISION STATEMENT:

To consider withdrawing City of Launceston support for events and ceremonies that celebrate Australia Day on 26 January each year, and to lobby Federal Government for an alternative date.

PREVIOUS COUNCIL CONSIDERATION:

Council - 26 June 2017 - Agenda Item 21.1 - Lord Mayor Correspondence Seeking Australia Day Date Change

RECOMMENDATION:

That Council, following the conclusion of Australia Day on 26 January 2019, with reference to the fact Australia Day is currently a nationally gazetted day that is not inclusive of all people in our local community, will no longer officially celebrate Australia Day on this day each year, other than how it is legally bound to do so by the Federal Government, but will, until such time that an alternative date is secured:

1. consult with the Tasmanian Aboriginal community about the appropriateness of any events held on January 26;
 2. remove references to January 26 as Australia Day by replacing, relocating and renaming awards, and no longer sponsoring or organising events under that name on that date; and
 3. write to, and regularly lobby, the Federal Government to change the date for Australia's national day to one acceptable to the whole community.
-
-

**14.1 Notice of Motion - Councillor T G Walker - Australia Day Acknowledgement
...(Cont'd)**

REPORT:

Accepting that the timing of this Notice of Motion will not enable any action prior to the 2019 Australia Day on 26 January, I seek the support of the Council in agreeing to change its current policy position of recognising Australia day on the 26 January.

It is my personal opinion that the Council should cease organising or sponsoring any future non-inclusive, celebratory Australia Day events held upon, or around January 26, an anniversary associated with the colonisation of Aboriginal land, the beginning of attempted genocide, and the continued cultural genocide of Aboriginal Australia. Accordingly, I would seek for the Council to remove or rescind any council policies, awards, references to, and ceremonies associated with January 26 as Australia Day, unless legally bound by the Federal Government to do so, and to replace such awards and events with locally inclusive alternatives.

Further, I believe the Council must lobby the federal government at every opportunity to change the date of Australia Day, and to no longer require the holding of Citizenship Ceremonies on January 26.

OFFICER COMMENT:

Michael Stretton (General Manager)

The City of Launceston has recognised Australia day on 26 January since the 1970s and at this stage has not adopted a formal position in respect to changing the date on which it recognises Australia Day.

The Notice of Motion is calling for the Council to make a significant policy change in respect to the manner in which it recognises Australia day and it is suggested that the Council should not consider such a change in the absence of an informed discussion and community engagement on the matter.

It should be noted that the Australian Government has been reviewing the Australian Citizenship Ceremonies Code for some time and a series of proposed amendments are currently undergoing consultation through until the end of February. One of the proposed changes is for Local Government Councils to be required to hold a citizenship ceremony on Australia Day (26 January) and Australian Citizenship Day (17 September). Obviously, such a change would have an implication for the motion being considered.

It is respectfully suggested that if the Council has an appetite to review its Australia Day Policy, that this should occur after an informed discussion and engagement has been carried out between the Council and the community. It may also be prudent to await the final version of the Australian Citizenship Ceremonies Code in order for a more informed decision to be made.

**14.1 Notice of Motion - Councillor T G Walker - Australia Day Acknowledgement
...(Cont'd)**

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 4 - A diverse and welcoming City of Launceston
Ten-year goal - To offer access to services and spaces for all community members and to work in partnership with others to address the needs of vulnerable and diverse communities
Key Direction -
4. To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community

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. Notice of Motion - Councillor T G Walker - Australia Day Acknowledgement
-

Attachment 1 - Notice of Motion - Councillor T G Walker - Australia Day Acknowledgement

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF0412 / 5547
TW/EG
DATE: 15 January 2019

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

FROM: Tim Walker Councillor

SUBJECT: Notice of Motion - Australia Day Acknowledgment

In accordance with Clause 16 (5) of the *Local Government (Meeting Procedures) Regulations 2015* please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 24 January 2019.

Motion

Following the conclusion of Australia Day on 26 January 2019, with reference to the fact Australia Day is currently a nationally gazetted day that is not inclusive of all people in our local community, the City of Launceston will no longer officially celebrate Australia Day on this day each year, other than how it is legally bound to do so by the federal government, but will, until such time that an alternative date is secured;

1. Consult with the Tasmanian Aboriginal community about the appropriateness of any events held on January 26;
2. Remove references to January 26 as Australia Day by replacing, relocating and renaming awards, and no longer sponsoring or organising events under that name on that date; and
3. Write to, and regularly lobby, the federal government to change the date for Australia's national day to one acceptable to the whole community.

Background

Accepting that the timing of this Notice of Motion will not enable any action prior to the 2019 Australia Day on 26 January, I seek the support of the Council in agreeing to change its current policy position of recognizing Australia day on the 26 January.

It is my personal opinion that the Council should cease organising or sponsoring any future non-inclusive, celebratory Australia Day events held upon, or around January 26, an anniversary associated with the colonisation of Aboriginal land, the beginning of attempted genocide, and the continued cultural genocide of Aboriginal Australia. Accordingly, I would seek for the Council to remove or rescind any council policies, awards, references to, and ceremonies associated with January 26 as Australia Day, unless legally bound by the Federal Government to do so, and to replace such awards and events with locally inclusive alternatives.

CITY OF LAUNCESTON

MEMORANDUM

Further, I believe the Council must lobby the federal government at every opportunity to change the date of Australia Day, and to no longer require the holding of Citizenship Ceremonies on January 26.

Attachments
N/A



Councillor Tim Walker

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 61 Belgrave Parade, Youngtown - Petition to Amend Sealed Plan****FILE NO:** 55510**AUTHOR:** Abby Osborne (Statutory Services Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider appointing a Committee to conduct a hearing in relation to a Petition to Amend Sealed Plan.

RECOMMENDATION:

That Council appoints a Council Committee of four Councillors under section 104(2) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and section 23 of the *Local Government Act 1993* to conduct a hearing in relation to a Petition to Amend a Sealed Plan (143829) for 61 Belgrave Parade, Youngtown.

REPORT:

Council has received a request from Sproal & Associates on behalf of Casey Ann Atherton to Amend Sealed Plan 143829 under section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

The petition seeks to amend covenant 10 in the Schedule of Easements to allow Lot 5 to further subdivide or strata title. A planning application has not been lodged for the development of this property.

Two representations asking to be heard have been received against the petition to amend the covenant.

Persons, together with the petitioners, have the right to be heard in front of a Council Committee. After all issues have been heard, the Committee makes a decision to support the petition, provide conditioned approval or refuse the petition.

Further information regarding dates and the process will be provided to the Committee.

ECONOMIC IMPACT:

Not considered relevant to this report.

15.1 61 Belgrave Parade, Youngtown - Petition to Amend Sealed Plan ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 6 - A city building its future

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

Key Direction -

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

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. Petition to Amend Sealed Plan 143829 (distributed electronically)
 2. Certificate of Title (Folio Text, Folio Plan, Schedule of Easements) (distributed electronically)
 3. Sections 103, 104 and 105 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (distributed electronically)
-

15.2 Event Sponsorship Policy Review**FILE NO:** SF0984**AUTHOR:** Cherie Holmes (Grants and Sponsorship Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider proposed changes to the Event Sponsorship Policy.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 December 2018 - Event Sponsorship Policy - Review (05-PI-012)

Council - 24 April 2017 - Agenda Item 15.1 - Event Sponsorship Policy Update (05-PI-012)

Council - 28 November 2016 - Agenda Item 15.1 - Event Sponsorship Policy (05-PI-012)

RECOMMENDATION:

1. That Council approves the revised Event Sponsorship Policy 05-PI-012.

Event Sponsorship Policy

PURPOSE

The purpose of the Event Sponsorship Policy is to provide a framework to support events that will deliver community, social, cultural, tourism and economic benefits to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

SCOPE

Applies to applications seeking funding assistance for events held within the Launceston municipality or that demonstrate substantial benefit to Launceston and the region.

POLICY**Funding Overview**

Applications for event sponsorship for the following categories will be assessed under this policy against the relevant assessment criteria.

15.2 Event Sponsorship Policy Review ...(Cont'd)

General Event Sponsorship ProgramSmall Events - up to \$5,000

Funding will be provided to small community events held in the Launceston municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our City. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.

To encourage applications for new events that have not been held before, additional bonus points will be provided during the application assessment process.

Council will allocate an annual amount in the budget specifically for Small Event Sponsorship.

Links to Event Strategy - Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Major Events - \$5,001 - \$20,000

Funding will be provided to major events held in the Launceston municipality, where local, intrastate, interstate and international attendees are the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our City. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

To encourage applications for new events that have not been held before, additional bonus points will be provided during the application assessment process.

There will be two levels of funding available:

Level 1 - up to \$12,500

Would typically be for an event held in the Launceston municipality attracting audiences from local and intrastate areas.

Level 2 - up to \$20,000

Would typically be for an event held in the Launceston municipality attracting larger audiences, from local, intrastate, interstate and/or from overseas.

Council will allocate an annual amount in the budget specifically for Major Event Sponsorship.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Signature Event Sponsorship Program

Funding will be provided to support established annual events (small and major) that deliver a uniquely memorable experience in the Launceston municipality. Events will deliver an inclusive experience, encouraging community participation, creativity and will foster pride and positivity in our City. The Major Signature Events will in addition deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. Major Events will also operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

On a tri-annual basis the City of Launceston will identify established annual events that will be eligible for three years of continuous funding support. Up to four of these will be small events. Events must deliver a unique and memorable experience for the City of Launceston, have received a minimum of three years continuous funding support as a City of Launceston Sponsored Event and continue to deliver Event Strategy outcomes to a high standard.

Council will pre-commit a three year funding allocation specifically for Signature Events. Annual reporting (detailed in the funding agreement) is required prior to release of funds for the following year's event.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

New Year's Eve Event Sponsorship Program

The New Year's Eve Event Sponsorship Program provides support to the primary New Year's Eve event to be held in the Launceston municipality. The event will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our City. As a major community event, it may also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

The City of Launceston on a triennial basis will commit to three years of continuous funding to the primary New Year's Eve event. Annual reporting (detailed in the funding agreement) is required prior to release of funds for the following year's event.

Council will allocate an annual amount in the budget specifically for New Year's Eve Event Sponsorship.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Special Event Sponsorship Program - up to \$30,000

A 'Special Event' is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate areas. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our City. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council will allocate an annual amount in the budget specifically for Special Event Sponsorship.

Applicants will be able to apply for up to \$30,000 in the Special Event Sponsorship Program.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage).

Funding Rounds

General Event Sponsorship

There will be two funding rounds per financial year and the timeframe for applications to be considered is as follows:

Round	Applications Open	Applications Close	Applications Assessed	Council Decision
Round 1 (events 1 August - 31 December)	1 February	15 March	April	May
Round 2 (events 1 January - 31 July)	1 May	15 June	July	September

For General Event Sponsorship, round one covers a five month period and will be allocated 40% of the annual budget; this allocation will be pre-committed by Council. Round two covers a seven month period and will be allocated 60% of the annual budget. Where programs are over or under-subscribed in any round, the Assessment Panel may make a recommendation to Council to adjust budget allocation between programs.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Signature Event Sponsorship Program

On a triennial basis (this commenced in the 2017/2018 financial year) the City of Launceston will identify established small and major annual events that will be eligible for three years of funding support. Event organisers will be required to submit an application to support their funding request, up to an amount to be determined by a decision of Council. Applications will open on a triennial basis and the timeframe for funding applications to be considered is as follows:

Applications Open	Applications Close	Applications Assessed	Council Decision
1 February	15 March	April	May

For Signature Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.

New Year's Eve Event Sponsorship Program

The City of Launceston on a triennial basis (this commenced in the 2017/2018 financial year) will open an expression of interest process and the timeline will be as follows:

Applications Open	Applications Close	Applications Assessed	Council Decision
1 February	15 March	April	May

For New Year's Eve Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.

Special Event Sponsorship

Expressions of interest can be made for Special Event funding for up to \$30,000 and will be ongoing until the budget allocation has been exhausted within that given financial year. Expressions of interest for Special Event funding will generally be considered by Council within six weeks of receipt of a formal application.

Requests for funding greater than \$30,000 or that fall outside of sponsorship guidelines may be considered separately by Council.

Funding Assessment

Assessment of all eligible applications will be made by the City of Launceston Event Sponsorship Assessment Panel and will operate under a Council endorsed Terms of Reference.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Funding decisions will be made by the Council, following recommendations made by the Panel. Funding endorsement will be subject to the budget available.

Funding Agreement

Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.

It will be normal practice that 20% of the endorsed funding will be withheld until the funding conditions and reporting requirements have been met.

The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.

Funding Limitations

No funding will be granted to an event that has started or completed prior to the application being assessed.

An event under this Policy will only be eligible to receive funding from one City of Launceston Event Sponsorship program per financial year. The event will also be ineligible to receive funding support from any other City of Launceston funding program (eg. Community Grant).

PRINCIPLES

Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES

05-Rfx-018 Small Event Sponsorship Guidelines
05-Rfx-019 Major Event Sponsorship Guidelines
05-Rfx-020 Signature Event Sponsorship Guidelines
05-Rfx-021 New Year's Eve Event Sponsorship Guidelines
05-Rfx-022 Start-up Event Sponsorship Guidelines
05-Rfx-023 Special Event Sponsorship Guidelines

RELATED LEGISLATION

N/A

REFERENCES

N/A

15.2 Event Sponsorship Policy Review ...(Cont'd)

REVIEW

The policy will be reviewed in line with the City of Launceston Events Strategy or more frequently if dictated by operational demands and with Council's approval.

REPORT:**Event Sponsorship Policy**

This policy was last reviewed in 2016 with significant changes being made. Another minor update was made in 2017. Now that the policy has been in operation for more than a full budget cycle, there has been opportunity to review how effective the new format has been, both in terms of administration and achieving the desired outcomes.

The review has focused on ensuring the program aligns with the intent of the policy (extract below).

The purpose of the Event Sponsorship Policy is to provide a framework to support events that will deliver community, social, cultural, tourism and economic benefits to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Considering the purpose above, the following proposed changes were presented to Councillors at a Workshop on the 13 December 2018. The revised policy reflects the conversation at this meeting. The main changes to the Policy are discussed below.

1. Recommended Policy Change**General Event Sponsorship Program****Small Events - up to \$5,000***Current Policy Wording*

Funding will be provided to small community events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They may also commemorate or celebrate a significant occasion. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.

15.2 Event Sponsorship Policy Review ...(Cont'd)

The City of Launceston will pre-commit a three year funding allocation commencing 2017/2018 to fund a maximum of four events that celebrate or commemorate a specific tradition in an annual calendar. Annual reporting on event outcomes, budget, and the next year's plan is required prior to release of funds for the following year's event.

Recommended Policy Change

The removal of reference to events that commemorate or celebrate a significant occasion. Also the transfer of triennial funding of up to four small events to the Signature Event Program (see comments in Signature Event Sponsorship 3. Recommended Policy Change below).

Discussion

- The category of events that celebrate or commemorate a specific tradition in an annual calendar would be discontinued.
- This ensures the events that are eligible to receive triennial funding do so entirely on merit.
- Triennial funding of up to four small events will instead be incorporated into the Signature Event Sponsorship Program (see comments regarding Signature Event Sponsorship below in 3. Recommended Policy Change).
- These changes streamline and simplify the Small Event Sponsorship Program and consolidates all triennial funding into one program and budget line.

Recommended Policy Wording

Funding will be provided to small community events held in the Launceston municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our City. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.

2. Recommended Policy Change

Start-up Event Sponsorship Program

Current Policy Wording

Funding is provided to encourage new annual events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will have a vision to develop and grow into a major event delivering tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council will allocate an annual amount in the budget specifically for Start-up Event Sponsorship, separate from and in addition to the other event sponsorship programs.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Recommended Policy Change

The Start-up Event Program be discontinued. The Start-up Event Program be replaced by the provision of bonus points for all new events during the application assessment process.

Discussion

- This program has not been well patronised.
- \$5,000 is the most funding that can be applied for in this program. With \$5,000 being the most an event can apply for, the program does not assist new events that are eligible to apply for funding in the Major Event Sponsorship Program.
- A more equitable option would be to provide bonus points for all applications for new events (in both small and major programs) during the application assessment process. This will ensure new events are not disadvantaged when competing with other events with a proven track record.
- The removal of this category simplifies the overall Event Sponsorship Program and the bonus point option will provide additional support to all new events.

Recommended Policy Wording

Remove the Start-up Event category from the policy and replace with the following clause in the Small and Major Event categories.

Small Events - up to \$5,000

To encourage applications for new events that have not been held before, additional bonus points will be provided during the application assessment process.

Major Events - \$5,001 - \$20,000

To encourage applications for new events that have not been held before, additional bonus points will be provided during the application assessment process.

3. Recommended Policy Change**Signature Event Sponsorship***Current Policy Wording*

Funding will be provided to support established major annual events that deliver a uniquely memorable experience in the Launceston Municipality. Events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. They will operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

15.2 Event Sponsorship Policy Review ...(Cont'd)

The City of Launceston on a tri-annual basis will identify established major annual events that will be eligible for three years of continuous funding support. Events must deliver a unique experience to Launceston, have received a minimum of three years continuous funding support as a City of Launceston Signature Event or Level 2 Major Event recipient and the event continues to deliver Event Strategy outcomes.

Council will pre-commit a three year funding allocation commencing 2017/2018 specifically for Signature Events. Annual reporting on event outcomes, budget, and the next year's business and marketing plans are required prior to release of funds for the following year's event.

Recommended Policy Change

Enabling Major Events (level 1) to be eligible for Signature Event Funding and the transfer of triennial funding of up to four Small Events from the Small Events Program into the Signature Events Program.

Discussion

- This change incorporates the triennial funding of up to four small events (that was part of the Small Events Program) therefore consolidating the triennial funding of events into one program and one budget line. (See comments regarding Small Events in 1. Recommended Policy Change above).
- The proposed change would allow both Major Events (level 2) and Major Events (level 1) to be eligible for triennial Signature Event funding, enabling the program to be more equitable.
- As Signature Events are selected by invitation and the resulting applications are assessed within the level of funding that they have applied for, level 1 applications will not be directly competing with level 2 applications.

Recommended Policy Wording

Funding will be provided to support established annual events (small and major) that deliver a uniquely memorable experience in the Launceston municipality. Events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our City. The major signature events will in addition deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. Major events will also operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

On a tri-annual basis the City of Launceston will identify established annual events that will be eligible for three years of continuous funding support. Up to four of these will be small events. Events must deliver a unique and memorable experience for the City of Launceston, have received a minimum of three years continuous funding support as a City of Launceston Sponsored Event and continue to deliver Event Strategy outcomes to a high standard.

15.2 Event Sponsorship Policy Review ...(Cont'd)

Council will pre-commit a three year funding allocation specifically for Signature Events. Annual reporting (detailed in the funding agreement) is required prior to release of funds for the following year's event.

4. Recommended Policy Change**Funding Agreement***Current Policy Wording*

Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.

The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.

Recommend Policy Change

The addition of the following wording to the policy, "it will be normal practice that 20% of the endorsed funding will be withheld until the funding conditions and reporting requirements have been met."

Discussion

- Withholding 20% of the endorsed funding will provide an incentive for event organisers to be self-sufficient in meeting funding conditions and reporting requirements. This will reduce Council resources currently needed to ensure compliance.

Recommended Policy Wording

Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.

It will be normal practice that 20% of the endorsed funding will be withheld until the funding conditions and reporting requirements have been met.

The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.

Commencement of this policy

It is recommended that this policy commences on 1 February 2019 (in line with the first funding round for Small and Major Event Sponsorship 2019/2020) with the understanding that changes to the Signature Event Program will commence late in 2019 when invitations are issued for triennial funding for Signature Events for the period 2020/2021 - 2022/2023.

ECONOMIC IMPACT:

Consideration contained in this report.

15.2 Event Sponsorship Policy Review ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Consideration contained in this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

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

Key Direction -

6. To contribute towards artistic, cultural and heritage outcomes

Priority Area 2 - A city where people choose to live

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

Key Directions -

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

6. To promote active and healthy lifestyles

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

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

Key Directions -

3. To promote tourism and a quality Launceston tourism offering

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

City of Launceston Event Strategy 2016-2019

Goal 1: Maximise the economic, tourism and profile benefits achievable from events.

Goal 2: Community, social and lifestyle outcomes

Goal 3: Maximising the promotion, usage of and financial return of City of Launceston owned and managed facilities and infrastructure as event venues.

BUDGET & FINANCIAL ASPECTS:

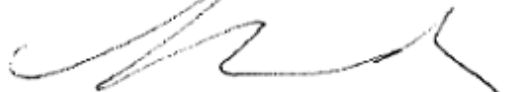
Not considered relevant to this report.

15.2 Event Sponsorship Policy Review ...(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. Current Event Sponsorship Policy
-

Attachment 1 - Current Event Sponsorship Policy

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Event Sponsorship Policy

PURPOSE

The purpose of the Event Sponsorship Policy is to provide a framework to support events that will deliver community, social, cultural, tourism and economic benefits to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

SCOPE

Applies to applications seeking funding assistance for events held within the Launceston Municipality or that demonstrate substantial benefit to Launceston and the region.

POLICY

Funding Overview

Applications for event sponsorship for the following categories will be assessed under this policy against the relevant assessment criteria.

General Event Sponsorship Program

Small Events - up to \$5,000

Funding will be provided to small community events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They may also commemorate or celebrate a significant occasion. Small community events will support a diverse major events calendar and will contribute to making Launceston a desirable place to live, work and invest.

The City of Launceston will pre-commit a three (3) year funding allocation commencing 2017/2018 to fund a maximum of four (4) events that celebrate or commemorate a specific tradition in an annual calendar. Annual reporting on event outcomes, budget, and the next year's plan is required prior to release of funds for the following year's event.

Council will allocate an annual amount in the budget specifically for Small Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Major Events - \$5,001 - \$20,000

Funding will be provided to major events held in the Launceston Municipality, where local, intrastate, interstate and international attendees are the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Funding will be available under two levels.

Level 1 - up to \$12,500

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

Level 2 - up to \$20,000

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

Council will allocate an annual amount in the budget specifically for General Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Signature Event Sponsorship Program

Funding will be provided to support established major annual events that deliver a uniquely memorable experience in the Launceston Municipality. Events will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. They will also deliver significant tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest. They will operate under multi-year strategic and marketing plans and epitomise best practice in event delivery.

The City of Launceston on a triennial basis will identify established major annual events that will be eligible for three (3) years of continuous funding support. Events must deliver a unique experience to Launceston, have received a minimum of three (3) years continuous funding support as a City of Launceston Signature Event or Level two (2) Major Event recipient and the event continues to deliver Event Strategy outcomes.

Council will pre-commit a three (3) year funding allocation commencing 2017/2018 specifically for Signature Events. Annual reporting on event outcomes, budget, and the next year's business and marketing plans are required prior to release of funds for the following year's event.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

New Year's Eve Event Sponsorship Program

The New Year's Eve Event Sponsorship Program provides support to the primary New Year's Eve event to be held in the Launceston municipality. The event will deliver an inclusive experience, encouraging community participation, creativity, and will foster pride and positivity in our city. As a major community event, it may also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

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The City of Launceston on a triennial basis will commit to three (3) years of continuous funding to the primary New Year's Eve event, commencing 2017/2018. Annual reporting on event outcomes, budget, and the next year's business and marketing plans are required prior to release of funds for the following year's event.

Council will allocate an annual amount in the budget specifically for New Year's Eve Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Start-up Event Sponsorship Program

Funding is provided to encourage new annual events held in the Launceston Municipality where the local community is the main audience. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will have a vision to develop and grow into a major event delivering tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council will allocate an annual amount in the budget specifically for Start-up Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Links to Event Strategy - Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Special Event Sponsorship Program - up to \$30,000

A 'Special Event' is defined as an irregular or one-off event that has the ability to attract significant attendees from local, state and interstate areas. These events will deliver an inclusive experience, encouraging community participation, creativity, and fostering pride and positivity in our city. They will also deliver tourism and economic returns to the Launceston community, building our profile and reputation as a great place to live, visit and invest.

Council will allocate an annual amount in the budget specifically for Special Event Sponsorship, separate from and in addition to the other event sponsorship programs.

Applicants will be able to apply for up to \$30,000 in the Special Event Sponsorship Program.

Links to Event Strategy - Goal 1 (Economic, Tourism and Profile), Goal 2 (Community, social and lifestyle) and Goal 3 (Asset Usage)

Funding Rounds

General Event Sponsorship and Start up Event Sponsorship

There will be two funding rounds per financial year and the timeframe for applications to be considered is as follows:

Round	Applications Open	Applications Close	Applications Assessed	Council Decision
Round 1 (events 1 August - 31 December)	1 February	15 March	April	May
Round 2 (events 1 January - 31 July)	1 May	15 June	July	September

For General Event Sponsorship and Start up Event Sponsorship, round one covers a five month period and will be allocated 40% of the annual budget; this allocation will be pre-committed by Council. Round two covers a seven month period and will be allocated 60% of the annual budget. Where Programs are over - or under-subscribed in any round, the Assessment Panel may make a recommendation to Council to adjust budget allocation between programs.

Signature Event Sponsorship Program

The City of Launceston on a triennial basis will identify established major annual events that will be eligible for three (3) years of funding support. Event organisers will be required to submit an application to support their funding request, up to an amount to be determined by a decision of Council. Applications will open on a triennial basis and the timeframe for funding applications to be considered is as follows:

Applications Open	Applications Close	Applications Assessed	Council Decision
1 February	15 March	April	May

For Signature Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.

New Year's Eve Event Sponsorship Program

The City of Launceston on a triennial basis will open an expression of interest process and the timeline will be as follows:

Applications Open	Applications Close	Applications Assessed	Council Decision
1 February	15 March	April	May

For New Year's Eve Event Sponsorship, the Council decision will incorporate a pre-commitment of funds by Council.

Special Event Sponsorship

Expressions of interests can be made for Special Event funding for up to \$30,000 and will be ongoing until the budget allocation has been exhausted within that given financial year.

Expressions of interest for Special Event funding will generally be considered by Council within 6 weeks of receipt of a formal application.

Requests for funding greater than \$30,000 or that fall outside of sponsorship guidelines may be considered separately by Council.

Funding Assessment

Assessment of all eligible applications will be made by the City of Launceston Event Sponsorship Assessment Panel and will operate under a Council endorsed Terms of Reference.

Funding decisions will be made by the Council, following recommendations made by the Panel. Funding endorsement will be subject to the budget available.

Funding Agreement

Successful applicants will be required to sign a funding agreement which will detail the conditions and reporting requirements specific to the funding level.

The City of Launceston reserves the right to reconsider any funding decision if any variation is made to an event after funding is endorsed.

Funding Limitations

No funding will be granted to an event that has started or completed prior to the application being assessed.

An event under this Policy will only be eligible to receive funding from one City of Launceston Event Sponsorship program per financial year. The event will also be ineligible to receive funding support from any other City of Launceston funding program (e.g. Community Grant).

PRINCIPLES

Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES

[REDUNDANT - 06/03/2017 - 05-PI-011 Individual/Team/Group Grants Policy](#)

[05-PI-010 Community Grants \(Organisations\) Policy](#)

[05-PI-006 Community Member Recognition and Civic Functions Policy](#)

[05-PI-001 Mayoral Community Assistance Policy](#)

[17-HLPr-002 Mayoral Communication Flowchart](#)

[05-Rfx-019 Major Event Sponsorship Guidelines](#)

[05-Rfx-020 Signature Event Sponsorship Guidelines](#)

[05-Rfx-021 New Year's Eve Event Sponsorship Guidelines](#)

[DRAFT 05-Rfx-018 Small Event Sponsorship Guidelines](#)

[05-Rfx-022 Start-up Event Sponsorship Guidelines](#)

[05-Rfx-023 Special Event Sponsorship Guidelines](#)

RELATED LEGISLATION

N/A

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REFERENCES

N/A

DEFINITIONS

N/A

REVIEW

This policy will be reviewed in line with the City of Launceston Events Strategy or more frequently if dictated by operational demands and with Council's approval.

15.3 Delegation From Council to General Manager - *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)***FILE NO:** SF2399/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the delegation from Council to General Manager of particular powers and functions under the *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)*.

RECOMMENDATION:

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, delegates the functions and powers under the following sections of the *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)* to the holder of the position of General Manager: Section 89.
 2. pursuant to section 64(b) of the *Local Government Act 1993 (Tas)*, authorises the holder of the position of General Manager to delegate the powers and functions described at 1. to an employee or employees of the Council.
 3. notes that the delegations at 1. will be effected by an instrument of delegation from Council to General Manager, that will be executed by the Mayor to comply with the requirement of section 22(1) of the *Local Government Act 1993 (Tas)* that delegations are to be in writing.
-

REPORT:

Section 89 of the *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)* (the Act) relates to the approval of final plans of a subdivision. Specifically, if Council is satisfied that a plan complies with Part 3 of the Act, it is required to cause its seal to be affixed to the plan and cause the plan to be lodged with the Recorder of Titles. The section also covers situations in which Council declines to affix its seal to the final plan because the plan does not comply with Part 3 of the Act.

15.3 Delegation From Council to General Manager - *Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas) ... (Cont'd)*

Delegation of section 89 will streamline what is in essence the administrative task of whether to affix Council's seal to a final plan. The decision to approve a subdivision remains a separate task performed under the *Land Use Planning and Approvals Act 1993 (Tas)*.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goal - To ensure decisions are made in a transparent and accountable way and to continue to meet our statutory obligations and deliver quality services
Key Directions -
3. To ensure decisions are made on the basis of accurate and relevant information
4. To continually improve our service delivery and supporting 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

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 Launceston Flood Authority Annual Report 2017/2018****FILE NO:** SF4493**AUTHOR:** Shane Eberhardt (Director Infrastructure Services)**GENERAL MANAGER:** Michael Stretton (General Manager)

DECISION STATEMENT:

To adopt the Launceston Flood Authority Annual Report for the 2017/2018 financial year.

RECOMMENDATION:

That Council adopts the Launceston Flood Authority Annual Report for the year ended 30 June 2018.

REPORT:

The Launceston Flood Authority (LFA) Annual Report for the year ended 30 June 2018 (Attachment 1) has been publicly provided by its inclusion on the City of Launceston's website - www.launceston.tas.gov.au. The LFA Board adopted the report out of session in December 2018.

The Annual Report provides an overview of the Launceston Flood Authority's operational and financial performance for the 2017/2018 financial year.

ECONOMIC IMPACT:

The economic impact of the work of the Launceston Flood Authority is discussed in the Annual Report.

ENVIRONMENTAL IMPACT:

The environmental impact of the work of the Launceston Flood Authority is discussed in the Annual Report.

SOCIAL IMPACT:

Not considered relevant to this report.

18.1 Launceston Flood Authority Annual Report 2017/2018 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 8 - A secure, accountable and responsive Organisation

Ten-year goals - To ensure decisions are made in a transparent and accountable way

Key Direction -

3. To ensure decisions are made on the basis of accurate and relevant information

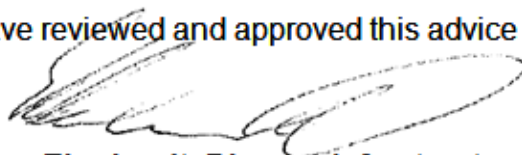
BUDGET & FINANCIAL ASPECTS:

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.



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Launceston Flood Authority Annual Report 2018 (distributed electronically)

18.2 Action in Respect of the Street Tree Advisory Group**FILE NO:** SF2233/SF4835/SF5726**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider disbanding the Street Tree Advisory Group.

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 January 2017 - Agenda Item 19.2 - Action in Respect of the Economic Development Committee and the Street Tree Advisory Group

RECOMMENDATION:

That Council:

1. disbands the Street Tree Advisory Group.
 2. notes that the resolution made in respect of recommendation 1 will be reflected in Council's Committee Representation Details document 14-HLPrx-012 and will be communicated to the Chairperson of the Committee by the Manager Corporate Strategy.
 3. notes the significant contribution that the members of the Street Tree Advisory Group Committee past and present have made to providing a coordinated, strategic approach to the planting of street trees in Launceston.
-

REPORT:

The Street Tree Advisory Committee, established in 2010, is a Special Committee of Council defined under section 24 of the *Local Government Act 1993* (Tas).

The Street Tree Advisory Committee was formed to guide the development and initial implementation of the Launceston Street Tree Strategy (ECM Doc ID: 2674838 - Attachment 1) during the first three years. The Street Tree Strategy provides significant direction for tree planting within the Launceston urban area.

The Council are planting in the order of 200 - 300 street trees a year, which is primarily an operational matter not requiring input from the Committee. The exception to this is there has been limited street tree plantings in our CBD; however, this will be integrated with the Launceston City Heart project, with greening the City included in the Terms of Reference for the Launceston City Heart Reference Group.

18.2 Action in Respect of the Street Tree Advisory Group ...(Cont'd)

A number of notable tree planting projects that have improved the visual amenity of the streetscape during the Committee's term include:

- Wellington Street from Brisbane Street to Howick Street
- The Avenue Brisbane Street to George Street - replacement of existing compromised street trees
- The Northern Outlet Stage 1
- Invermay Road Lindsay Street to Forster Street
- Charles Street various infill sites
- 242 Charles Street Café outdoor dining area
- Charles Street Aroma's Café outdoor dining area
- Corner of Tamar and William Streets
- William Street
- Henry Street
- Hobart Road, Munford Street to Quarantine Road

The recommendation is to disband the Street Tree Advisory Committee and acknowledge the significant contribution that the members past and present have made to providing a coordinated, strategic approach to the planting of street trees in Launceston.

ECONOMIC IMPACT:

Street trees add value to adjacent properties. Deciduous trees can reduce energy costs by cooling in summer through the shading of buildings but not increase winter heating costs as they allow winter sun to enter buildings.

ENVIRONMENTAL IMPACT:

The planting of trees can assist in moderating the effect of climate change. The shade lowers the local temperatures of hard surfaces and it reduces evaporation from soil.

SOCIAL IMPACT:

Developing and implementing a street tree strategy has a positive social impact by enhancing the streetscape and making the city a more enjoyable place to visit and live. Trees improve and enrich health and well-being. In the built environment, they are one of the main connections people have with nature.

18.2 Action in Respect of the Street Tree Advisory Group ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goals - To communicate and engage consistently and effectively with our community and stakeholders; to seek and champion collaboration to address major issues for Northern Tasmania; to ensure decisions are made in a transparent and accountable way; to continue to meet our statutory obligations and deliver quality services and to continue to ensure the long-term sustainability of our Organisation

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Launceston Street Tree Strategy 2012 (distributed electronically)
-

18.3 Action in Respect of the Heritage Forest Advisory Committee**FILE NO:** SF2233/SF6371/SF0830**AUTHOR:** Dannielle Denning (Parks Planner)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider disbanding the Heritage Forest Advisory Committee.

RECOMMENDATION:

That Council:

1. disbands the Heritage Forest Advisory Committee.
 2. if recommendation 1. is resolved in the affirmative, rescinds the Heritage Forest Advisory Committee Terms of Reference - 26-Rfx-013.
 3. notes that the resolution made in respect of recommendation 1 will be reflected in the Council's Committee Representation Details - 14-HLPr-012 and will be communicated to the Chair of the Committee by the Manager Corporate Strategy.
 4. notes the significant contribution that the members of the Heritage Forest Advisory Committee past and present have made to developing Heritage Forest and Churchill Park Sports Complex.
-

REPORT:

The Heritage Forest Advisory Committee, established in 1989, is a Special Committee of Council defined under section 24 of the *Local Government Act 1993* (Tas). The original purpose of the Committee was to assist in development plans for Heritage Forest following a Council decision in 1984 to revegetate the former landfill at the Mowbray swamp. A master plan was prepared in 2003 to guide development in the reserve. This master plan was recently reviewed with the report highlighting the major achievements (ECM Doc ID: 4486755 - Attachment 1).

As demonstrated in the review of the master plan, Heritage Forest is now well established, with little pressure to further develop beyond the Churchill Park Sports Complex and Lamont Street Depot sites. The Committee has achieved its goal and made a significant contribution to transforming an old landfill site into a well utilised reserve providing a range of recreational and social opportunities for the community. The reserve still has a number of issues to be resolved, for example watercourse management, however, these issues can be managed at an operational level.

18.3 Action in Respect of the Heritage Forest Advisory Committee ...(Cont'd)

At the Committee Meeting on 1 August 2018, the future direction of the Committee was discussed. Committee Members were asked if they supported disbanding the Committee via email on 18 September 2018. All members confirmed their support to disband the Committee either through email or telephone discussions.

The recommendation is therefore to disband the Heritage Forest Advisory Committee and acknowledge the significant contribution that the members past and present have made to developing Heritage Forest and Churchill Park Sports Complex.

ECONOMIC IMPACT:

The Committee has contributed to developing an important green space at Heritage Forest which provides a range of passive and active recreation activities and improving the liveability of the suburb. Churchill Park is also a regional sporting facility providing sporting infrastructure for residents from the City of Launceston and surrounding municipalities.

ENVIRONMENTAL IMPACT:

The Committee has contributed to successfully rehabilitating a landfill site that provides habitat for local native flora and fauna. More work is required to improve the management of the watercourses in the reserve. A native garden managed by volunteers has been established and showcases the use of growing Tasmanian natives in gardens, improving biodiversity outcomes in the municipality. The community garden promotes sustainable living and provides a place to share skills and knowledge in horticulture.

SOCIAL IMPACT:

In addition to providing green space for passive recreation, Heritage Forest provides a community asset for sport, fitness and community activities i.e. gardening, dog training, social gatherings and school excursions. The Committee has made a significant contribution to guiding development and attracting community involvement in the development of the reserve.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024

Priority Area 1 - A creative and innovative city

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

Key Direction -

3. To optimise the use and usability of our assets for different types of activities

18.3 Action in Respect of the Heritage Forest Advisory Committee ...(Cont'd)

Priority Area 5 - A city that values its environment

Ten-year goal - To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards

Key Directions -

1. To contribute to air and river quality in Launceston by liaising with the community, business and other stakeholders
5. To reduce our and the community's impact on the natural environment

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

ATTACHMENTS:

1. Heritage Forest Master Plan (distributed electronically)
-

18.4 Proposed Street Names - Tenzing Drive, Sherpa Court and Himalaya Court**FILE NO:** SF0621/DA0115/201117**AUTHOR:** Sonia Smith (Infrastructure Development Liaison)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

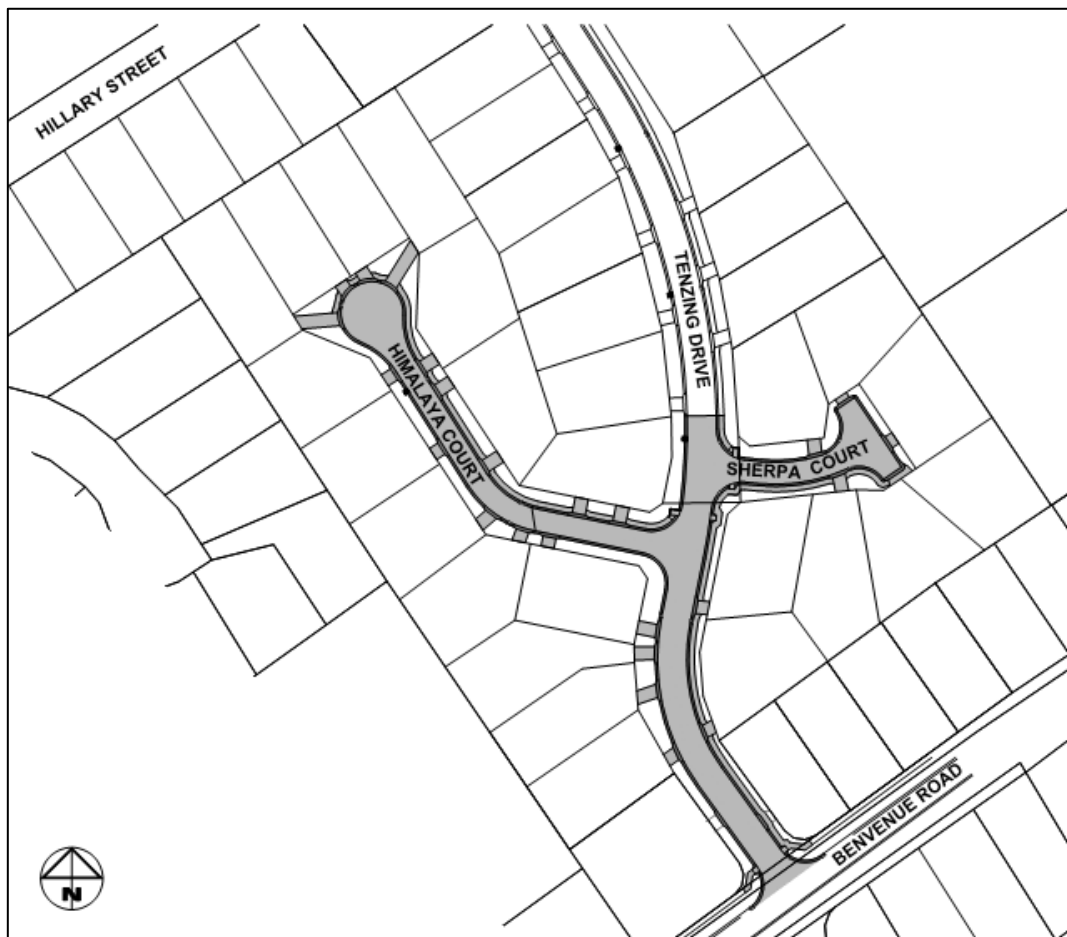
To consider two new street names for recently constructed cul de sacs off Tenzing Drive at St Leonards.

RECOMMENDATION:

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

1. the extension of the name Tenzing Drive south to the newly constructed intersection with Benvenue Road; and
 2. the name Sherpa Court for the cul de sac running east off Tenzing Drive between No. 25 Tenzing Drive and No. 29 Tenzing Drive; and
 3. the name Himalaya Court for the cul de sac running west off Tenzing Drive between No. 30 Tenzing Drive and No. 34 Tenzing Drive.
-

**18.4 Proposed Street Names - Tenzing Drive, Sherpa Court and Himalaya Court
...(Cont'd)**



REPORT:

The proposed names, Sherpa Court and Himalaya Court, continue the theme of street names associated with the expedition led by Sir Edmund Hillary to the top of Mt Everest.

The adjoining Councils have advised that the proposed names do not conflict with names within their municipalities and there are no instances of the names Sherpa or Himalaya, recorded on the State Government's Placenames website.

ECONOMIC IMPACT:

Not considered relevant to this report.

**18.4 Proposed Street Names - Tenzing Drive, Sherpa Court and Himalaya Court
...(Cont'd)**

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 3 - A city in touch with its region
Ten-year goal - To ensure Launceston is accessible and connected through efficient transport and digital networks
Key Direction -
2. To improve and maintain accessibility within the City of Launceston area, including its rural areas

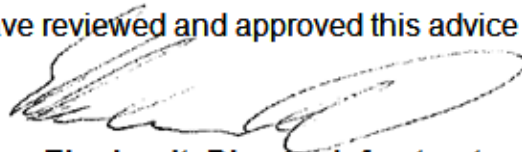
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt: Director Infrastructure Services

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

20 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items have been identified as part of this Agenda

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

Local Government (Meeting Procedures) Regulations 2015 - Regulation 15(1); Regulation 32(1)(c) and Regulation 34(1)(b)

No Closed Items have been identified as part of this Agenda

23 MEETING CLOSURE
