



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 1 OCTOBER 2020
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: 1 October 2020

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.



Louise Foster
Acting Chief Executive Officer

AUDIO of COUNCIL MEETINGS

An audio recording of this Council Meeting, except for any part held in Closed Session, will be made in accordance with our Council Meetings - Audio Recording Policy - 14-Plx-008.

This Council Meeting will be streamed live to:
www.launceston.tas.gov.au/Council/Meetings/Listen.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

To help keep you safe, a maximum of 20 members of the public are permitted to attend a Council Meeting. You must register your attendance in advance by telephoning 6323 3145 and leaving a message, or emailing us at invitation@launceston.tas.gov.au by 11.00am on the morning of the Council Meeting. A Council Officer will contact you to confirm the details of your attendance.

At the Council Meeting, please take care to follow signage and the directions of Council Officers to ensure that physical distancing and other COVID-19 safe behaviour is observed.

PUBLIC QUESTION TIME - AGENDA ITEM 8

Questions received in writing by close of business Wednesday of the week prior to the Council Meeting are treated as Questions on Notice. Your question and an answer will be published in the Agenda of the Council Meeting. Questions may be submitted to the Chief Executive Officer at contactus@launceston.tas.gov.au, PO Box 396, Launceston TAS 7250, or Town Hall, St John Street, Launceston.

If attending the Council Meeting in person, you may ask up to three questions during Public Question Time. If accepted, your questions will be either answered at the Meeting, or Taken on Notice and answered at a later Council Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

When you register to attend the Council Meeting, you will be asked if you wish to comment on an item in the Agenda. Prior to debate on that Agenda Item, you will be invited by the Chair to move to the public microphone at the doors to the Council Chambers and state your name and address.

Please note the following important information:

- Each item on the Agenda includes a Recommendation prepared by a Council Officer.
- You may speak for up to two minutes, either for or against the Recommendation.
- You may not ask questions or enter into debate with Councillors or Council Officers.
- Your statement is not to be defamatory, inappropriate or abusive, or be intended to embarrass any person, including Councillors or Council Officers.
- The Chair may direct you to stop speaking if you do not follow these rules, or if your statement repeats points that have already been made.
- Audio from our Council Meetings is streamed live via YouTube.

Your respectful contribution is welcome and appreciated.

LEGISLATIVE TERMINOLOGY - GENERAL MANAGER

At the City of Launceston, the positions of General Manager Community and Place, General Manager Organisational Services, General Manager Infrastructure and Assets and General Manager Creative Arts and Cultural Services do not assume the functions and powers of the term *general manager* in a legislative sense: any legislative functions and powers to be delegated to these roles will be made by Council or the Chief Executive Officer. At the City of Launceston, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*. For the avoidance of doubt, *Chief Executive Officer* means *General Manager* for the purposes of the *Local Government Act 1993 (Tas)* and all other legislation administered by or concerning Council.

27 August 2020

Mr Michael Stretton
Chief Executive Officer
City of Launceston
P O Box 396
LAUNCESTON TAS 7250

Dear Michael

COUNCIL MEETINGS

In accordance with regulation 4 of the *Local Government (Meeting Procedures) 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 the remainder of 2020:

3 September	17 September	1 October	15 October
29 October	12 November	26 November	10 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

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	MAYORAL ACKNOWLEDGEMENTS	1
3	DECLARATIONS OF INTEREST	1
4	CONFIRMATION OF MINUTES	1
5	DEPUTATIONS	1
	No Deputations have been identified as part of this Agenda	1
6	PETITIONS	1
	No Petitions have been identified as part of this Agenda	1
7	COMMUNITY REPORTS	2
	No Community Reports have been registered with Council as part of this Agenda	2
8	PUBLIC QUESTION TIME	2
8.1	Public Questions on Notice	2
8.1.1	Public Questions on Notice - Mr Jim Dickenson - 16 September 2020	3
8.2	Public Questions Without Notice	6
9	PLANNING AUTHORITY	7
9.1	1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots with Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road	7

City of Launceston

COUNCIL AGENDA

Thursday 1 October 2020

Item No	Item	Page No
9.2	65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling	45
10	ANNOUNCEMENTS BY THE MAYOR	71
10.1	Mayor's Announcements	71
11	COUNCILLORS' REPORTS	72
12	QUESTIONS BY COUNCILLORS	72
12.1	Questions on Notice	72
12.1.1	Councillors' Question on Notice - Councillor D C Gibson - Pavers in Civic Square - 22 September 2020	73
12.2	Questions Without Notice	75
13	COMMITTEE REPORTS	76
13.1	Pedestrian and Bike Committee Meeting - 10 September 2020	76
13.2	Tender Review Committee Meeting - 17 September 2020	78
14	COUNCIL WORKSHOPS	80
14.1	Council Workshop Report - 1 October 2020	80
15	NOTICES OF MOTION	83
15.1	Notice of Motion - Councillor D H McKenzie - City of Launceston Recognition - Richie Porte	83
16	COMMUNITY AND PLACE NETWORK ITEMS	88
	No Items have been identified as part of this Agenda	88
17	CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS	88
	No Items have been identified as part of this Agenda	88

City of Launceston

COUNCIL AGENDA

Thursday 1 October 2020

Item No	Item	Page No
18	INFRASTRUCTURE AND ASSETS NETWORK ITEMS	89
18.1	Proposed Street Name - Doyne Street, Invermay	89
18.2	Proposed Street Names - Fortune Drive, Garland Grove and Hadlow Court, Youngtown	92
18.3	Proposed Street Name - Bethel Street, Rocherlea	95
19	ORGANISATIONAL SERVICES NETWORK ITEMS	98
19.1	2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program	98
19.2	2020/2021 Budget - Budget Amendments	107
19.3	2020/2021 Budget - Chief Executive Officer's Report on Adjustments 1 July 2020 to 31 August 2020	111
19.4	Disposal of Interest in Land - 24 Raglan Street, Youngtown	114
20	CHIEF EXECUTIVE OFFICER NETWORK ITEMS	149
	No Items have been identified as part of this Agenda	149
21	CLOSED COUNCIL	149
21.1	Confirmation of the Minutes	149
21.2	Cityprom Review	149
21.3	End of Closed Session	149
22	MEETING CLOSURE	149

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 MAYORAL ACKNOWLEDGEMENTS

3 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.)

4 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 17 September 2020 be confirmed as a true and correct record.

5 DEPUTATIONS

No Deputations have been identified as part of this Agenda

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

7 COMMUNITY REPORTS

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

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

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 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.)

8.1.1 Public Questions on Notice - Mr Jim Dickenson - 16 September 2020

FILE NO: SF6381

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to Council on 16 September 2020 by Mr Jim Dickenson, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

Questions:

1. [With reference to the Verge Hotel] What contacts has Council made with the developer? When will the endorsed screening be installed?

Response:

In response to the question this matter has been raised with the developer and advice is being sought.

2. [With reference to 14-16 St Georges Square, East Launceston] This is still untidy and unacceptable. At the very least the temporary fencing should be removed from the footpath. Will Council require the fence to be repositioned onto the subject site?

Response:

The position of the temporary fencing will be investigated by the Infrastructure and Assets team and remediation sought if required.

3. [With reference to the Albert Hall] Has further work continued on the feasibility study? If so, when can preliminary concepts be publicly available?

Response:

Work on the Albert Hall Renewal Project is continuing and Council has engaged a project consultant to investigate ways to increase Albert Hall's usage and functionality. As part of the project, a public consultation period will be released to the community and stakeholders.

**8.1.1 Public Questions on Notice - Mr Jim Dickenson - 16 September 2020
...(Cont'd)**

ATTACHMENTS:

1. Public Questions on Notice - Mr Jim Dickenson - 16 September 2020
-

Attachment 1 - Public Questions on Notice - Mr Jim Dickenson - 16 September 2020

From: Jim Dickenson
Sent: Wednesday, 16 September 2020 11:45 AM
To: Contact Us <contactus@launceston.tas.gov.au>
Subject: Public Questions on Notice. 16. 09. 2020

Chief Executive Officer
City of Launceston

I refer back to the Public Questions Without Notice, Council Meeting 28 May 2020.

8.2.1 What contacts has Council made with the developer? When will the endorsed screening be installed?

8.2.2 This is still untidy and unacceptable. At the very least the temporary fencing should be removed from the footpath. Will Council require the fence to be repositioned onto the subject site?

8.2.3 Has further work continued on the feasibility study? If so, when can preliminary concepts be publicly available?

Jim Dickenson

8.2 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 9 - Planning Authority.

9 PLANNING AUTHORITY

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots with Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road

FILE NO: DA0157/2020

AUTHOR: Catherine Mainsbridge (Senior Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	6ty Pty Ltd
Property:	1056 Windermere Road Dilston and 1170-1194 Windermere Road, Dilston
Zoning:	Rural Living
Receipt Date:	6/04/2020
Validity Date:	5/08/2020
Further Information Request:	23/04/2020
Further Information Received:	05/08/2020
Deemed Approval:	1/10/2020
Representations:	Six

PREVIOUS COUNCIL CONSIDERATION:

DA0277/2017 - Residential - subdivision; subdivide land into two lots -

DA0723/2018 - Subdivision - Subdivide 1 lot into 32 lots, construction of a road, clearance of vegetation, earthworks and works to road reserve

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**
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STANDARDS REQUIRING COUNCIL DISCRETION

- 13.4.4 Lot size and dimensions
- 13.4.5 Frontage and access
- 13.4.6 Discharge of stormwater
- 13.4.7 Water and sewerage services
- 13.4.8 Local natural values
- E1.6.2 Subdivision: Public and fire fighting access
- E19.3.1 Co-ordination of subdivision
- E4.5.1 Existing road accesses and junctions
- E4.6.2 Road accesses and junctions
- E7.6.2 Scenic management areas
- E9.6.1 Development in the vicinity of a watercourses and wetlands

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 DA0157/2020 Subdivision - Subdivide land into 15 lots and balance (three lots with access over 1170-1194 Windermere Road), clearance of vegetation and works within the road reserve at 1056 Windermere Road, Dilston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan (b+w), Prepared by S.Group, Rev B, Scale 1:2000@A1, Dated 18/06/2020.
- b. Site Plan, Prepared by S.Group, Rev B, Scale 1:2000@A1, Dated 18/06/2020.
- c. Planning Submission, Prepared by 6ty°, Project number 19.352, Issue V2, Dated 30 July 2020.
- d. Traffic Impact Assessment, Prepared by Traffic & Civil Services, March 2020.
- e. Bushfire Hazard Management, Report: Subdivision, Prepared by Scott Livingston, 27 July 2020.
- f. Natural Values Report, Prepared by Scott Livingston, 27 July 2020.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development to include on proposed Lot 1 a *no build* area over the portion of land covered by Water Quality Code as shown on the endorsed Site Plan (b). The area must include the location of the *Melaleuca ericifolia* swamp forest community (NME) as identified in the endorsed Natural Values Report. Once approved the plan will become part of the endorsed documents.

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**
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3. FINAL PLAN OF SURVEY

The Final Plan must include dimensioned annotations of *no build* areas on Lots 1, 4, 5,13, 14 and 15.

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

4. PROTECTION OF NO BUILD AREAS DURING CONSTRUCTION

Prior to the commencement of works, information must be provided to the satisfaction of Manager City Development which demonstrates that the *no build* areas shown for natural values required by endorsed plans and the Permit will be protected during construction. This must include measures preventing vehicles from entering and items being stored within those areas.

No build areas must be physically identified on each lot prior to any construction or infrastructure works commencing.

5. 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.

6. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No.TWDA 2020/00875-LCC, Dated 24/06/2020 and attached to the permit.

8. COVENANTS ON SUBDIVISIONS

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.
 - c. Such covenants or similar controls are submitted for and receive written approval by the Council prior to submission of a Plan of Survey and associated title documentation is submitted to the Council for sealing.
-

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

9. SECTION 71 AGREEMENT

Prior to this permit becoming effective, a Section 71 agreement must be executed, that provides for the following:

Protection Natural Values on Lots 1, 4, 5, 13, 14 and 15.

- i. No buildings, structures or infrastructure, including roads, are to be constructed in the *no build* areas required by the endorsed plans and the Permit conditions. The *no build* areas must be satisfactorily protected during construction via barriers and similar devices.
- ii. The owners of those lots to take all necessary actions to not:
 - allow invasive weed species to occur on the lots;
 - remove trees or native vegetation;
 - plant exotic plant species;
 - take or harm wildlife; and
 - keep livestock (including horses).

Trees may be removed subject to appropriate planning approval.

- iii. The agreement must contain a plan prepared for each lot delineating the no build areas and clearly identifying the purpose of each area. The boundaries must be surveyed to allow them to be accurately translated from the plan to the site.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.

All cost associated with preparing and registering the Agreement must be borne by the owner.

10. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. 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.

11. SOIL AND WATER MANAGEMENT CONTROL PLAN

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

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
 - b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
-

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

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

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

12. RETICULATED SERVICES

Prior to the commencement of the use, reticulated water and electricity must be available to each lot shown on the endorsed plans.

13. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the General Manager Infrastructure and Assets Network for approval. Such plans and specifications must:

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

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

14. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the General Manager Infrastructure and Assets Network.

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 drain to serve Lots 4, 5, 13 and 14;
 - ii. Upgrade the roadside open drain in Windermere Road to accommodate the increased stormwater flows; and
 - iii. The provision of a DN 150 connection to the lowest point of each lot.
- b. Windermere Road
 - i. Provision of widening to the Windermere Road road reserve as shown on the proposal plans;
 - ii. Provision of a single rural vehicular crossing for each lot within the subdivision having sole frontage to Windermere Road; and
 - iii. all necessary line marking, signage and other traffic control devices.
- c. New Road
 - i. Provision of a fully constructed S4 rural road having a 6m wide sealed traffic width with 0.5m gravel shoulders and 0.5m verge for the entire length of all the property frontages;
 - ii. Provision of a turning area at the end of the above road and constructed in accordance with the Tasmanian Standard Drawings;
 - iii. Provision of a single rural vehicular crossing for each lot within the subdivision; and
 - iv. all necessary line marking, signage and other traffic control devices.
- d. Electricity, Communications and Other Utilities
 - i. An underground reticulated electricity system and public street lighting scheme 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; and
 - 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;
-

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

- c. Construction Audit inspections and
- d. Practical Completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

15. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot;
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition;
- c. A stormwater connection to the public drainage system;
- d. Access to underground electricity and communications infrastructure; and
- e. Where applicable, reticulated gas infrastructure.

16. 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 the Council's standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Infrastructure and Assets Network.
- 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 the Council's standards.

17. EASEMENTS

Easements are required over all the Council and third party services located in private property. The minimum width of any easement must be 3m for the Council's (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.

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**
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18. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager Infrastructure and Assets Network:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council's requirements.
- b. The provision of road reserve widening in Windermere Road.
- c. The subsequent issue of a Certificate of Practical Completion by the General Manager Infrastructure and Assets Network.
- d. 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.

19. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the General Manager Infrastructure and Assets Network, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1962*. All costs involved in this procedure must be met by the Subdivider.

20. COMPLETION OF WORKS

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

21. AS CONSTRUCTED PLANS

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

22. 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.

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**
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23. SUBDIVISION - ON SITE WASTE WATER DISPOSAL

The above subdivision has been viewed and each lot including the balance appears to be suitable for the installation of an on-site sewage and sullage effluent disposal. There are many factors which may influence which type of system is suitable for a particular lot.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0157/2020. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's planning staff can be contacted 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.*

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the 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 enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

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

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.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

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

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

E. On-Site Disposal of Effluent

This permit does not give permission for the installation of an on site waste water system on any of the newly created lots. The applicant will need to submit a design report (including site and soil evaluation in accordance with AS/NZS 1547:2012) as well as a Plumbing Application (for the on-site wastewater system) with the Building Application. Before occupation of the dwelling, the required system must be commissioned.

REPORT:

1. THE PROPOSAL

The application proposes the creation of 15 semi rural charactered lots leaving a balance parcel of 59.55ha. The majority of the lots range in size from 1ha - 1.28ha. Lot 15 has an area of 6.7ha. Lots 1 - 12 are based on a rectangular form and have frontage to Windermere Road. Lots 4 and 5 are internal lots with the other ten all having full frontage to the road. The remaining three lots will be accessed via a new road to the south east which is being developed as part of the 32 lot subdivision of the adjoining property of 1170-1194 Windermere Road.

The land contains areas with recognised natural values with six vegetation communities recognised. One community is threatened, *Melaleuca ericifolia* swamp forest, which is located on Lot 1 and is contained within a buffer surrounding the water course which flows through the eastern section of the site and an area on the balance land. A dense area of vegetation on Lot 15 will be protected by a *no build* area. Lots 4, 5, 13 and 14 also contain *no build* zones because of the steepness of their sites and presence of vegetation.

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site has an area of 85.72ha and is located on the southern side of northern section of Windermere Road. It results from subdivision of the land into two lots in 2017. It rises to the east, is partly cleared to pasture and is otherwise vegetated. Parts of the site have areas of flat rock outcrops.

The area contains a number of subdivisions with land parcels of just over a hectare in area interspersed with larger parcels with the same rural living zoning. There is Rural Resource zoned land approximately 680m to the north and 920m to the south.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

13.0 Rural Living Zone

13.1.1 Zone Purpose Statements

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

13.1.1.3 To provide for use and development that is compatible with local natural values.

Consistent

The proposal meets the zone purpose by the creation of lots for residential development in a rural setting. Lot sizes vary relative to the natural values present on some of the lots.

13.4 Development Standards

13.4.1 Site coverage

Objective:

To ensure that site coverage:

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

Consistent

A dwelling is sited on the balance land and is able to meet the zone objective as it does not impact on the character of the area, contains sufficient area for outdoor purposes and is able to deal with stormwater issues.

A1 Site coverage must be no greater than 5%.

Complies

The existing dwelling and outbuildings occupy approximately 429m² less than 5% of the 44ha site.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

13.4.2 Building height, setback and siting

Objective:

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area;
- (b) protects the amenity of adjoining lots;
- (c) minimises the impact on the natural values of the area; and
- (d) minimises the impact on adjoining primary industry uses.

Consistent

The dwelling on the balance land has little impact on the character of development or amenity of the area. As the dwelling is existing no further assessment of this clause will be addressed.

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

Complies

13.4.3 Outbuildings and other structures

Objective:

To ensure that:

- (a) outbuildings do not detract from the character of the surrounding area; and
- (b) dwellings remain the dominant built form within an area; and
- (c) earthworks and the construction or installation of retaining walls are appropriate to the site and respect the amenity of adjoining lots.

Consistent

The outbuildings on the balance land have little impact on the character of development or amenity of the area. As the outbuildings are existing no further assessment of this clause will be addressed.

13.4.4 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone;
- (b) rural uses on adjoining land are protected from adverse impacts; and
- (c) the protection of a place of Aboriginal, natural or cultural heritage.

Consistent

The proposed lots are of an appropriate size to meet the zone intent and to have minimal impacts on the environment.

A1.1 Each lot, or a lot proposed in a plan of subdivision, must have an area of no less than 4ha; 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

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

<p>zone; and</p> <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</p> <p>Only Lot 15 and the Balance lot have areas greater than 4ha and the performance criteria must be addressed to meet A1.1. A1.2 does not apply and the existing dwelling on the Balance land will be setback at least 340m from the boundary, well over 20m, to meet A1.3. The existing dwelling is suitably sited on the balance lot to comply with the acceptable solutions for development of a dwelling including necessary setbacks of the zone and to contain an area for on-site disposal. The performance criteria must be addressed for Lots 1 - 14.</p>
<p>P1.1 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; (g) fire hazard management; (h) separation from rural resource zoned land; (i) the ability of vegetation to provide buffering; (j) the existing pattern of development in the area; and be not less than 1ha; or <p>P1.2 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions to facilitate the protection of a place of Aboriginal, natural or historic cultural heritage.</p>
<p>Complies</p> <p>Lots 1 -14 are all considered able to meet the performance criteria as stated below:</p> <ul style="list-style-type: none"> (a) <i>the relevant acceptable solutions for development of buildings on the lots;</i> The land size for proposed Lots 1 -14 allows for buildings totalling 500m² (described in the submission as up to 400m² for a dwelling and 100m² for outbuildings), to be sited 20m from boundaries. As the land is at least 680m from land zoned Rural Resource a 20m setback is appropriate. The lot sizes are also of a size to contain areas for wastewater disposal, an area of 1,100m² nominated as the required area in the planning submission. (b) <i>the likely location of buildings on the lots;</i> Dwelling locations are limited by the proposed <i>no build</i> areas and the areas nominated in the Bushfire Hazard Management Plan but the characteristics of the lots will ensure that a dwelling with appropriate setbacks of at least 20m can be provided free of hazards and so as to minimise impacts on the environment.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

(c) *the likely provision of on-site parking and manoeuvrability for vehicles;*
 Parking and associated turning areas will likely be contained within the general curtilage of future dwellings without impacting on areas for wastewater disposal and no-build areas.

(d) *the topography of the site;*
 The most elevated part of the site is the northern most point to Lot 15 with contour level of 135m. The site rises to this point from both the north west and road frontage along the northern portion of Windermere Road, over the area of the proposed lots, and from the south west over the balance.

Lots 1, 2, 3 and 6-12 along Windermere Road have lower slopes and lower bushfire risk to provide greater options for future development.

Proposed Lots 4, 5, 13, 14 and 15 are particularly steep. Similar to the subdivision of the adjoining land to the east, *no build* areas are proposed over these steeper and more vegetated sections. The *no build* areas occupy less than 50% of Lots 4, 5, 13 and 14 and allow an area of approximately 1ha free for development on Lot 15. The unrestricted area on Lot 1 is the most elevated area of the parent property where there is a level area to facilitate development of a home.

(e) *the presence of any natural hazards;*
 The character of the area results in the land being bushfire prone. A certified Bushfire Hazard Management Plan (BHMP) has been submitted with the application and concludes that the lots can be suitably managed to minimise risks to life and property.

(f) *adequate provision of private open space;*
 Each lot will have dimensions suitable to allow for private recreational space of residents.

(g) *fire hazard management;*
 The certified Bushfire Hazard Management Plan (BHMP) submitted with the application concludes that the characteristics of each lot will allow for a dwelling with a BAL 19 rating to be developed subject to suitable maintenance of the sites.

(h) *separation from Rural resource zoned land;*
 The property is 680m from land zoned Rural Resource which should limit and impacts of rural activities to future residents of the lots.

(i) *the ability of vegetation to provide buffering;*
 The more elevated sites contain vegetation to provide a degree of visual buffer when viewing the area from beyond the site.

(j) *the existing pattern of development in the area; and be not less than 1ha;*
 The area has been subject to subdivision of land into parcels of just over 1ha in recent years. The parent title is one of the last in the immediate area to be developed. The lots along the road frontage will contain homes in a similar manner to homes developed historically in the area. The newer subdivisions generally

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

involve creation of a no-through road with lots off either side. Data within the planning submission lists the areas of Swan Drive and Meika Court (the first of the developments), Sherborne Drive, Millhaven Way and Los Angelos Road, Ardea Drive, Aquila Place and Swanee Drive and most recently the land to the east, where of the 177 lots described, the average lot size is between 0.98 - 1.73ha. The proposed lots, therefore, are of a similar nature to many others in the area.

13.4.5 Frontage and access

<p>Objective: To ensure that lots:</p> <ul style="list-style-type: none"> (a) provide appropriate frontage to a road; (b) provide safe and appropriate access suitable for the intended use.
<p>Consistent Each lot has an appropriate frontage to Windermere Road.</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 All lots have frontage to a road, or future road in the case of Lots 13, 14 and 15, in excess of 4m wide. All lots between Lots 1-12, but lots 4 and 5, have full frontage of the southern side of Windermere Road of at least 23m. Lots 4 and 5 are to be accessed via long driveways 9m wide. Lots 13, 14 and 15 are to be accessed via a road being developed as part of the subdivision of the adjoining land and will have frontages over 23m to meet the acceptable solutions.</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 length of the access; (c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; (e) the character of the area; and (f) the advice of the road authority.
<p>Complies Each lot will achieve a suitable vehicular access with reasonable vehicular access from a road to the property boundary, and beyond the access to a building area on the lot. Access points have been approved by the Council's Infrastructure and Assets Network as the road authority. The Traffic impact assessment and bushfire management report both require minor works to meet the performance criteria below:</p>

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

(a) the topography of the site;

Lots 1, 2, 3 and 6-12 have full road frontage to Windermere Road, and are relatively low lying. Lots 4 and 5 and 13, 14 and 15 are each steeper.

(b) the length of the access;

Lots 1, 2, 3 and 6-12, will have full road frontage to Windermere Road and short access lengths over the road reserve. Lots 4 and 5 will have level crossovers to property boundaries with 6m wide internal driveways, approximately 170 - 180m in length to the main part of their sites. They have consistent slopes of approximately 1:6. The driveways are considered acceptable for bushfire management.

The TIA requires access points to be provided with a driveway culvert and headwalls and sealing of the accesses to a property gate, which should be setback 10m to allow for light vehicles/trailers to park clear of the road.

(c) the distance between the lot or building area and the carriageway;

Lots 1, 2, 3 and 6-12, are relatively low lying and beyond the property boundary a suitably sloped driveway to a future dwelling will be able to be constructed from the nominated crossovers.

Lots 4 and 5 will have level crossovers to property boundaries with 6m wide internal driveways, approximately 170 - 180m in length to the main part of their sites. They have consistent slopes of approximately 1:6. The driveways are considered acceptable for bushfire management.

Proposed Lots 13, 14 and 15 will have level crossovers with the building areas relatively close to the road to allow driveways to be constructed over low lying areas of the sites.

(d) the nature of the road and the traffic;

The TIA describes Windermere Road as a 'sealed rural collector road' which carries a variety of traffic movements over its 13km length. The traffic movements are relative to proximity to the East Tamar Highway and whether they utilise the northern section of Windermere Road or travel via John Lees Drive to the south. Windermere Road carries an estimated average of 500 vehicles and has a 70km/h speed limit which lowers to 55km/h at dusk. The increase in traffic of nominally 135 vehicles is not considered to cause a safety or efficiency issue.

(e) the character of the area; and

The area has a semi rural character and consists of residential properties on lots down to just under 1ha in area, particularly as a result of more recent subdivisions and reduced planning controls.

(f) the advice of the road authority.

Windermere Road is under the control of the City of Launceston. Referral to the Infrastructure and Assets Network sought further information to address initial concerns. Suitable information was received and approval subject to conditions,

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

including provision for road widening, have been recommended. The proposed crossovers have been supported by the road authority.

13.4.6 Discharge of stormwater

<p>Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
<p>Consistent The proposal has been designed to suitably drain sealed surfaces.</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 Proposed Lots 1-12 will be able to connect into the culverts along Windermere Road. Lots 13, 14 and 15 will drain to culverts in the new road system being constructed as part of the subdivision of the land to the east.</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 The General Manager has not provided advice that the public stormwater system has the capacity to accommodate the stormwater.</p>
<p>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the discharge point (if any); (b) the 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; (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 design techniques within the subdivision.
<p>Complies The area is not covered by a formal reticulated stormwater system. The proposal does include a design plan for each lot to be connected to the road side drain. Discharge may be contained within individual sites given the low percentage site cover allowed under the zone and use of on-site waste water systems. The road side drain will carry the runoff from land immediately adjacent the road. The performance criteria are addressed.</p>

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

13.4.7 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent All lots will have an appropriate water supply and wastewater disposal.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies TasWater has issued a Submission to Planning Authority Notice to allow connection to reticulated water.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Relies on Performance Criteria The lots are not able to be serviced by reticulated sewerage and must be considered against the performance criteria.
P2 Where reticulated sewerage services are not proposed to be connected, it must be demonstrated that the lots are capable of accommodating an on-site wastewater management system for the intended use which does not have unreasonable adverse environmental impacts.
Complies Each lot will be able to be serviced by an on-site waste water disposal system. The Council's Environmental Services Department note that some of the lots (Lots 1 - 5 inclusive, 13, 14 and 15) have limiting factors in regards to building sites but should contain sufficient area to suitably develop and service future homes. These matters are addressed by conditions and a note on the Permit.

13.4.8 Local natural values

Objective: To ensure that subdivision works minimise the impact on local natural values.
Consistent The subdivision has been designed to minimise impacts on natural values.
A1 The subdivision does not include any road or other works.
Relies on Performance Criteria
P1 Subdivision works must minimise the impact on the natural values of the site, having regard to: (a) the need for the works; (b) the location of the works; (c) the significance of the natural values of the site; (d) the natural values of the area; (e) any native vegetation and fauna habitats; and (f) the topography of the site.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Complies

The application includes a Natural Values report which verifies that the development should have limited impacts on vegetation communities. Six communities have been identified on the site:

- Agricultural land (FAG)
- Regeneration cleared land (FRG)
- *Eucalyptus amygdalina* forest and woodland on dolerite (DAD)
- Lowland grassland complex (GCL)
- *Melaleuca ericifolia* swamp forest (NME)
- *Acacia dealbata* forest (NAD)

Only the NME is identified as threatened with this located in the north eastern corner of proposed Lot 1 and the north western corner of the balance land. Lot 1 will contain a *no build* area to protect the community.

The application includes a table listing the approximate extent of clearing that would be expected to be cleared totalling 13.7% of the total area with this primarily being Agricultural land or *Acacia dealbata* forest. It is noted that 50% of this has been previously cleared or modified.

To assure that vegetation along the watercourse to the east of the site, and more densely vegetated areas on the ridge to the south east are protected, the proposal includes *no build* areas.

E1.0 Bushfire-Prone Areas Code

E1.1 The purpose of this code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Consistent

The subdivision has been designed to minimise risk caused by bushfires.

E1.5 Use Standards

E1.5.1 Vulnerable Uses

Vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.

Consistent

The subdivision is expected to be developed with single dwellings which is not a vulnerable use.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

E1.5.2 Hazardous Uses

Hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.

Consistent

The subdivision is expected to be developed with single dwellings, a use which is not hazardous.

E1.6 Development Standards

E1.6.1 Subdivision: Provision of hazard management areas

Subdivision provides for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- (c) provide protection for lots at any stage of a staged subdivision.

Consistent

The proposal has been designed in accordance with hazard management areas to ensure homes can be developed with suitable separation from bushfire prone vegetation to minimise the potential for bushfire attack.

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision:
 - (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;
 - (ii) shows the building area for each lot;
 - (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
 - (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots, and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 - 2009 Construction of buildings in bushfire-prone areas; and
- (c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Complies

An accredited person has certified that the proposal meets (b) with building areas shown on each lot, suitably separated to allow for dwellings to be constructed with a BAL 19 rating. The existing dwelling on the balance land has a BAL rating of 12.5.

E1.6.2 Subdivision: Public and fire fighting access

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, firefighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Consistent

Each lot can be suitably accessed by vehicles providing firefighting and emergency services.

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or
- (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:
 - (i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and
 - (ii) is certified by the TFS or an accredited person.

Complies

An accredited person has certified that the proposed lots can be suitably accessed and are able to meet (b). Each proposed lot will have direct access from a public road. Lots 1-12 will have direct access off Windermere Road and Lots 13, 14 and 15 will be accessed via a new road off a turning head proposed and approved under the previous subdivision. The existing dwelling has a drive of 450m which exceeds the maximum of 200m long. The management plans sets requirements for the installation of a passing bay within the length of the drive for the existing dwelling and, for Lots 4 and 5, at the head of the drive once the main site area, prior to the issue of a sealed plan.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Consistent

Each lot is capable of providing water for fire fighting purposes.

A1 In areas serviced with reticulated water by the water corporation:

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;
- (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or
- (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

Complies

An accredited person has certified that while the new lots proposed can be connected to reticulated water static water storage will be installed for each dwelling.

A2 In areas that are not serviced by reticulated water by the water corporation:

- (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;
- (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or
- (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

Complies

An accredited person has certified that while the new lots proposed can be connected to reticulated water static water storage will be installed for each dwelling.

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 has been designed to minimise impacts on the safety and efficiency of the road network and the amenity of existing residential uses.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

The proposal has been designed to minimise impacts on the safety and efficiency of the road network.

A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

Relies on Performance Criteria

Windermere Road is not a Class 1 or 2 road but has speed limit of 70km/h and links, at its north end, to the East Tamar Highway which is a Class 1 State Road. 135 additional vehicles movements per day are expected to be generated and to utilise the access as it is the most direct access to Launceston 18km to the south and George Town to the north.

P1 Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:

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

Complies

The Traffic Impact Assessment submitted with the application has been prepared on the basis of Department of State Growth Guidelines, reviewing traffic movements along Windermere Road, site distances, and crash history. The increase in movements at the junction with the East Tamar Highway may cause a minor delay during morning peak hour (with this anticipated to increase over coming years) but is stated as having a minimal impact on the safety and efficiency of the junction.

A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Relies on Performance Criteria

The junction of Windermere Road and the East Tamar Highway has a speed limit greater than 60km/h and as noted previously will generate traffic movements greater than 10% and must be considered against the performance criteria.

P2 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

Complies

A Traffic Impact Assessment has been prepared and states the safety and efficiency of the road will be not be significantly impacted with regard to the following:

- (a) *the increase in traffic caused by the use;*
The TIA estimates an extra 135 vehicles per day along Windermere Road with this not likely to cause any significant impact on the safety and efficiency of the road system.
- (b) *the nature of the traffic generated by the use;*
The traffic will be residential and will most likely impact on movements at morning and afternoon peak hours with the morning peak turning right to Launceston.
- (c) *the nature and efficiency of the access or the junction;*
The junction is stated as having the capacity for the additional traffic without impacting of the safety or efficiency of the road network.
- (d) *the nature and category of the road;*
Windermere Road is a sealed rural collector road and the East Tamar Highway is a category 1 State Road.
- (e) *the speed limit and traffic flow of the road;*
Windermere Road has a speed limit of 70km/h with a daily traffic flow of 500 vehicles per day and the East Tamar Highway 100km/h with 6200 vehicles.
- (f) *any alternative access to a road;*
Vehicles can access the highway when heading south via John Lees Drive.
- (g) *the need for the use;*
The application for subdivision is considered on its merits against the planning scheme.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

- (h) *any traffic impact assessment; and*
The application was submitted with a TIA.
- (i) *any written advice received from the road authority.*
The road authority supported the proposed new access points to validate the application and have provided conditional consent included provision for road widening to be annotated on the title.

E4.5.2 Existing level crossings

Objective:
To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.

Consistent
The site is not within proximity of a rail network.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

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

Consistent
The safety and efficiency of Windermere Road should not be reduced by the creation of new access points.

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

Relies on Performance Criteria
Lots 1-12 will each have a new access onto the northern portion of Windermere Road and Lots 13, 14 and 15 the south portion and must be considered against the performance criteria.

P1 For roads in an area subject to a speed limit of more than 60km/h, 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;
- (e) the need for the access or junction;
- (f) any traffic impact assessment; and
- (g) any written advice received from the road authority.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Complies

The TIA states:

The proposed property accesses will have minimal impact on traffic safety and capacity as the projected through traffic volume of 780vpd by 2030 is low and the traffic activity at each access is low.

And,

The proposal has potential to generate around 135 vehicle movement per day once fully developed. 135 vehicle movements per day is a relatively low volume of traffic and Windermere Road which currently carries some 500 vehicles per day will easily be able to absorb the increase. The proposal is also in keeping with similar development in the area. The 70km/h speed limit is considered appropriate to support the unfolding Rural Living development and the proposal.

The performance criteria is considered to be satisfied.

It is noted that the Council's Infrastructure and Assets Network consider that some minor road widening will be necessary along Windermere Road in the future. The developer is to contribute land by including sections of land to being annotated as reserve for road widening on the final plan.

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

Each new access will provide both entry and exit to their respective lot.

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

Objective:

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

Consistent

The new access points are considered to have sufficient sight distances to enable safe movement of traffic.

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.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Complies

The TIA includes an assessment of the site distances required in Table E4.6.4. To ensure the distances to road junctions and corners in the road provide maximum effect, some mitigation works are required by removal of vegetation particularly for Lots 1, 2, 4, 5, 6 10, 11 and 12.

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

Each lot will be developed in the future where the number of necessary car spaces and transport modes will be considered. No further assessment of this code will be considered at this point.

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 subdivision has been designed to protect the visual impacts by minimising vegetation loss and developing already disturbed areas of the site. The code applies to the Lots 4, 5, 13, 14, 15 and balance.

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.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

<p>Consistent The design of the subdivision is intended to minimise impacts on the landscape and complement development in the area.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>A2 No vegetation is to be removed.</p>
<p>Relies on Performance Criteria</p>
<p>A3 Subdivision is in accordance with a specific area plan.</p>
<p>Relies on Performance Criteria The subdivision is not in accordance with a specific area plan and must be considered against the performance criteria.</p>
<p>P3 Subdivision must have regard to:</p> <ul style="list-style-type: none"> (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3; (b) the 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.
<p>Complies</p>
<p>The eastern and more elevated portion of the land is covered by the code and more specifically the Rural Hills Precinct which includes the following objectives to meet (a) of this clause:</p> <ul style="list-style-type: none"> (a) <i>Maintain and enhance existing vegetation cover, consistent with the vegetation type and existing character of the area. Promote and enhance native forest coverage in hilltop locations, and retention of cleared farmland on the lower slopes and plains.</i> (b) <i>Discourage development along significant skylines, ridge lines or visually prominent locations, particularly if the development would be visible from the Launceston City and Lilydale township, the Tamar River or arterial roads or highways.</i>

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

- (c) *Development is to be consistent with the existing settlement patterns and character.*
- (e) *Development must be unobtrusive by its siting, design, exterior finish and landscaping, or be designed to have a minimal visual impact commensurate with the quality of the scenic and landscape values of that site and area.*

The more elevated and densely vegetated portions of the lots are to be protected by no-build zones to meet (a) and (b). While Lot 15 contains the more significant portion of, the other lots have lower woodlands and dispersed trees to provide a green belt through the area.

Other lots in the subdivision, along the Windermere Road frontage, are not covered by the code but complement the style of low vegetation/pasture character typical of the area to meet (c).

Any requirement for vegetation to be removed from the developable areas will be controlled when future applications are lodged for development of individual sites. Vegetation will have to be removed for a dwelling, service infrastructure and bushfire protection to generally meet (e).

- (b) *the size, shape and orientation of the lot;*
The proposed lots are able to meet the performance requirements being at least 1ha in area.
- (c) *the density of potential development on lots created;*
The lots covered by Scenic management are proposed with no build areas to minimise the impact of future development on the environmental qualities of the area.
- (d) *the need for the clearance or retention of vegetation;*
Vegetation will be required to develop sites in the future. Each lot is considered to have sufficient areas for development of a dwelling with on-site disposal areas and in accordance with the necessary bushfire management controls.
- (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;*

The above matters will be specifically considered when dwellings are proposed on the individual lots.

- (k) *the existing landscape character;*
- (l) *the scenic qualities of the site; and*

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

The site has a woodland type character with areas cleared for grazing on the lower areas outside of the Scenic Management areas. The more elevated portions to be contained within the no-build areas are steeper and more heavily vegetated but the land has been disturbed over the years.

(m) *any agreement under section 71 of the Act affecting the land.*

An agreement is required to ensure the future development of the lots will have a minimal impact on the visual character and environmental qualities of the land.

The performance criteria are addressed.

E8.0 Biodiversity Code

E8.1 The purpose of this provision is to:

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

Consistent

The design of the subdivision will protect the biodiversity of the area with priority species preserved or clear of development.

The site includes two areas of priority habitat with these *to be protected by the subdivision design*. *The Natural Values report identifies Melaleuca ericifolia* swamp forest (NME) in the north western and north eastern corners of the parent site. The north western corner remains part of the balance and the north eastern corner is within Lot 1. Lot 1 is proposed with a *no build* area over this portion and notes that the community will not be disturbed. As such, the code is deemed not to apply and the proposal complies with the exemption.

The Natural Values report advises that the land contains a total of six communities with the NME and the following two communities also protected by the *no build* areas:

- *Eucalyptus amygdalina* forest and woodland on dolerite (DAD)
- *Acacia dealbata* forest (NAD),

to ensure the impact of the proposal has minimal impacts.

E9.0 Water Quality Code

E9.1 The purpose of this provision is to:

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

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

Consistent
 The proposal will allow management of the portion of the overall site covered by the water quality code.

E9.6 Development Standards

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

<p>Objective: To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.</p>
<p>Consistent The north eastern portion of proposed Lot 1, in the north eastern corner of the parent lot, is crossed an unnamed creek. The development is not considered to directly impact on the water quality of the water course.</p>
<p>A1 No acceptable solutions.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:</p> <ul style="list-style-type: none"> (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.
<p>Complies The submission states that the subdivision will not involve use or development of land within the water course nor involve any discharge of any stormwater in this direction. The watercourse is in the vicinity of the location of a portion of priority habitat of <i>Melaleuca ericifolia</i> swamp forest (NME). The proposal plan identifies the portion of Lot 1 effected by the Code, which is approximately 40% of the site. To protect the environmental qualities of the site, a <i>no build</i> limit, similar to areas on Lots 4, 5, 13, 14 and 15m, is to be required to be imposed on Lot 1. This should minimise impacts on the water course while also protecting the NME on the site. The Infrastructure and Assets Network has also imposed conditions to minimise any erosion impacts. The performance criteria are considered to be addressed.</p>

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

E9.6.2 Development of watercourses and wetlands

Objective: To protect watercourses and wetlands from the effects of development and minimise water quality degradation.
Consistent The development is not considered to directly impact on the water quality of the water course.
A1 A wetland must not be altered, modified, filled, drained, piped or channelled.
Complies The application will not alter or modify the wetland area of the watercourse.
A2 A pipe or culvert crossing of a watercourse for access purposes.
Complies The proposed crossover for the lot is to the west of the portion of the site covered by the Code.

E9.6.3 Discharges to watercourses and wetlands

Objective: To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.
Consistent Discharges are to be managed to minimise impacts on the water course.
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.
Complies Stormwater for Lot 1 is to be diverted to an on-site system and must not divert to the watercourse. The driveway crossing is to be connected to the existing road side drain.
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.
Complies The proposal does not include a point source discharge to the watercourse.

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 The Code does not apply to new lots created in the Rural Living zone.

9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

E19.0 Development Plan Code

E19.1 The purpose of this provision is to:

- (a) identify areas of significant development potential or strategic importance, that require a co-ordinated approach to future development.

Consistent

The proposal has been designed to allow for the further future subdivision of the Balance land.

E19.3 Development Standards

E19.3.1 Co-ordination of subdivision

Objective:

To ensure that subdivision of land is co-ordinated with adjoining land, appropriately staged and provided with infrastructure appropriately sized to ensure orderly development within the Development Plan Code (DPC) area.

Consistent

The subdivision is being undertaken in co-ordination with adjoining land.

A1 No acceptable solution.

Relies on Performance Criteria

P1 Subdivision layout is designed and developed having regard to:

- (a) co-ordination and integration with development of the site and surrounding land;
- (b) an efficient, convenient pedestrian, bicycle and road network, with sufficient capacity to serve the site and provide for necessary connections to, and the development potential of adjoining land and the need to provide for public transport;
- (c) the need to provide for public transport;
- (d) provision of reticulated sewerage, water and stormwater systems to serve the site and provide for all necessary connections to, and the development potential of adjoining land;
- (e) staging to allow a co-ordinated approach to development of the site, so as not to prejudice the timely and co-ordinated development of adjoining land within the Development Plan Code (DPC) area.

Complies

The proposed subdivision has been designed in co-ordination with the recent subdivision of land directly to its east. This is demonstrated by the subject lot having been part of the same parent property and Lots 13, 14 and 15 having access via a future road of that subdivision. The character of the road network does not support for pedestrian access given the 70km/h speed limit and width of the carriageway. The proposal is required to provide for future road widening.

In addition, the Balance land is shown with an approximate location for a road link which will facilitate its development as rural charactered land requiring independent services of particularly water for fire fighting purposes and on-site waste water disposal. The performance criteria are considered to be met.

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Conditional consent provided with recommended conditions.
Environmental Health	Conditional consent provided with recommended conditions.
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 2020/00875-LCC, Dated 24/06/2020.
State Growth	N/A
TasFire	Tasfire had concerns of the Management Plan. These concerns have been addressed via an updated report.
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 August to 24 August 2020. Six representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1: The site is stated as being in Dilston but should be described as being in Swan Bay.</p>
<p><i>Response 1:</i> <i>The address for the site is based on the information in the Council's property system.</i></p>

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)

<p>Issue 2: The standard/width of Windermere Road is not considered to be appropriate for the current level of traffic, without the impact of this and the adjoining subdivision. Council approves applications without upgrading the road although rates have increased over the last 10 or so years with an estimated 122 lots created. Cars travelling in opposite directions cannot pass and this is more risky with heavy vehicles and when people travel faster than 70km/h and more people, including children walk along the road.</p>
<p><i>Response 2:</i> The application was submitted with a Traffic Impact Assessment and has been assessed by the Council's Engineer Asset Planning of the Infrastructure and Assets Network. The road is considered to be narrow and the Permit is to be conditioned to at least require the developer to contribute land to allow widening of Windermere Road similar to that required for the adjoining site. The road side drain must also be upgraded and as such require extra width.</p>
<p>Issue 3: The site contains areas of NME and these should be protected, especially to prevent destruction similar to what has happened next door. The areas should be at least protected by a <i>no build</i> area as other lots in the subdivision.</p>
<p><i>Response 3:</i> The assessment against the Scheme has identified the requirement for an additional 'no-build' area on Lot 1 to the areas already proposed on Lots 4, 5, 13, 14 and 15. The area on the balance will be addressed as needed in future subdivisions.</p>
<p>Issue 4: Given the increased number of lots and population the intersection of Windermere Road and the East Tamar Highway should be upgraded including the provision of a bus stop and parking area for vehicles and a slip lane.</p>
<p><i>Response 4:</i> The East Tamar Highway is a State Road and not managed by the Council as such. The TIA included traffic surveys over recent years, including the direction of vehicle movements occurring at morning and afternoon peaks. It was determined that Windermere Road carries an average of 500 vehicle movements per day. The East Tamar Highway carries around 6,200 vehicles per day which is considered to be relatively low. There may be some increase in delay turning right into the East Tamar Highway but this is not considered to be unsafe or as having an adverse impact on the capacity or efficiency of the road.</p>

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**

<p>Issue 5: As the area has become more residential there are more people walking along the road, including mothers with prams, a footpath along the southern side of the road as part of the development would provide a better option than walking along the northern side of the road where debris collects in the road side drain road. This could facilitate investment in the area and could lead to the investment into an IGA or similar facility to create a sustainable and self-sufficient community hub.</p>
<p><i>Response 5:</i> <i>The comments are noted. Typical of other areas across the municipality, the rural character does not facilitate development of footpaths and such infrastructure. The TIA and the Council's Infrastructure and Assets Network state the 70km/h does not allow for pedestrian traffic. A convenience shop could be developed in the area, subject to a Discretionary Application, but is a matter for private investment.</i></p>
<p>Issue 6: Windermere Road should be improved and the speed limit reduced to 60km/h.</p>
<p><i>Response 6:</i> <i>The concerns have been referred to the Council's Infrastructure and Assets Network who have advised that this could be raised as a service request. This has been conveyed to the writer.</i></p>
<p>Issue 7: The rural character area and woodland bush environment/flora and fauna are being compromised by the continuing subdivision of the land. The road and infrastructure are also not sufficient to cope with the development.</p>
<p><i>Response 7:</i> <i>The land is zoned Rural living which does allow for additional subdivision. The proposal is considered appropriate against the relevant and applicable codes. The comments are noted.</i></p>

6. CONCLUSION

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

ECONOMIC IMPACT:

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

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(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:

Launceston Interim Planning Scheme 2015.


BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

- 9.1 1056 Windermere Road, 1170-1194 Windermere Road, Dilston - Subdivision - Subdivide Land Into 15 Lots and Balance (Three Lots With Access Over 1170-1194 Windermere Road) Clearance of Vegetation and Works Within the Road Reserve at 1056 Windermere Road ...(Cont'd)**
-

ATTACHMENTS:

1. Locality Map - 1056 Windermere Road, and 1170-1194 Windermere Road, Dilston (*electronically distributed*)
 2. Plans to be Endorsed - 1056 Windermere Road, and 1170-1194 Windermere Road, Dilston (*electronically distributed*)
 3. TasWater SPAN - 1056 Windermere Road, and 1170-1194 Windermere Road, Dilston (*electronically distributed*)
 4. Representations - 1056 Windermere Road, and 1170-1194 Windermere Road, Dilston (*electronically distributed*)
-

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling**FILE NO:** DA0427/2020**AUTHOR:** Iain More (Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

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

PLANNING APPLICATION INFORMATION:

Applicant:	Prime Design
Property:	65A Bourke Street, Launceston
Zoning:	Inner Residential
Receipt Date:	29/07/2020
Validity Date:	30/07/2020
Further Information Request:	04/08/2020
Further Information Received:	13/08/2020
Deemed Approval (extension granted):	01/10/2020
Representations:	11

STANDARDS REQUIRING COUNCIL DISCRETION

11.4.3 Building envelope for single dwellings
11.4.5 Privacy for single dwellings
E13.6.1 Demolition
E13.6.4 Site coverage
E13.6.5 Height and bulk of buildings
E13.6.6 Site of buildings and structure
E13.6.8 Roof form and materials
E13.6.9 Wall materials

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 DA0427/2020 - Residential - Partial demolition, and construction of alterations and additions to existing dwelling at 65A Bourke Street, Launceston subject to the following conditions:

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

1. ENDORSED PLANS & DOCUMENTS

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

- a. Site Plan, prepared by Prime Design, Project No. PD15264-01, Revision 01, dated 29/07/2020;
- b. Demolition Plan, prepared by Prime Design, Project No. PD15264-02, Revision 01, dated 29/07/2020;
- c. Laundry Demolition Plan, prepared by Prime Design, Project No. PD15264-03, Revision 01, dated 29/07/2020;
- d. Floor Plan, prepared by Prime Design, Project No. PD15264-04, Revision 01, dated 29/07/2020;
- e. North West & North Eastern Elevation, prepared by Prime Design, Project No. PD15264-05, Revision 01, dated 29/07/2020;
- f. South Eastern Elevation, prepared by Prime Design, Project No. PD15264-06, Revision 01, dated 29/07/2020;
- g. Roof Plan, prepared by Prime Design, Project No. PD15264-07, Revision 01, dated 29/07/2020; and
- h. Planning Application, prepared by Woolcott Surveys, dated 17/08/2020.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

7.00am and 6.00pm - Monday to Friday

9.00am to 6.00pm - Saturday

10.00am to 6.00pm - Sundays and Public Holidays

4. HERITAGE

The development must be undertaken in accordance with any conditions included on the Tasmanian Heritage Council *Notice of Heritage Decision* for THC Works Reference No. 6315, dated 11 September 2020, and attached to the permit, specifically:

1. In rebuilding the southern brick boundary wall, compatible bricks salvaged from the demolition work must be used for the external wall face and this brickwork must be laid in with a mortar of composition and finish matching the original mortar of the adjacent brickwork:
 - i. the c1900 bricks must be salvaged and re-used in the new boundary wall construction; and
 - ii. the balance of new bricks must have an equally recessive and complimentary character.
-

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

5. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with the repair of damage to the Council's infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to the Council's infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. 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 the Council's Infrastructure and Engineering Department 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.

7. OIL AND WATER MANAGEMENT PLAN

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

8. 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.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

9. 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.

10. DEMOLITION

The Developer must:

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0427/2020. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

The permit lapses after a period of two years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to the 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 enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

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

REPORT:**1. THE PROPOSAL**

It is proposed to extend an existing dwelling at 65A Bourke Street, Launceston.

The proposal will involve the demolition of a small rear section of the existing dwelling as well as a large wall located on the boundary. The extension will include a new living area, toilet, and bathroom, as well as new partially covered deck, stairs, and 1.7m high timber screen. The existing 'L' shaped brick wall located on the southern side boundary will be demolished and replaced by a rectangular brick wall, and increased in size from 3.4m to 4.9m.

The proposal will have a maximum height of 5.98m, setback onto the southern side boundary, 913mm from the northern side boundary, and more than 20m to the rear boundary. The open deck area will be setback 1m from the southern side boundary.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	65A Bourke Street, Launceston
Zone	Inner Residential
Size	324m ²
Access	Existing
Shape	Irregular
Slope	Sloped downward from 20m AHD at the rear of the dwelling to 16m AHD at the rear boundary over 33m
Existing structures	Single Dwelling
Vegetation	Planted residential
Connection to services	Connected to all reticulated services
Surrounding land	Single dwellings to the south and north, masonic healthcare to the north east, Canning Street reserve to the west
Overlays	E13.0 Local Historic Cultural Heritage Code State Heritage Register

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>The proposal meets the zone purpose as the development is maintaining an existing residential use that provides a high standard of amenity which respects the pattern of development within the area, without affecting streetscape. The extension adds to the mix of existing dwellings within the immediate vicinity and facilitates new development in a historically established area.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

<p>Objective: To ensure that the setback from frontages:</p> <ul style="list-style-type: none"> (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.
<p>Consistent</p>
<p>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:</p> <ul style="list-style-type: none"> (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.
<p>Complies The extension is setback behind the existing dwelling, and more than 4.5m from the frontage.</p>

11.4.2 Site coverage and rear setback for single dwellings

<p>Objective: To ensure that the location and extent of building site coverage:</p> <ul style="list-style-type: none"> (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.
<p>Consistent</p>
<p>A1 A site coverage of no more than 50% excluding building eaves and access strips where less than 7.5m wide.</p>
<p>Complies As a result of the extension, the site coverage will be approximately 39%.</p>
<p>A2 A rear setback of no less than 4m, unless the lot is an internal lot.</p>
<p>Complies The extension will be setback 22.5m from the rear boundary.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(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

Consistency with the objective has been achieved as the proposal is for a flexible contemporary extension on a unique lot that is able to protect the amenity of adjoining properties through its design and respect of the streetscape.

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.

Relies on Performance Criteria

The development is outside of the building envelope and is reliant on the performance criteria.

P1 The siting and scale of single dwellings must be designed to:

- (a) ensure there is no unreasonable loss of amenity on adjoining lots by:
 - (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above;
 - (ii) overlooking and loss of privacy; and
 - (iii) visual impacts when viewed from adjoining lots: and
- (b) take into account steep slopes and other topographical constraints; and
- (c) have regard to streetscape qualities.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

Complies

The following provides an assessment against the performance criteria.

The siting and scale of single dwellings must be designed to:

- (a) ensure there is no unreasonable loss of amenity of adjoining lots by:**
 - (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than three hours between 9.00am and 5.00pm on 21 June or by increasing existing overshadowing where greater than above.**

Officer Response:

Clause (a)(i) is absolute in that if a habitable room or area of private space currently receives at least three hours of sunlight, then a new development cannot reduce below three hours. The same is true if an area receives less than three hours, a development cannot cast any further shadow on that area. The clause is quantitative in that it provides specific hours. The clause does not have regard to the amount of direct sunlight that enters a habitable room or area of private open space, only that those areas receive sunlight. This is an important separation to understand. Further, the clause allows areas that may typically receive a full day of sunlight to be reduced to three hours.

In this instance the only affected property with regard to overshadowing is 67 Bourke Street, Launceston. The proposal will cast shadows over six separate areas, being five habitable room windows, and an area of private open space, as shown below:

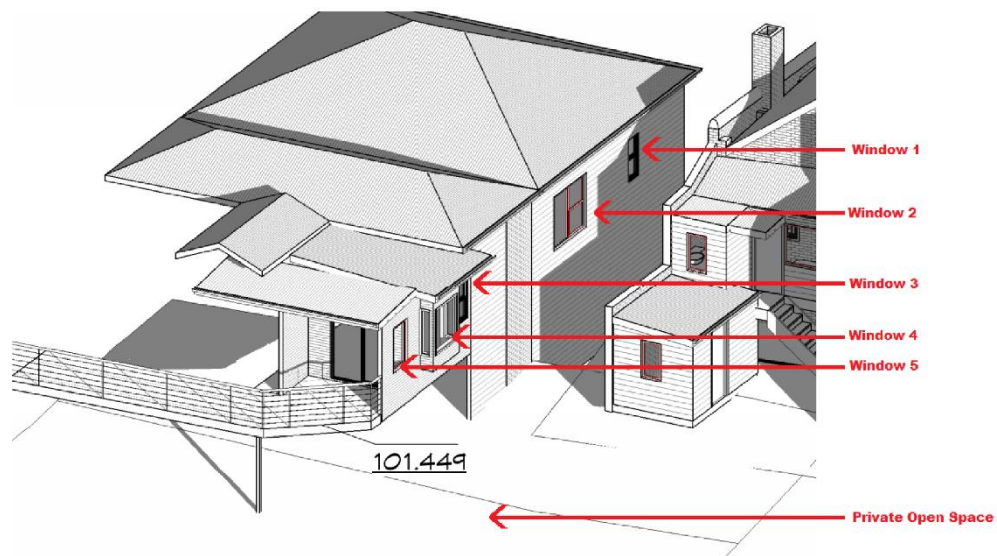


Figure 1 - Location of habitable windows and areas of private open space

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

Shadow diagrams were provided by the applicant to help demonstrate compliance. It should be noted that during public notification 11 representations were received. The majority of these representations had concerns about overshadowing, and concerns about the accuracy of the shadow analysis. These concerns were relayed to the applicant who provided a response. In their response, they provide details as to how the shadow diagrams were achieved. As part of their review, it was understood they made a mistake which placed north a couple of degrees out. Accordingly, they have provided updated shadow diagrams with the correct shadow locations. These have been attached as Attachment 4 - Shadow Response and Updated Shadow Diagrams. Attachment 6 has the original shadow diagrams.

The amended shadow diagrams in fact demonstrate an improvement in overshadowing of 67 Bourke Street, Launceston. The below assessment is based on the amended and correct shadow analysis.

Window 1 - Bedroom:

Window 1 is currently in shadow for the entirety of the day. The proposal will not change this.

Window 2 - Multi-use room:

Window 2 will be the most affected area. A sun study was provided for this specific window:

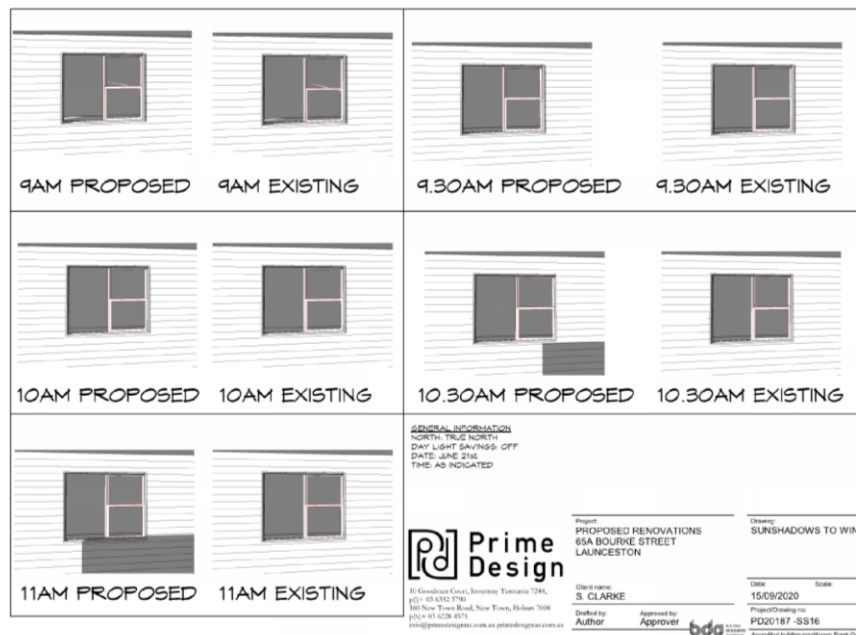


Figure 2 - Window 2 shadow analysis

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

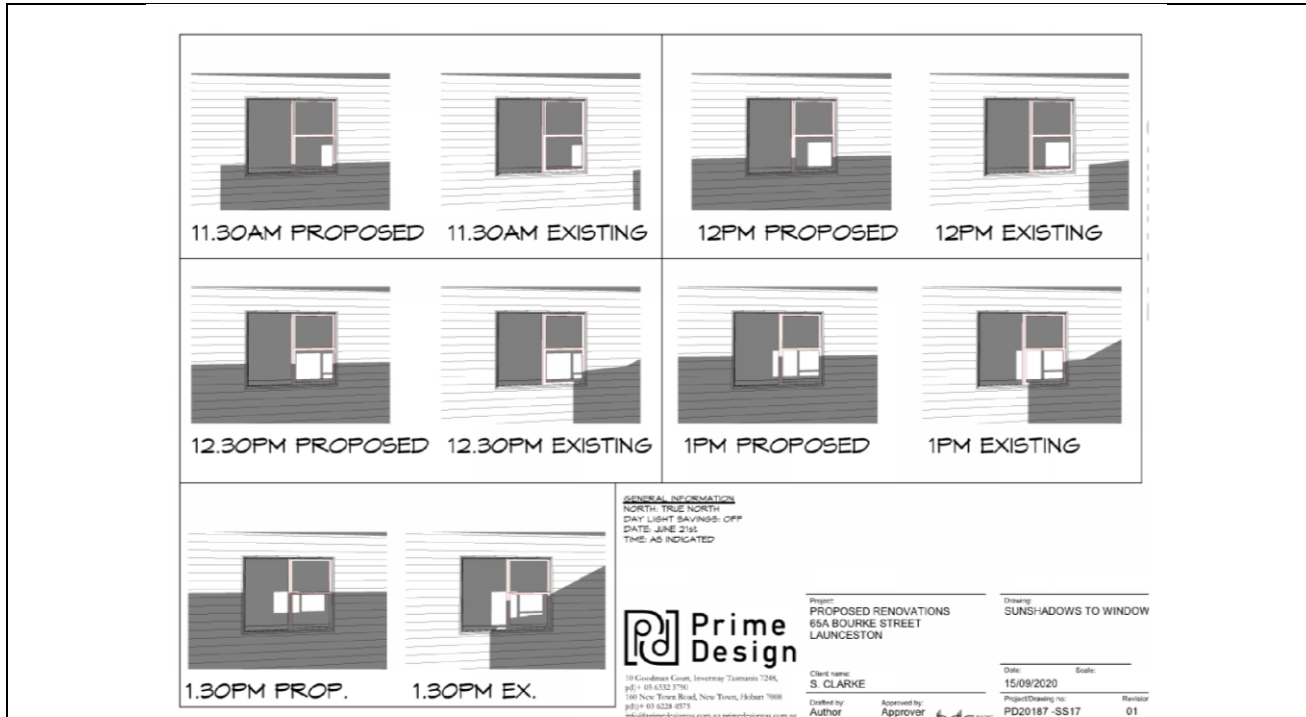


Figure 3 - Window 2 shadow analysis

What the study demonstrates is that the window currently receives more than three hours of sunlight. Detail now shows that the most affected window, being window 2, receives full sunlight from 9.00am until 11.00am. From 11.00am onwards shadows are slowly cast over the window, but notwithstanding the window still receives sunlight for a minimum of three hours.

Windows 3 and 4 - Lounge room:

Windows 3 and 4 offer sunlight into the same room and can be assessed together. The windows currently receive full sunlight from 9.00am until 3.00pm, which is more than three hours. The proposal will maintain these hours, only casting a shadow at 3.00pm, but still maintaining three hours.

Window 5 - Multi-use room:

Window 5 is a window into a habitable room. It currently receives full sunlight from 9.00am until 3.00pm, which is more than three hours. The proposal will maintain these hours, only casting a shadow at 3.00pm, but still maintaining three hours.

Private Open Space:

The area of private open space is located at the bottom of the driveway, between the deck and side boundary, and extends towards the rear of the yard. This area receives full sunlight from 9.00am until 12.00pm, being three hours. The proposal will maintain these hours, only casting a shadow at 2.00pm.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

(ii) overlooking and loss of privacy;

Officer Response:

The development proposes a 1.7m high screen along the sides of the deck facing each boundary. This screening is considered appropriate and acceptable to reduce any potential overlooking or loss of privacy.

(iii) visual impacts when viewed from adjoining lots;

Officer Response:

Whilst the visual impact will be noticeable, it is not considered to be unreasonable. With regard to the southern impact when viewed from 67 Bourke Street, Launceston the development includes the demolition of an existing wall and replacement that will extend by 1.84m vertically from its lowest point, but will still be approximately 600mm below the existing wall's highest point. The development also includes a new deck that will be visible, although will have a 1.7m high screen to alleviate privacy issues, and stairs to access the rear yard, located on the northern side of the deck. An illustration of the existing wall and what is proposed is below:

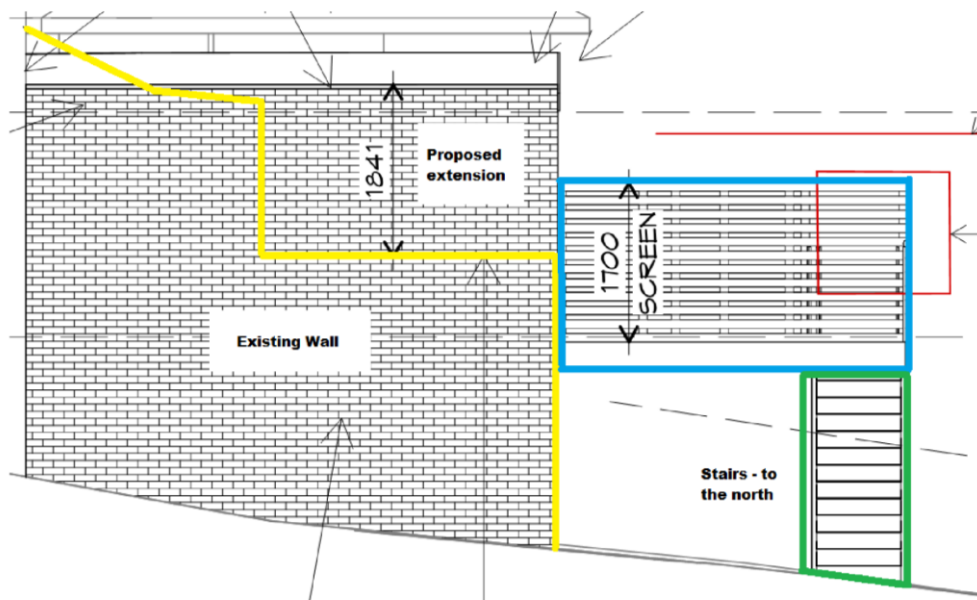


Figure 4 - Visual impact from 67 Bourke Street

The proposed wall will be demolished and replaced with a larger higher wall, with an increase of approximately 5.8m². It is noted that the Tasmanian Heritage Council have issued consent for the removal of the wall, noting that it needs to be reconstructed with salvaged materials from its demolition. The wall will be built on the boundary within the subject site, noting its length will not be extended.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

It is generally considered acceptable to extend the wall vertically. It is in keeping with the existing building on site which contains large, high walls on the boundary with significant bulk when taking into consideration its proximity to adjoining dwellings. Whilst noticeable, it will still allow views from habitable room windows and is consistent with the current state of the site.

The deck and screening will be setback 1m from the boundary, and be open underneath to help break up the bulk of the development. The screening will have some form of transparency to further break up visual bulk.

The visual impact from 65 Bourke Street, Launceston is less evident, but still noticeable. The following illustrates the view from the northern adjoining lot:

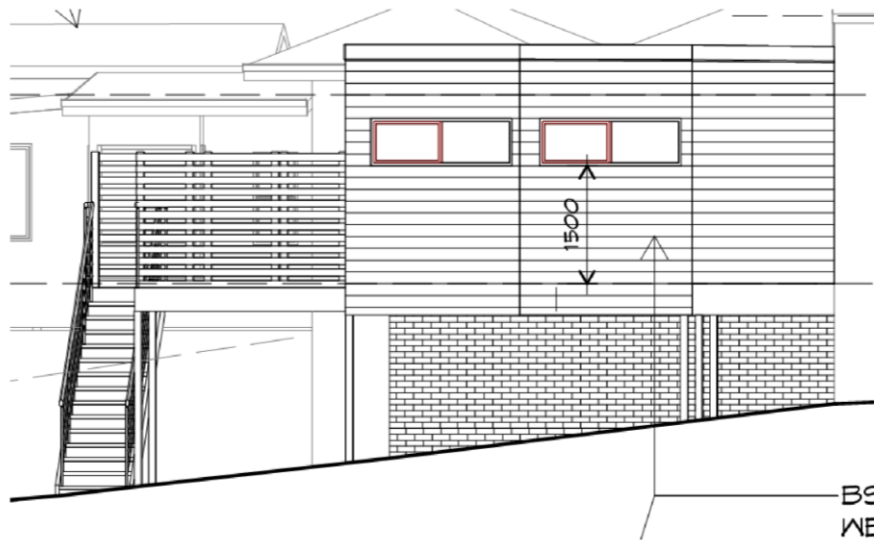


Figure 5 - Visual impact from 65 Bourke Street

The wall with windows will be setback 913mm from the boundary, and approximately 1.8m from the wall of the adjoining property, noting no windows are located on the adjoining dwelling's wall facing south. The dwelling at 65 Bourke Street, Launceston does, however, contain a bay window that faces east, and can look into the subject site, noting that this window will be looking into the screened deck area. Therefore, the visual impact caused by the development to the northern adjoining property is considered reasonable.

(b) take into account steep slopes and other topographical constraints; and

Officer Response:

The site slopes from the rear of the dwelling towards the rear boundary. Further, the width of the site is approximately 6.25m at the location of development. The site is

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

therefore constrained. The proposal will allow a flat deck extension to avoid the sloping site. Due to its design and response to the site, and taking into consideration surrounding development, it is a respectful development due to its constraints.

(c) have regard to streetscape qualities

Officer Response:

The extension will only be visible from the frontage when viewed from the driveway of 67 Bourke Street, Launceston. No changes are proposed to the front of the dwelling. The extension is consistent with surrounding developments which are built on, or close to, side boundaries. Accordingly, the siting and scale of the extension will have minimal impacts on the streetscape as a whole.

The site is an irregular shaped lot within the Inner Residential zone. Development of this nature is not out of context with the pattern of development and built form within the area, which includes modern extensions on older houses. It is acknowledged that whilst there will be some loss of sunlight, sufficient sunlight will still be maintained for at least three hours a day to habitable room windows and areas of private open space. Therefore, the residential amenity of adjoining lots has been maintained, whilst allowing for a contemporary extension. The proposal complies with the performance criteria.

11.4.5 Privacy for single dwellings

Objective:

To ensure that the location and design of windows of habitable rooms, balconies, decks, roof gardens, parking spaces and carports maintain residential amenity by minimising the potential for overlooking between neighbours.

Consistent

Consistency with the objective has been achieved as the proposal ensures the deck's location maintains the residential amenity of the area and reduces overlooking.

A1 Balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) that have a finished surface or floor level greater than 1m above natural ground level must have a side setback of no less than 3m and a rear setback of no less than 4m.

Relies on Performance Criteria

The balcony will have a floor level of 2.1m above natural ground level at its highest point. It will be setback 900mm from the southern side boundary and 1.0m from the northern side boundary. As such, reliance on the performance criteria is required.

P1 The potential for direct overlooking from balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) with a finished surface or floor level more than 1m above natural ground level on one lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or offset or by use of solid or translucent screening.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>Complies The rear deck proposes a 1.7m high timber fence to assist in screening. The screen directly reduces the potential to overlook into adjoining properties, including habitable rooms and balconies, complying with the performance criteria.</p>
<p>A2 Windows of habitable rooms which have a floor level greater than 1m above natural ground level must: (a) have a side setback of no less than 3m; or (b) be offset no less than 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or (c) have a window sill height of no less than 1.7m.</p>
<p>Complies The proposed extension includes a living room which has a habitable floor level of 1.9m above natural ground level. The window is setback 913mm from the northern side boundary, however, faces a wall with no habitable room windows, complying with A2(b).</p>

E13.0 Local Historic Cultural Heritage Code

<p>E13.1 The purpose of this provision is to: (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; (b) encourage and facilitate the continued use of these places; (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.</p>
<p>Consistent The site is located on the local and state heritage register. The application was referred to the Tasmanian Heritage Council (THC) who issued a Notice of Heritage Decision on 11 September 2020. The THC consents to the permit being granted subject to a condition that the southern brick boundary wall, when reconstructed, be built of compatible bricks. Furthermore, the development complies with the purpose of the code as it retains the existing historic cultural heritage significance of the site, whilst ensuring the extension is sympathetic to the building.</p>

E13.6 Development Standards

E13.6.1 Demolition

<p>Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.</p>
--

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the proposal ensures that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</p> <ul style="list-style-type: none"> (a) the physical condition of the local heritage place; (b) the extent and rate of deterioration of the building or structure; (c) the safety of the building or structure; (d) the streetscape or setting in which the building or structure is located; (e) the cultural heritage values of the local heritage place; (f) the need for the development; (g) any options to reduce or mitigate deterioration; (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and (i) any overriding economic considerations.
<p>Complies</p>
<p>The elements proposed to be removed are all to the rear of the original <i>Hythe School</i> building on the site. While being of some age, these <i>lean-to</i> forms are utilitarian in nature and do not appear to be integral to the form or function of the more significant structure which fronts Bourke Street.</p> <p>It is acknowledged that the existing floor area of the building, now used as a single dwelling, is small by contemporary living standards and that the current living areas lack sun and daylight due to the configuration of the site and the location of buildings on adjoining properties. It is also clear that there is limited potential for practical extensions to the building which would have any lesser impact on the heritage significance of the site or the amenity of surrounding residences, therefore, an extension of the scale proposed is not considered to be inappropriate on this site.</p> <p>The parts of the lean-to structures required to be removed to facilitate the development are not visible from Bourke Street, Launceston and their removal is not considered to be detrimental to the identified significance of the property. However, the brick party wall to the southern boundary is visible from the street, is highly visible from the adjoining property to the south, appears to be robust and has a historic texture and character.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

The THC has provided the following condition be placed on the permit:

In rebuilding the southern brick boundary wall, compatible bricks salvaged from the demolition work must be used for the external wall face and this brickwork must be laid in with a mortar of composition and finish matching the original mortar of the adjacent brickwork:

- (i) the c1900 bricks must be salvaged and re-used in the new boundary wall construction; and,*
- (ii) the balance of new bricks must have an equally recessive and complimentary character.*

Whilst acknowledging the historic significance of the wall, it also acknowledges that the wall is able to be demolished, so long as the brickwork and composition is retained during reconstruction.

The proposal is, therefore, considered to comply with the performance criteria.

E13.6.4 Site coverage

Objective:

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

Consistent

Consistency with the objective has been achieved as the proposal ensures that site coverage is compatible with the historic cultural heritage significance of local heritage places.

A1 No acceptable solution.

Relies on Performance Criteria

P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to:

- (a) the topography of the site;
- (b) the cultural heritage values of the local heritage place and setting;
- (c) the site coverage of buildings on sites in the surrounding area; and
- (d) the pattern of development in the surrounding area.

Complies

The pattern of development on the site will be altered by the proposal, however, the resultant layout and ratio of site coverage is considered to be consistent with pattern of development in the area and compatible with the historic cultural heritage significance of the local heritage place. The proposal complies with the performance criteria.

E13.6.5 Height and bulk of buildings

Objective:

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

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>Consistent Consistency with the objective has been achieved as the proposal ensures that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; (d) the historic cultural heritage significance of adjacent places; and (e) the streetscape.</p>
<p>Complies The proposed extension is low lying in comparison to the more significant structure on the site and also the buildings in the broader area. The height of the new building has been minimised while maintaining a floor level consistent with that of the main living level of the existing building for practical purposes. This is evident in the low ceiling and practically flat roof form, even to the extent that the roof plane has its low side toward the nearest neighbour to the south.</p> <p>The extension is also located to the rear of the main building form, which means the majority of the new work will not be evident from Bourke Street and the additional height and length of the building is not considered to block views from the road or substantially decrease the light to the adjacent site.</p> <p>Therefore, the height and bulk of the proposed extension may be considered to be compatible with the existing building, the pattern of development in the area, and character of this heritage streetscape, and consequently to be compatible with the historic cultural heritage significance of the local heritage place and its setting.</p> <p>The proposal complies with the performance criteria.</p>

E13.6.6 Site of buildings and structure

<p>Objective: To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent Consistency with the objective has been achieved as the proposal ensures that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

A1 No acceptable solution.
Relies on Performance Criteria
<p>P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the topography of the site; (c) the size, shape, and orientation of the lot; (d) the setbacks of other buildings in the surrounding area; (e) the historic cultural heritage significance of adjacent places; and (f) the streetscape.
<p>Complies</p> <p>The proposed extension does not alter the existing zero setbacks from the Bourke Street frontage or the boundary to the adjoining property to the south. It also follows the line of the existing lean-to structure to the north, and thus the setback from the adjoining property to the north is maintained, however, the extent of the building and deck is significantly increased along this north side.</p> <p>It is acknowledged that the subject site has an awkward shape, narrowing from the street front width, apparently to allow for the existing development on the title to the north. However, the resultant layout is considered to be generally consistent with pattern of development to the rear of dwellings in the area.</p> <p>As discussed in regard to site coverage, the pattern of development on the site will be altered by the proposal, however it is considered to be similar to, and compatible with, surrounding development and the historic cultural heritage significance of the local heritage place.</p> <p>The proposal complies with the performance criteria.</p>

E13.6.8 Roof form and materials

<p>Objective:</p> <p>To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
A1 No acceptable solution.
Relies on Performance Criteria

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.
<p>Complies</p> <p>The flat <i>skillion</i> or mon-pitch roof to the extension is consistent with the roofs of the existing lean-tos on the site and with extensions and outbuildings in the surrounding area. This form is also useful in minimising the overall height and bulk of the structure and therefore, the visual and overshadowing impacts on the site and adjoining development. The colorbond custom orb cladding is also consistent with roofing in the area, however, it should not be visible from the street or adjoining properties. Therefore, roof form and materials proposed are considered to be compatible with the historic cultural heritage significance of the local heritage place and its setting.</p> <p>The proposal complies with the performance criteria.</p>

E13.6.9 Wall materials

<p>Objective:</p> <p>To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent</p> <p>Consistency with the objective has been achieved as the proposal ensures that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant wall materials in the setting; and (d) the streetscape.
<p>Complies</p> <p>The new party wall to the southern side boundary is proposed to be of face brick, similar to the existing wall in this location. As stated under E13.6.1, the reconstruction of this wall will utilise salvaged brickwork, as well a composition and a finish to match the original. This allows the cultural significance of the wall to be retained.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

The new party wall to the southern side boundary is proposed to be of face brick, similar to the existing wall in this location. As stated under E13.6.1, the reconstruction of this wall will utilise salvaged brickwork, as well a composition and a finish to match the original. This allows the cultural significance of the wall to be retained.

The walls to the northern and eastern elevations of the extension are proposed to be faced with weatherboard look (fibre cement sheet) cladding with a painted finish. The faux weatherboard walls are not an exact match with the existing lean-to wall cladding, however, they will not be visible from Bourke Street, or many viewpoints outside of the subject site, and should blend in with the painted weatherboard walls of the adjoining buildings from wherever they may be visible.

The same is true for the new windows and doors proposed to the extension. These will not be visible from Bourke Street, or many viewpoints outside of the subject site and do not stand to have any detrimental impact on the heritage significance of the place or the character of its setting.

Also in a similar situation, to the rear of the dwelling, is the deck structure. The deck does project further to the east and thus into the view of residents of the adjoining property to the south, however, the timber materials proposed are considered to be appropriate to the character of the area, and the semi-transparency of the screens should minimise the visual impact of the structure while maintaining an acceptable level of privacy between neighbours. It is noted that the property to the south also has a deck structure projecting to the rear of the dwelling.

Generally the wall materials specified show consideration of the materials used on the site and in the surrounding area and are considered to be compatible with the historic cultural heritage significance of local heritage places and their settings.

The proposal complies with the performance criteria.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Conditional consent provided.
Environmental Health	Conditional consent provided.
Heritage/Urban Design	Consent provided to support the proposal.
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	<p>Notice of the Tasmanian Heritage Council Heritage Decision dated 11 September 2020, granting the permit subject to the following condition:</p> <p><i>In rebuilding the southern brick boundary wall, compatible bricks salvaged from the demolition work must be used for the external wall face and this brickwork must be laid in with a mortar of composition and finish matching the original mortar of the adjacent brickwork:</i></p> <ul style="list-style-type: none"> <i>i. the c1900 bricks must be salvaged and re-used in the new boundary wall construction;</i> <i>and,</i> <i>ii. the balance of new bricks must have an equally recessive and complimentary character.</i>
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 19 August to 2 September 2020. Eleven 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.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>Issue 1 Omission of a bay window at 65 Bourke Street and potential noise issues from the deck.</p>
<p><i>Response 1:</i> It is acknowledged that the bay window was not on the submitted plans. This window is setback approximately 3.2m from the side boundary, and 4.2m from the proposed deck. It is considered that no matter where a deck were located on the subject site, or no deck at all, that people gathering in that location, the noise levels would remain the same. It is considered that the introduction of a 1.7m high fence would help alleviate noise issues.</p>
<p>Issue 2 Fencing does not appear to be in the correct position.</p>
<p><i>Response 2:</i> The plans were undertaken by qualified professionals and the Council would not necessarily question the accuracy of the plans. Notwithstanding, the location of the fencing is irrelevant to the assessment.</p>
<p>Issue 3 Overlooking and privacy concerns to adjoining properties.</p>
<p><i>Response 3:</i> The placement of 1.7m high screen fencing is considered an appropriate response to reduce any overlooking and privacy concerns.</p>
<p>Issue 4 Sill height of northern facing windows states 1.5m, however, the planning response states 1.7.</p>
<p><i>Response 4:</i> The height as assessed is 1.5m. An assessment has considered this is acceptable.</p>
<p>Issue 5 The extension is out of character with the heritage value of the property. It is too significant.</p>
<p><i>Response 5:</i> The proposal has been assessed against E13.0 Local Historic Culture Heritage Code. An assessment against the code has determined that the extension is sympathetic with the historic cultural heritage significance of the site and the place.</p>
<p>Issue 6 The reduction of sunlight to areas of 67 Bourke Street will have a significant impact on the property and those within it.</p>
<p><i>Response 6:</i> Overshadowing has been assessed in detail under Clause E11.4.3 and it has been determined that it meets P1(a)(i).</p>
<p>Issue 7 The extension will block views, in particular the extension of the wall and deck.</p>
<p><i>Response 7:</i> Assessment against the amenity of the proposal has been undertaken. Whilst some views will be lost, the majority will still be retained.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

<p>Issue 8 The overshadowing data appears to be incorrect</p>
<p><i>Response 8:</i> These concerns were relayed to the applicant who provided a response providing details as to how the shadow diagrams were achieved. As part of their review, it was understood they made a mistake which placed north a couple of degrees out. Accordingly, they have provided updated shadow diagrams with the correct shadow locations. The amended shadow diagrams in fact demonstrate an improvement in overshadowing of 67 Bourke Street, Launceston.</p>
<p>Issue 9 No construction management plan or traffic management plan has been provided. Needed due to the demolition will be required to be undertaken by hand due to current access via a 1m wide walkway.</p>
<p><i>Response 9:</i> These are not management plans that are required at planning stage.</p>
<p>Issue 10 The development does not respect the historic value of the property, and is too large for the site.</p>
<p><i>Response 10:</i> As previously stated, it has been assessed that the historic value of the property has been managed to respect the nature of the property. The extension is considered to be a good design response to the site and its surrounds.</p>
<p>Issue 11 The advertising did not mention that the site is heritage listed.</p>
<p><i>Response 11:</i> This is not a requirement.</p>
<p>Issue 12 The bulk of the proposed extension is too large, especially considering the development is outside of the building envelope. It is too tall and too close to the boundaries.</p>
<p><i>Response 12:</i> The proposal is outside of the building envelope and therefore was assessed against Performance Criteria P1 under Clause 11.4.3. Reliance on the performance criteria does not automatically mean that a proposal is too large, it just requires a further detailed assessment of the proposal. An assessment of this clause determined that the siting and scale of the extension is reasonable.</p>
<p>Issue 13 Impact earthworks will have on adjoining sites, including stormwater.</p>
<p><i>Response 13:</i> As the proposal is not proposing cut or fill more than 600mm below or above existing ground level, earthworks and stormwater were not required to be addressed.</p>

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

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 considered relevant to this report.

9.2 65A Bourke Street, Launceston - Residential - Partial Demolition and Construction of Alterations and Additions to Existing Dwelling ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 65A Bourke Street, Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 65A Bourke Street, Launceston (*electronically distributed*)
 3. Applicant response to representations - 65A Bourke Street, Launceston (*electronically distributed*)
 4. Shadow Response and updated shadow diagrams - 65A Bourke Street, Launceston (*electronically distributed*)
 5. Tasmanian Heritage Council - Notice of Decision - 65A Bourke Street, Launceston (*electronically distributed*)
 6. Original Shadow Analysis - 65A Bourke Street, Launceston (*electronically distributed*)
 7. Representations - 65A Bourke Street, Launceston (*electronically distributed*)
-

10 ANNOUNCEMENTS BY THE MAYOR**10.1 Mayor's Announcements****FILE NO:** SF2375

Saturday 19 September 2020

- Attended the North Launceston Bowls Club Open Day
- Attended the Trevallyn Bowls Club luncheon

Monday 21 September 2020

- Attended the 5 Year Celebration of the *Womens' Friendship Group*

Tuesday 22 September 2020

- Officiated at the Science and Engineering Challenge days
- Attended *Visit Northern Tasmania's* Annual General Meeting

Friday 25 September 2020

- Hosted a function to mark the 10th Anniversary of *Remade*

Sunday 27 September 2020

- Attended the Northern Hockey League Award Presentations

Wednesday 30 September 2020

- Hosted a function to mark the opening of the *Just Cats* Veterinary Clinic
-
-

11 COUNCILLORS' 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.)

12 QUESTIONS BY COUNCILLORS**12.1 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.)

12.1.1 Councillors' Question on Notice - Councillor D C Gibson - Pavers in Civic Square - 22 September 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Louise Foster (Acting Chief Executive Officer)

QUESTIONS and RESPONSES:

The following question, submitted in writing on 22 September 2020 by Councillor D C Gibson, has been answered by Ms Louise Foster (Acting Chief Executive Officer).

Questions:

1. Last year, a meeting was held with Council staff and Lisa Coulson from the Tasmanian Aboriginal Centre where it was determined that the placement of some additional interpretive pavers would be considered for Civic Square.

Given the delay, where is this process at and which part of Council has carriage of it?

Response:

The Place Making team has been liaising with the Tasmanian Aboriginal Centre regarding their preferred option to amend the wording of some of the pavers to recognise the experience of the original inhabitants of this place. Discussions have been productive and a further update will be provided soon.

ATTACHMENTS:

1. Councillor's Questions on Notice - Councillor D C Gibson - 22 September 2020
-

Attachment 1 - Councillor's Questions on Notice - Councillor D C Gibson - 22 September 2020

From: Councillor Danny Gibson <Danny.Gibson@launceston.tas.gov.au>
Sent: Tuesday, 22 September 2020 2:21 PM
To: Michael Stretton <Michael.Stretton@launceston.tas.gov.au>
Subject: Question on Notice for coming Council Meeting

Pavers in Civic Square

Last year, a meeting was held with Council Staff and Lisa Coulson from the Tasmanian Aboriginal Centre where it was determined that the placement of some additional interpretive pavers would be considered for Civic Square.

Given the delay, where is this process at and which part of Council has carriage of it?

Councillor Danny Gibson

Deputy Mayor
City of Launceston
PO Box 396 LAUNCESTON Tasmania 7250
M 0407 096 597 | www.launceston.tas.gov.au

12.2 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.)

13 COMMITTEE REPORTS**13.1 Pedestrian and Bike Committee Meeting - 10 September 2020****FILE NO:** SF0618**AUTHOR:** Cathy Williams (Infrastructure and Engineering Officer)**GENERAL MANAGER:** Leigh Handley (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To receive and consider a report from the Pedestrian and Bike Committee Meeting held on 10 September 2020.

RECOMMENDATION:

That Council receives the report from the Pedestrian and Bike Committee Meeting held on 10 September 2020.

REPORT:

The Pedestrian and Bike Committee Meeting held on 10 September 2020 noted that:

- there are no Tasmania specific standards for bicycle infrastructure;
- there is a pedestrian and bike count proposed for Tuesday, 22 September 2020; and
- the Tasmanian Bicycle Council Annual General Meeting will be held via Zoom on Monday, 14 September 2020 at 10.00am.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

13.1 Pedestrian and Bike Committee Meeting - 10 September 2020 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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

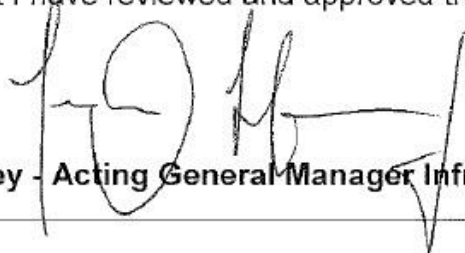
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leigh Handley - Acting General Manager Infrastructure and Assets Network

13.2 Tender Review Committee Meeting - 17 September 2020**FILE NO:** SF0100/CD.023/2020/CD.025/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Tender Review Committee (a delegated Authority Committee).

RECOMMENDATION:

That Council notes the decision of the Tender Review Committee to accept:

1. the tender submitted by BridgePro Engineering Pty Ltd for the Patersonia River Bridge 649 - Design and Construct, Contract Number CD.023/2020 for \$199,800.00 (exclusive of GST).
2. the tender submitted by BridgePro Engineering Pty Ltd for the Snake River Gully Bridge 604 - Design and Construct, Contract Number CD.025/2020 for \$199,400 (exclusive of GST).

REPORT:

The Tender Review Committee Meeting, held on 17 September 2020, determined the following:

1. that the sum submitted by BridgePro Engineering Pty Ltd for the Patersonia River Bridge 649 - Design and Construct, Contract Number CD.023/2020 for \$199,800.00 (exclusive of GST) be accepted.
2. that the sum submitted by BridgePro Engineering Pty Ltd for the Snake River Gully Bridge 604 - Design and Construct, Contract Number CD.025/2020 for \$199,400.00 (exclusive of GST) be accepted.

ECONOMIC IMPACT:

Not considered relevant to this report.

13.2 Tender Review Committee Meeting - 17 September 2020 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



James McKee Acting General Manager Organisational Services Network

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report - 1 October 2020

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

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

Workshops conducted on 24 September and 1 October 2020:

Proposed Northern Inveresk Car Park Licence to the University of Tasmania
Councillors discussed the proposed licence agreement with the University of Tasmania.

Changing Events Scene in Launceston
Councillors were provided with an overview of the changing events scene in Launceston

Launceston City Heart - Proposed Traffic Flow
Councillors received a presentation on concept design and traffic modelling for proposed Launceston City Heart traffic flow changes.

Draft Transport Strategy
Councillors engaged in discussion and provided feedback on the Launceston Transport Strategy development.

Theatre North Inc. - COVID-19 Business Impacts
Councillors discussed the impacts and future options for the organisation.

Raglan Street, Youngtown
Councillors received a presentation regarding land at Raglan Street, Youngtown.

14.1 Council Workshop Report - 1 October 2020 ...(Cont'd)

Launceston Health Hub

Councillors engaged in discussions regarding the future of the Launceston Health Hub as it continues to evolve.

FIFA Women's World Cup 2023

Councillors were provided with information regarding the current bid process.

REPORT:

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

14.1 Council Workshop Report - 1 October 2020 ...(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.



James McKee Acting General Manager Organisational Services Network

15 NOTICES OF MOTION

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

15.1 Notice of Motion - Councillor D H McKenzie - City of Launceston Recognition - Richie Porte

FILE NO: SS547

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Louise Foster (Acting Chief Executive Officer)

DECISION STATEMENT:

To consider a Notice of Motion submitted by Councillor D H McKenzie regarding City of Launceston recognition for Richie Porte.

RECOMMENDATION:

That Council:

1. celebrates the success of Richie Porte in the recent Tour de France (third place) by holding a Civic Reception to recognise this remarkable feat together with his other career achievements.
 2. requests that Officers investigate and report back to Council on the possibility of conferring the honour of Key to the City on him under the criteria of outstanding achievement in sporting or cultural excellence, as outlined in our current policy guidelines.
 3. notes that in respect to Recommendation 1., that as it is likely there will be other celebrations mooted to recognise this achievement, it is requested that the Council co-ordinate our efforts with input from Richie and his support team and other agencies and organisations to ensure that this tribute is both fitting and significant.
-

REPORT:

Richie Porte has been a leading world cyclist for many years and this year to finish on the podium in the Tour de France is without doubt his crowning glory (to date) in his chosen sport. A position attained by only one other Australian cyclist in the Tour de France history, the great Cadel Evans who won the event in 2011.

15.1 Notice of Motion - Councillor D H McKenzie - City of Launceston Recognition - Richie Porte ...(Cont'd)

Richie has had a long and painful history with this race which has been dogged by bad luck and career threatening accidents and this year he entered the event as his swansong as a team leader in a Grand Tour, and what a swansong it was. Riding in excess of 3,000km over three weeks in some of the most mountainous terrain in the world he more than held his own with the new order in world cycling.

His performance in the stage 19 time trial will be spoken of for many years as he managed to claw the required 99 seconds back from the rider in 3rd place to leap on to the podium, possibly only surpassed by the eventual winner of the race, Tadej Pogacar who also rode the time trial of his life to secure the yellow jersey (1st place) from Primož Roglič.

Whilst the Tour de France is the most important road race in the world, Richie's honour roll goes far beyond that and in recognising him today we should also note some of his many other achievements, including:

- best young rider and 7th place in his first Grand Tour Giro d'Italia in 2010, including three days in the *Maglia Rosa* the coveted race leader's jersey; the winner of:
 - Paris - Nice (2013 and 2015);
 - Volta a Catalunya (2015);
 - Tour de Romandie (2017);
 - Tour de Suisse (2018);
 - Tour Down Under (2017 and 2020);
 - Giro del Trentino (2015); and
 - Volta ao Algarve (2012);
- together with many other stage wins in big races.

It is important to note that Richie's career is not yet over and we hope to see further additions to his resume, but with his placing at this year's Tour de France it is both opportune and appropriate that we mark his significance in Tasmanian, Australian and world cycling by honouring him in the way proposed in this motion.

OFFICER COMMENT:

The request to celebrate Richie Porte's success in the Tour de France meets the criteria for approval of Civic Receptions.

The Council has a policy for Key to the City and Council Officers will investigate the criteria and report back to Council.

Officers will liaise with Richie and his support team to identify a suitable date and type of recognition function. Current COVID-19 pandemic restrictions have an impact on travel to and from Tasmania and limit the number of people able to attend events.

15.1 Notice of Motion - Councillor D H McKenzie - City of Launceston Recognition - Richie Porte ...(Cont'd)

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024
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.



Louise Foster Acting Chief Executive Officer

ATTACHMENTS:

1. Notice of Motion - Councillor D H McKenzie - City of Launceston Recognition - Richie Porte
-

**Attachment 1 - Notice of Motion - Councillor D H McKenzie -
City of Launceston Recognition - Richie Porte**

CITY OF LAUNCESTON

MEMORANDUM

FILE NO: SF5547 SF0202
MS:HM:eg
DATE: 23 September 2020

TO: Michael Stretton Chief Executive Officer
c.c. Committee Clerks

FROM: Hugh McKenzie Councillor

SUBJECT: City of Launceston Recognition - Richie Porte

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 1 October 2020.

Motion

That Council:

1. Celebrates the success of Richie Porte in the recent Tour de France (third place) by holding a Civic Reception to recognise this remarkable feat together with his other career achievements;
2. Request that Officers investigate and report back to the Council on the possibility of conferring the honour of Key to the City on him under the criteria of outstanding achievement in sporting or cultural excellence, as outlined in our current policy guidelines; and
3. Note that in respect to recommendation 1, that as it is likely there will be other celebrations mooted to recognise this achievement, it is requested that the Council co-ordinate our efforts with input from Richie and his support team and other agencies and organisations to ensure that this tribute is both fitting and significant.

Background

Richie Porte has been a leading world cyclist for many years and this year to finish on the podium in the Tour de France is without doubt his crowning glory (to date) in his chosen sport. A position attained by only one other Australian cyclist in the Tour de France history, the great Cadel Evans who won the event in 2011.

Richie has had a long and painful history with this race which has been dogged by bad luck and career threatening accidents and this year he entered the event as his swansong as a team leader in a Grand Tour, and what a swansong it was. Riding in excess of 3,000 km over three weeks in some of the most mountainous terrain in the world he more than held his own with the new order in world cycling.

CITY OF LAUNCESTON

MEMORANDUM

His performance in the stage 19 time trial will be spoken of for many years as he managed to claw the required 99 seconds back from the rider in 3rd place to leap on to the podium, possibly only surpassed by the eventual winner of the race, Tadej Pogacar who also rode the time trial of his life to secure the yellow jersey (1st place) from Primoz Roglic.

Whilst the Tour de France is the most important road race in the world, Richie's honour roll goes far beyond that and in recognising him today we should also note some of his many other achievements, including:

- best young rider and 7th place in his first Grand Tour Giro d'Italia in 2010, including 3 days in the "Maglia Rosa" the coveted race leader's jersey, the winner of
 - Paris- Nice (2013 & 2015),
 - Volta a Catalunya (2015),
 - Tour de Romandie (2017),
 - Tour de Suisse (2018),
 - Tour Down Under (2017 & 2020),
 - Giro del Trentino (2015) and
 - Volta ao Algarve (2012),
- together with many other stage wins in big races.

It is important to note that Richie's career is not yet over and we hope to see further additions to his resume, but with his placing at this year's Tour de France it is both opportune and appropriate that we mark his significance in Tasmanian, Australian and world cycling by honouring him in the way proposed in this motion.

Attachments

N/A



Councillor Hugh McKenzie

16 COMMUNITY AND PLACE NETWORK ITEMS

No Items have been identified as part of this Agenda

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

18.1 Proposed Street Name - Doyne Street, Invermay

FILE NO: SF0621

AUTHOR: Sonia Smith (Senior Engineering Officer - Development)

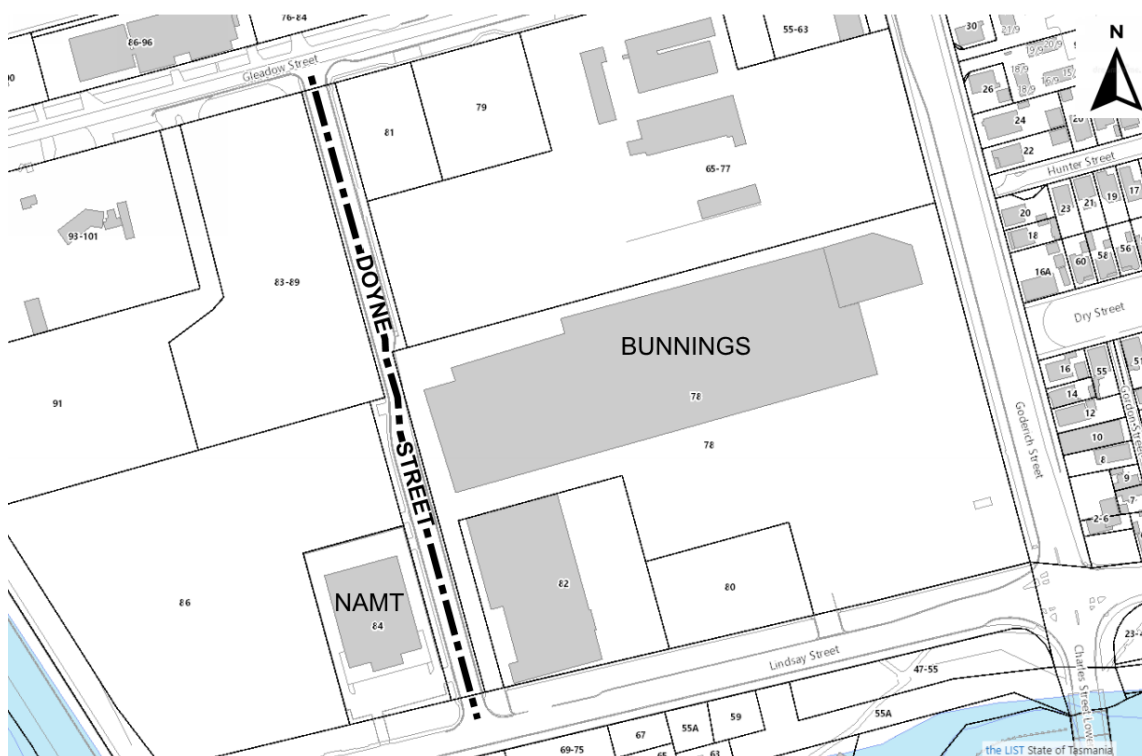
GENERAL MANAGER: Leigh Handley (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider approval of a street name for the new industrial road between Lindsay Street and Gleadow Street, Invermay.

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* (Tas) and section 20E of the *Survey Co-ordination Act 1944* (Tas), approves the name Doyne Street, Invermay for the new industrial road between Lindsay Street and Gleadow Street, Invermay.



18.1 Proposed Street Name - Doyne Street, Invermay ...(Cont'd)

REPORT:

The new road has been constructed to provide a road link between Lindsay Street and Gleadow Street, Invermay and forms part of the Invermay Traffic Masterplan. The works have been funded by the City of Launceston.

The name Doyne has been proposed by Council staff following a review of the names relevant to the area and with reference to the book *History in our Streets* by J and D Morris and with reference to local historians.

Names such as Ogilvie and Gunn have been discounted due to duplication within the Launceston municipality with Ogilvie Street located in West Launceston and two instances of Gunn Street which have previously been renamed; one in Invermay which is now known as Holbrook Street and the other now known as Wentworth Street in Newstead. The reuse of these names Gunn within Invermay would create confusion. Use of the name Gunns has been discounted due to the potential for controversy given the latter history of the company and it is not sufficiently different from Gunns to avoid confusion.

The name Doyne honours William Thomas Doyne (1823 - 1877), a civil engineer who was noted for his work with the development of the Launceston-Deloraine Railway and for designing the original Kings Bridge linking Launceston to the West Tamar.

There are no instances of the use of the name Doyne registered in the Placenames Tasmania database, administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE).

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

18.1 Proposed Street Name - Doyne Street, Invermay ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

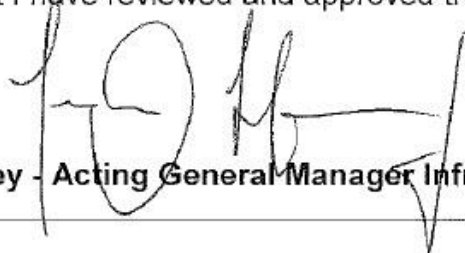
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leigh Handley - Acting General Manager Infrastructure and Assets Network

18.2 Proposed Street Names - Fortune Drive, Garland Grove and Hadlow Court, Youngtown

FILE NO: SF0621

AUTHOR: Sonia Smith (Senior Engineering Officer - Development)

GENERAL MANAGER: Leigh Handley (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

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

RECOMMENDATION:

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

1. Fortune Drive, Youngtown for the new road linking Enterprize Drive (between Lots 159 and 165) and Parkfield Drive (between Lots 134 and 204).
2. Garland Grove, Youngtown for the cul de sac off Fortune Drive between Lots 59 and 71.
3. Hadlow Court, Youngtown for the cul de sac off Garland Grove between Lots 190 and 196.



18.2 Proposed Street Names - Fortune Drive, Garland Grove and Hadlow Court, Youngtown ...(Cont'd)

REPORT:

The proposed street names have been proposed by the developer and continue the convict ship theme for this subdivision in Youngtown.

The *Fortune*, carrying 245 male convicts, sailed from England on 28 January 1806 under Captain Moore as part of a convoy under the escort of *Porpoise* that included the merchant transports and the fellow convict transport *Alexander* arriving at Port Jackson on 27 July 1806. Captain Thomas Walker sailed *Fortune* on her second convict voyage to Australia, leaving England on 3 December 1812 with 201 male convicts and arriving at Port Jackson on 11 June 1813.

The *Garland Grove* made three voyages to Australia between 1841 and 1849 with two of these transporting female convicts to Tasmania. The first voyage departed London in June 1841, arriving in Hobart on 10 October 1841 landing 179 female convicts and 13 children. The second voyage departed Woolwich in August/September 1842 and landed 182 convicts upon arrival in Hobart on 20 January 1843.

The *Hadlow* made two voyages to Australia transporting convicts, arriving in New South Wales in December 1818 from Sheerness in Kent and August 1820 from Cobh, County Cork.

The Placenames Tasmania database, administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE), indicates the existence of the name Hadlow Road at Lauderdale.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

18.2 Proposed Street Names - Fortune Drive, Garland Grove and Hadlow Court, Youngtown ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

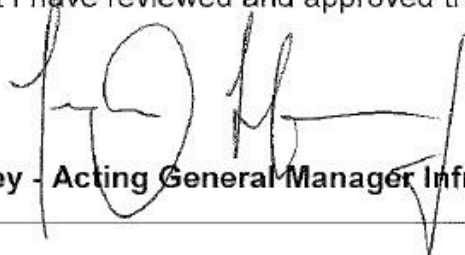
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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.



Leigh Handley - Acting General Manager Infrastructure and Assets Network

18.3 Proposed Street Name - Bethel Street, Rocherlea

FILE NO: SF0621/DA0520/2015

AUTHOR: Sonia Smith (Senior Engineering Officer - Development)

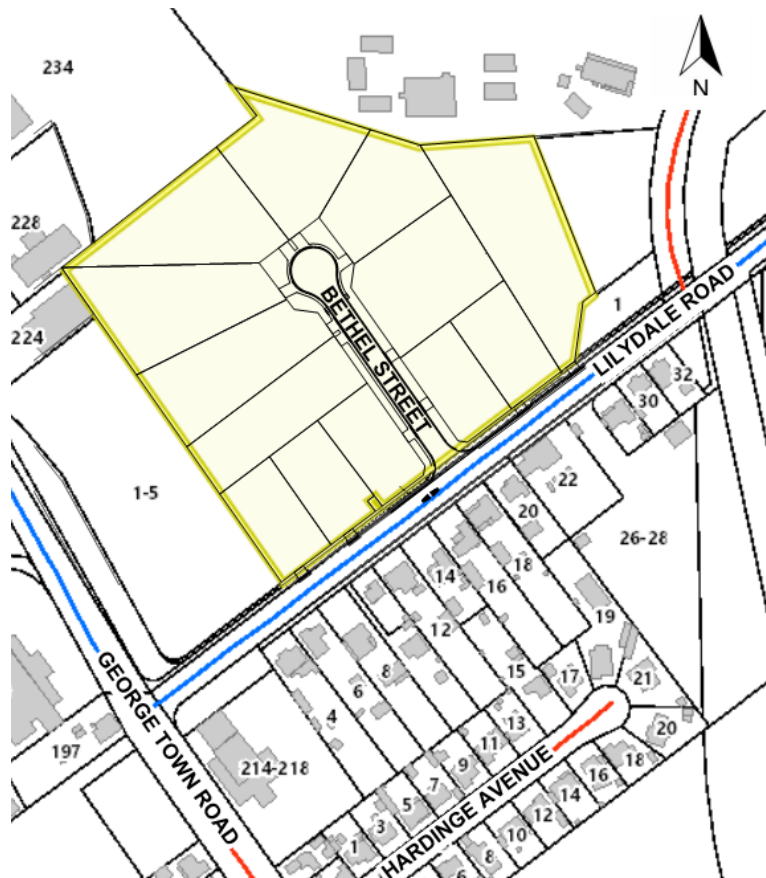
GENERAL MANAGER: Leigh Handley (Acting General Manager Infrastructure and Assets Network)

DECISION STATEMENT:

To consider approval of a street name for the new industrial road off Lilydale Road at Rocherlea.

RECOMMENDATION:

That Council, pursuant to the provisions of section 54 of the *Local Government (Highways) Act 1982* (Tas) and section 20E of the *Survey Co-ordination Act 1944* (Tas), approves the name Bethel Street, Rocherlea for the new industrial road off Lilydale Road at Rocherlea.



18.3 Proposed Street Name - Bethel Street, Rocherlea ...(Cont'd)

REPORT:

The name Bethel Street was proposed by the developers in recognition of their strong faith and involvement within their church. The name means *Gate of Heaven* or *House of God*.

The Placenames Tasmania database, administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE), indicates the existence of the name Bethels Road at Cygnet in the South.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

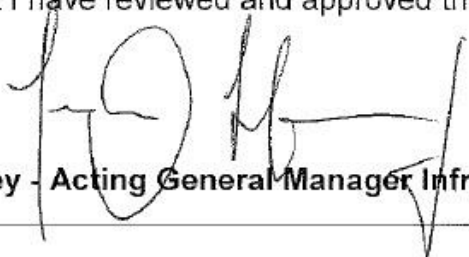
Not considered relevant to this report.

18.3 Proposed Street Name - Bethel Street, Rocherlea ...(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.



Leigh Handley - Acting General Manager Infrastructure and Assets Network

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program****FILE NO:** SF6641**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider changes to the Council's 2020/2021 Statutory Estimates.

A decision for Recommendation 1 requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 April 2020 - Agenda Item 7.1 - Community Care and Recovery Package - COVID-19

Workshop - 7 May 2020 - Care and Recovery Package - Proposed Accelerated Capital Works Program.

Council - 28 May 2020 - Agenda Item 20.2 - Accelerated Capital Works Program Policy (30-Plx-007)

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2020/2021 Statutory Estimates to support the implementation of the Accelerated Capital Works Program:
 - (a) Expenses
 - i. the net decrease in operations expenditure of \$0.
 - (b) Capital Works Expenditure
 - i. the increase in Council funded expenditure of \$0.
 - (c) New Projects for 2020/2021
-

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

Project Number	Project Description
CP24200	CBD Two Way Traffic
CP24125	Birchall's Redevelopment

(d) Projects with amended budget amounts for 2020/2021

Project Number	Project Description
CP24098	QVMAG Roof Replacement Royal Park
CP24151	Ashleigh Avenue Rehabilitation
CP24159	Ernest Street Rehabilitation
CP24137	Footpath Reseal Program 2020/2021
CP24081	Golconda Road Safety Improvements
CP24000	Gorge Cliffgrounds SPS Renewal
CP24157	Harrow/Mimosa Place Rehabilitation
CP24152	Hillside Crescent Pavement Rehabilitation
CP24163	Invermay (Forster-Mann) Rehabilitation
CP24162	Kings Meadows CBD Road Resurface
CP23785	Prospect Flood Alleviation
CP24156	Quarantine Road Rehabilitation
CP24087	Road Safety Centre Stabilisation
CP24173	Snake Gully Bridge Deck Replacement
CP24158	Talune Street Pavement Rehabilitation
CP24025	Albert Hall External Fabric Renewal
CP24055	CBD Mobile Bin Rollout
CP24039	CCTV Upgrade Mowbray
CP24010	Develop Infrastructure Contribution Fund
CP24175	Accelerated Capital Works Program

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

(e) Projects cancelled for 2020/2021

Project Number	Project Description
CP24154	UTAS Eastern Terrace Steelwork
CP24167	Albert Hall Key System Replacement
CP24086	City Park Play Space and Duck Pond Renewal
CP24165	City Wide Play Space Equipment Renewal
CP24149	CoL Air Conditioners
CP24174	Crowded Places Protection
CP24161	Invermay (Foch-Vermont) Rehabilitation
CP24169	Parks Electrical and Lighting Renewal
CP24177	Parks Footpath Reseal Program
CP24179	Parks Furniture Replacement Program
CP24142	Parks Irrigation System Renewal
CP24178	Parks Road and Car Park Reseal Program
CP24136	Rural Road Reseal Program 2020/2021
CP24141	Tamar River Cruises Pontoon 2304
CP24148	Town Hall Plant Replacement
CP24139	Westbury/Rose Lane Bank Stabilisation
CP24053	Pound and Shelter Rebuild Design
CP24070	Charles/Cimitiere Footpath and Intersect
CP23607	LCH Urban Design Guidelines
CP24028	Town Hall Internal Fabric Renewal
CP24116	Royal Park Upstairs Gallery Shutters

2. notes that amendments from Recommendation 1 result in:
- (a) the operating surplus remaining at \$5,620,800 (including capital grants of \$16,807,032) for 2020/2021.
 - (b) the capital budget being remaining at \$49,191,282 for 2020/2021.

REPORT:

The budget amendments are changes to the Statutory Estimates which require a Council decision. The changes relate to projects identified to be delivered as part of the Council's Accelerated Capital Works Program.

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

Council approved a Nation leading Community Care and Recovery Package, during April 2020, in response to the COVID-19 pandemic. The package included a \$40m Accelerated Capital Work Program (ACWP) which was designed to stimulate the local economy, with an emphasis on renewal projects that are deliverable in the next four year (2021 - 2025).

The ACWP supports financially sustainable investment that is consistent with the City of Launceston's Strategic Asset Management Plan and Long Term Finance Plan.

The ACWP Policy (30-Plx-007) adopted the following criteria to be applied to the selection of projects forming part of the ACWP:

- Expenditure must be 80% asset renewal.*
- Expenditure by program should be in line with the Long Term Finance Plan of approximately:
 - 60% to 70% transportation
 - 4% to 10% drainage
 - 5 to 10% recreation
 - 3% to 8% buildings
 - 12% to 20% waste management
 - 0% to 5% other
- Projects are required to be delivered in the next four years (2021 - 2025) due to capacity, condition and/or compliance
- Can be delivered to market by 30 April 2021
- Roads to Recovery minimum expenditure is to be met

* Rehabilitation and liner development expenditure at the Launceston Waste Centre and expansion of the ash placement area are considered renewal from an asset management perspective and in application of this criteria because they are a continuation of an existing service.

Council approved an additional ACWP Budget of \$10m for 2020/2021, as part of the Community Care and Recovery Package in response to the COVID-19 pandemic.

It was necessary to review the overall Capital Works Program for 2020/2021 and all projects with a carried forward budget from previous years. In consultation with each General Manager, the ACWP team and relevant Project Managers a number of budget amendments were identified as being required to facilitate the ACWP.

The centralised ACWP project which contains the \$10m of funding will be drawn down as new ACWP projects are identified, these will be brought to Council for approval in a timely manner. Projects that have had their scope reduced or have been cancelled, will have their funding assigned to the centralised project. Members of both the ACWP team and Finance team will meet regularly to ensure expenditure remains on track.

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

The table summarises all other budget agenda items and includes reconciliations of the budgeted operating result and capital expenditure. Details of the amendments are as follows:

The following items need to be reallocated between Capital projects but do not alter the operating surplus.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24154	UTAS Eastern Terrace Steelwork	\$150,000	\$150,000	\$0	\$0
CP24098	QVMAG Roof Replacement Royal Park	\$850,000	\$200,000	\$0	\$650,000
CP24167	Albert Hall Key System Replacement	\$35,000	\$35,000	\$0	\$0
CP24151	Ashleigh Avenue Rehabilitation	\$90,000	\$0	\$160,000	\$250,000
CP24086	City Park Play Space and Duck Pond Renewal	\$150,000	\$150,000	\$0	\$0
CP24165	City Wide Play Space Equipment Renewal	\$45,000	\$45,000	\$0	\$0
CP24149	City of Launceston Air Conditioners	\$30,000	\$30,000	\$0	\$0
CP24174	Crowded Places Protection	\$50,000	\$50,000	\$0	\$0
CP24159	Ernest Street Rehabilitation	\$90,000	\$0	\$110,000	\$200,000
CP24137	Footpath Reseal Program 2020/2021	\$300,000	\$0	\$900,000	\$1,200,000
CP24081	Golconda Road Safety Improvements	\$1,250,000	\$0	\$300,000	\$1,550,000

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24000	Gorge Cliffgrounds SPS Renewal	\$1,050,000	\$0	\$150,000	\$1,200,000
CP24157	Harrow/Mimosa Place Rehabilitation	\$165,000	\$0	\$85,000	\$250,000
CP24152	Hillside Crescent Pavement Rehabilitation	\$175,000	\$0	\$275,000	\$450,000
CP24161	Invermay (Foch-Vermont) Rehabilitation	\$450,000	\$450,000	\$0	\$0
CP24163	Invermay (Forster-Mann) Rehabilitation	\$1,075,000	\$0	\$1,450,000	\$2,525,000
CP24162	Kings Meadows CBD Road Resurface	\$420,000	\$0	\$130,000	\$550,000
CP24169	Parks Electrical and Lighting Renewal	\$100,000	\$100,000	\$0	\$0
CP24177	Parks Footpath Reseal Program	\$50,000	\$50,000	\$0	\$0
CP24179	Parks Furniture Replacement Program	\$30,000	\$30,000	\$0	\$0
CP24142	Parks Irrigation System Renewal	\$100,000	\$100,000	\$0	\$0
CP24178	Parks Road and Car Park Reseal Program	\$50,000	\$50,000	\$0	\$0
CP23785	Prospect Flood Alleviation	\$1,750,000	\$0	\$250,000	\$2,000,000
CP24156	Quarantine Road Rehabilitation	\$400,000	\$0	\$1,100,000	\$1,500,000
CP24087	Road Safety Centre Stabilisation	\$1,000,000	\$0	\$200,000	\$1,200,000
CP24136	Rural Road Reseal Program 2020/2021	\$400,000	\$400,000	\$0	\$0

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24173	Snake Gully Bridge Deck Replacement	\$150,000	\$0	\$100,000	\$250,000
CP24158	Talune Street Pavement Rehabilitation	\$90,000	\$0	\$70,000	\$160,000
CP24141	Tamar River Cruises Pontoon 2304	\$200,000	\$200,000	\$0	\$0
CP24148	Town Hall Plant Replacement	\$45,000	\$45,000	\$0	\$0
CP24139	Westbury/Rose Lane Bank Stabilisation	\$100,000	\$100,000	\$0	\$0
CP24200	CBD Two Way Traffic	\$0	\$0	\$100,000	\$100,000
CP24125	Birchall's Redevelopment	\$0	\$0	\$150,000	\$150,000
CP24053	Pound and Shelter Rebuild Design	\$30,000	\$30,000	\$0	\$0
CP24025	Albert Hall External Fabric Renewal	\$120,000	\$106,100	\$0	\$13,900
CP24055	CBD Mobile Bin Rollout	\$100,000	\$40,106	\$0	\$59,894
CP24039	CCTV Upgrade Mowbray	\$80,000	\$20,255	\$0	\$59,745
CP24070	Charles/Cimitiere Footpath and Intersect	\$89,118	\$89,118	\$0	\$0
CP24010	Develop Infrastructure Contribution Fund	\$100,000	\$47,756	\$0	\$52,244
CP23607	LCH Urban Design Guidelines	\$30,000	\$30,000	\$0	\$0
CP24028	Town Hall Internal Fabric Renewal	\$115,000	\$115,000	\$0	\$0

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(Cont'd)

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24116	Royal Park Upstairs Gallery Shutters	\$15,500	\$15,500	\$0	\$0
CP24175	Accelerated Capital Works Program	\$10,000,000	\$2,851,165	\$0	\$7,148,835
	TOTAL	\$21,519,618	\$5,530,000	\$5,530,000	\$21,519,618

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

As per the report.

19.1 2020/2021 Budget - Budget Amendments - Accelerated Capital Works Program ...(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.



James McKee Acting General Manager Organisational Services Network

19.2 2020/2021 Budget - Budget Amendments**FILE NO:** SF3641**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider changes to the Council's 2020/2021 Statutory Estimates.

A decision for Recommendation 1. requires an absolute majority of Council in accordance with section 82(4) of the Local Government Act 1993 (Tas).

RECOMMENDATION:

That Council:

1. pursuant to section 82(4) of the *Local Government Act 1993* (Tas) and by an absolute majority, approves the following changes to the 2020/2021 Statutory Estimates:
 - (a) Expenses
 - i. the net decrease in operations expenditure of \$115,250.
 - (b) Capital Works Expenditure
 - i. the increase in Council funded expenditure of \$115,250.
 2. notes that amendments from Recommendation 1. result in:
 - (a) the operating surplus being amended to \$5,620,800 (including capital grants of \$16,807,032) for 2020/2021.
 - (b) the capital budget being increased to \$49,191,282 for 2020/2021.
-

REPORT:

The budget amendments are changes to the Statutory Estimates which require a Council decision. The changes relate to external grant revenue and transfers between Operations and Capital projects.

19.2 2020/2021 Budget - Budget Amendments ...(Cont'd)

	Operations \$'000	Capital \$'000
Statutory Budget as at 1/07/2020	359	43,929
Adjustments approved by Council to 01/07/2020	5,147	5,147
Balance Previously Advised as at 01/07/2020	5,506	49,076
 <u>Amendments</u>		
Capital to Operations	0	0
Operations to Capital	115	115
External Funds	0	0
Statutory Budget as at 31/08/2020	5,621	49,191
Deduct Capital Grants and Contributions	(16,807)	
Underlying Operating Budget Surplus	(11,186)	

The table summarises all other budget agenda items and includes reconciliations of the budgeted operating result and capital expenditure. Details of the amendments are as follows:

1(a) The following items need to be reallocated from Operations to Capital.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
OP22867	Corporate Applications	\$577,500	\$115,250	\$0	\$462,250
CP24123	IT Corporate Software Additions	\$189,082	\$0	\$115,250	\$304,332
	Totals	\$766,582	\$115,250	\$115,250	\$766,582

The project scope of works:

Due to a change in charging date range for the Annual Maintenance and Support package, Technology One provided the Council with a credit to use to purchase additional software licences. This credit could only be used in the purchase of modules, but as they are capital items they need to be purchased from the Capital budget CP24123 as assets. The amount of the credit is to be transferred from the operating renewal budget to the capital account for this reason.

19.2 2020/2021 Budget - Budget Amendments ...(Cont'd)

Summary Table

Operations to Capital	Operations	Capital
IT Corporate Software Additions	(\$115,250)	\$115,250
TOTAL	(\$115,250)	\$115,250

1(b) The following items have been affected by external funding changes and affect both the Capital and Operations budgets.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
CP24170	UTAS Stadium Upgrade & Sports Facility	\$3,000,000	\$3,000,000	\$0	\$0
CP24140	Albert Hall Upgrade and Refurbishment	\$7,000,000	\$0	\$3,000,000	\$10,000,000
G10150.12160	York Park Grants & Capital Contributions	(\$3,000,000)	\$0	\$3,000,000	\$0
G10062.12160	Public Halls Grants & Capital Contributions	(\$7,000,000)	\$3,000,000	\$0	(\$10,000,000)
	Totals	\$0	\$6,000,000	\$6,000,000	\$0

The project scope of works:

\$10million of grant funding was split between UTAS Stadium Upgrade and Sporting Facility and Albert Hall Upgrade and Refurbishment. It has since been determined that all of the funding is applicable to the Albert Hall Upgrade and Refurbishment project, therefore, this amendment moves the budget to the correct capital project and also reallocates the grant income budget to the correct revenue account.

Summary Table

External Funding	Operations	Capital
Albert Hall Upgrade and Refurbishment	\$0	\$0
TOTAL	\$0	\$0

ECONOMIC IMPACT:

Not considered relevant to this report.

19.2 2020/2021 Budget - Budget Amendments ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

As per the 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.



James McKee Acting General Manager Organisational Services Network

19.3 2020/2021 Budget - Chief Executive Officer's Report on Adjustments 1 July 2020 to 31 August 2020

FILE NO: SF6816

AUTHOR: Nathan Williams (Manager Finance)

GENERAL MANAGER: James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider adjustments made during 1 July 2020 to 21 August 2020 by the Chief Executive Officer to the 2020/2021 Budget.

RECOMMENDATION:

That Council, pursuant to section 82(7) of the *Local Government Act 1993* (Tas), receives the Chief Executive Officer's report on adjustments to the 2020/2021 budget for the period 1 July 2020 to 31 August 2020.

REPORT:

Pursuant to section 82(6) of the *Local Government Act 1993* (Tas), Council has authorised the General Manager (Chief Executive Officer) to adjust budgets up to \$500,000 so long as the adjustments do not alter revenue, expenditure, borrowings or capital works estimates in total. The Budget Management Policy 12-PI-001, adopted by Council on 13 October 2014, refers to section 82(7) of the *Local Government Act 1993* (Tas) which requires the General Manager to report any adjustment and an explanation of the adjustment at the first Ordinary Meeting of the Council following the adjustment.

The following capital project adjustments have occurred in the period 1 July 2020 to 31 August 2020:

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24026	Smart City/Internet of Things	\$25,000	\$0	\$2,700	\$27,700
23971	IT Infrastructure Additions 2020/2021	\$29,033	\$2,700	\$0	\$26,333
	TOTAL	\$54,033	\$2,700	\$2,700	\$54,033

19.3 2020/2021 Budget - Chief Executive Officer's Report on Adjustments 1 July 2020 to 31 August 2020 ...(Cont'd)

The project scope of works:

IT have identified available budget to cover extra costs in the purchase of a Microsoft Hub 2S for the Smart City project and other related innovation projects.

Project Number	Project Description	Current Approved Amount	Transfer From	Transfer To	New Budget
24021	Paterson Street West Parenting Room	\$250,000	\$250,000	\$0	\$0
23881	Paterson Street Exeloo	\$210,000	\$0	\$250,000	\$460,000
	TOTAL	\$460,000	\$250,000	\$250,000	\$460,000

The project scope of works:

Works to replace the current automated Exeloo toilet facility and the upgrade the parenting facility at the Paterson Street West car park are being undertaken as one combined project. It is requested that the budget on the Parenting Room project be transferred to the Paterson Street Exeloo project (CP23881) as costs have now been combined under this one project.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.3 2020/2021 Budget - Chief Executive Officer's Report on Adjustments 1 July 2020 to 31 August 2020 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

2. To fairly and equitably discharge our statutory and governance obligations.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

As per the 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.



James McKee Acting General Manager Organisational Services Network

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown**FILE NO:** 133950**AUTHOR:** Robert Bujnowski (Properties and Legal Officer)**GENERAL MANAGER:** James McKee (Acting General Manager Organisational Services Network)

DECISION STATEMENT:

To consider disposing of an interest in Council land.

This decision is required to be made by absolute majority according to section 177 of the Local Government Act 1993 (Tas).

PREVIOUS COUNCIL CONSIDERATION:

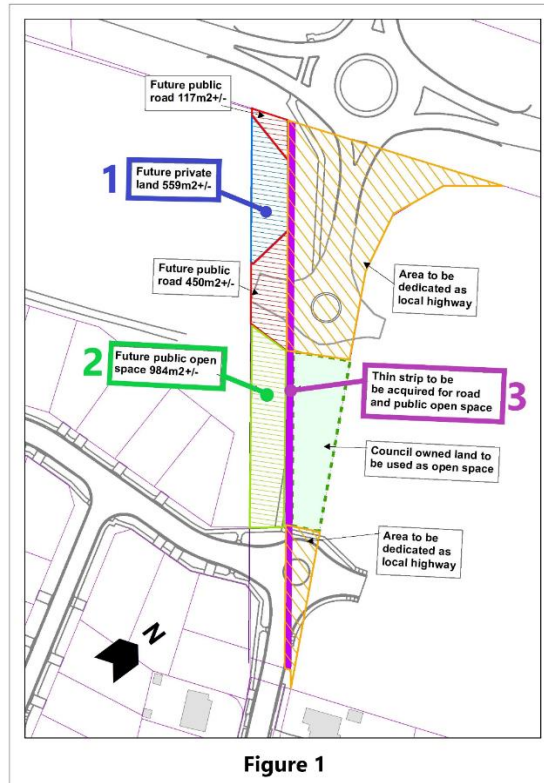
Council - 16 May 2019 - Agenda Item 8.1 - 24 Raglan Street, Youngtown, 77 Victoria Street, Youngtown and 24A Raglan Street, Youngtown - Subdivision - Subdivide One Lot Into 216 Lots - issued a development approval under DA0637/2018 to allow for a 216 lot subdivision over 16 stages

RECOMMENDATION:

That Council:

1. notes the Valuation Advice marked Attachment 1 (ECM Doc Set ID 4387581) and Attachment 2 (ECM Doc Set ID 4386695) concerning the interests in the relevant land.
 2. decides, pursuant to section 177 of the *Local Government Act 1993 (Tas)*, to dispose of an interest in the relevant land by:
 - (a) selling its Right-of-Way interest in the 559m² land noted in this report as Future Private Land as marked '1' in Figure 1; and
 - (b) selling its Right-of-Way interest in the 984m² land noted in this report as Future Public Open Space as marked '2' in Figure 1.
-

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ... (Cont'd)



3. decides, pursuant to section 176 of the *Local Government Act 1993* (Tas) and in accordance with the *Land Acquisition Act* (Tas), or by any other lawful means, to acquire the 2.24m +/- wide thin strip of abandoned land as marked '3' above.

REPORT:

The developer of 24 Raglan Street, Youngtown (Growth Developments Pty Ltd) is creating a 216 lot subdivision over 16 stages at the site. The developer seeks to amend existing Sealed Plans in order to remove a Right of Way that exists in favour of the Council and an adjoining landowner Goodswood Investments Pty Ltd.

With the progression of the development at 24 Raglan Street, Youngtown the Council's Right of Way has been carried forward onto the new Sealed Plans. This Right of Way is impacting upon the developer's current stage of subdivision.

By disposing of a Right of Way, the Council is disposing of an interest in land for the purposes of the *Local Government Act 1993* (Tas).

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ...(Cont'd)

Figure 2 identifies the three relevant portions of land.

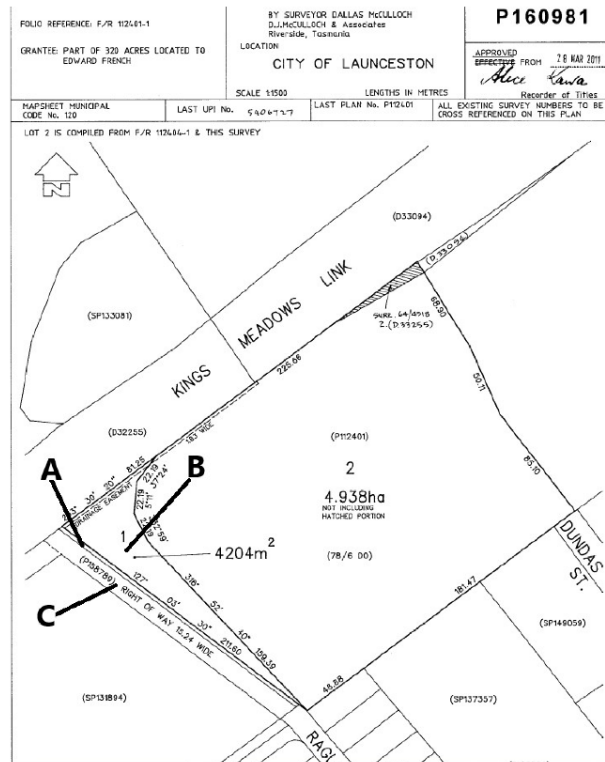


Figure 2

These three portions of land are explained as follows:

A = Abandoned Strip

Prior to 2010, the previous owner of 24 Raglan Street, Youngtown successfully claimed a strip of land by adverse possession, but only claimed a strip 13m +/- wide. This resulted in an abandoned strip of land 2.24m +/- wide. This strip of land will be acquired by the Council in accordance with these recommendations and the valuation. The valuation for this strip of land is \$11,188.

B = Council Land

In or around 2010, the Council acquired 4,204m² land for road widening purposes, shown in Figure 2 above as "Lot 1" (Plan P160981).

C = Right of Way

The Council's acquisition of land for road widening as per P160981/1 included with it the benefit of the Right of Way 15.24m wide in favour of the Council. This easement forms a Right of Way over the section of land claimed by the previous owner of 24 Raglan Street, Youngtown via adverse possession.

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ...(Cont'd)

Status of Highway

The Council had previously intended to open a highway over the three portions of land in Figure 2 in order to connect Raglan Street with Kings Meadows Link. Accordingly, on the 13 February 2012, Council resolved to open the highway extension of Raglan Street as identified in Figure 3 below.



Figure 3

In order for a highway to be lawfully created, it is necessary that there is both a dedication and acceptance of the highway.

Despite Council's decision to dedicate the land as a local highway in 2012, it remains unclear as to the level of acceptance by the public over those areas noted in Figure 3, other than the cross-hatched areas highlighted, which were likely to have been accepted as a highway by the public.

It is noted that a future Sealed Plan, once sealed, will sufficiently clarify the boundaries of the highway.

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ...(Cont'd)

Current Development

The developer is also under a statutory obligation to return a portion of land to the Council as Public Open Space.

In order to comply with this obligation, the developer has chosen to use land over which the Council has a pre-existing interest.

Regarding the Council's disposal of an interest in land, the developer proposes to use the land currently subject to Council's Right of Way in the following manner:

Land Type	Size
1. Private land	559m ²
2. Public Open Space	984m ²
3. Public Road	567m ²

Accordingly, it is recommended that the Council seeks payment for the disposal of its interests in land with reference to the intended future uses of that land as follows:

Land Type	Amount
Private land	\$4,300
Public Open Space	\$7,600

Payment for the private land is justified on the basis that the Council is disposing of a real interest in land that has a practical benefit which the Council should be compensated for.

If Council determines to dispose of its right of way and assuming the development is completed, the resulting interests in the relevant land will be as outlined in Figure 4 below.

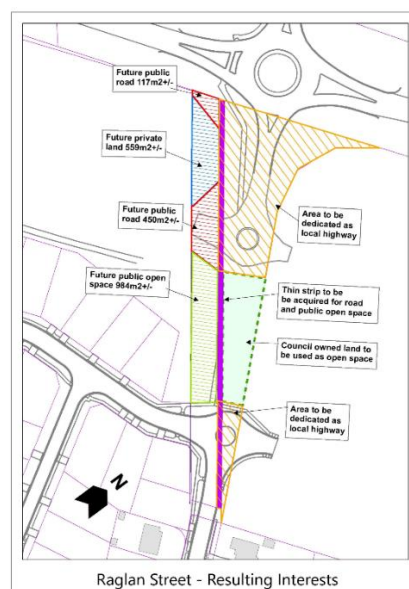


Figure 4

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ...(Cont'd)

A schematic diagram indicating the development's proposed road design is shown in Figure 5 below.

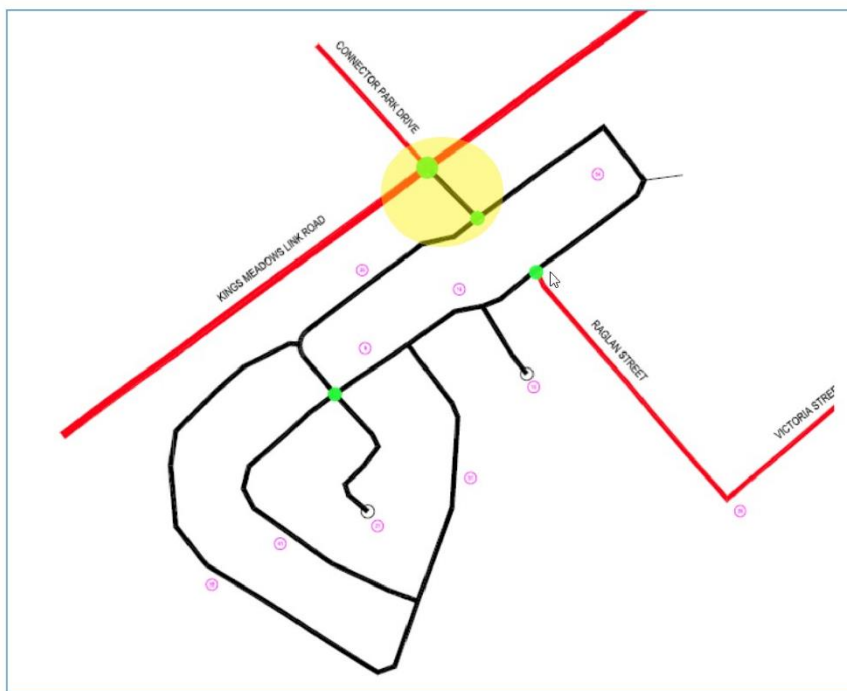


Figure 5

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

19.4 Disposal of Interest in Land - 24 Raglan Street, Youngtown ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



James McKee Acting General Manager Organisational Services Network

ATTACHMENTS:

1. Valuation of North-South Strip of Land
 2. Valuation of Abandoned Strip of Land
-

Attachment 1 - Valuation of North-South Strip of Land



VALUATION REPORT

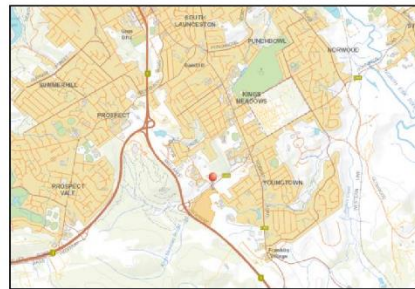
Property Address: Land (North-South strip) at 24 Raglan Street, Youngtown TAS 7249

Our Reference: LG20/1422 (Revised)

Date of Valuation: 6th July 2020



Aerial Photograph



Location Map

Title:

The land which forms the subject of this valuation advice is contained within Certificate of Title Volume 179280, Folio 100.

Ownership:

Growth Developments Pty Ltd

Purpose of Valuation:

The purpose of this valuation advice is to assess the value of the interest held by City of Launceston in a portion of land adjoining Raglan Street, comprising sections of the strip of land connecting Raglan Street with Kings Meadow Link marked as 'Right of Way - Private' ("North-South Section"), for potential disposal purposes.

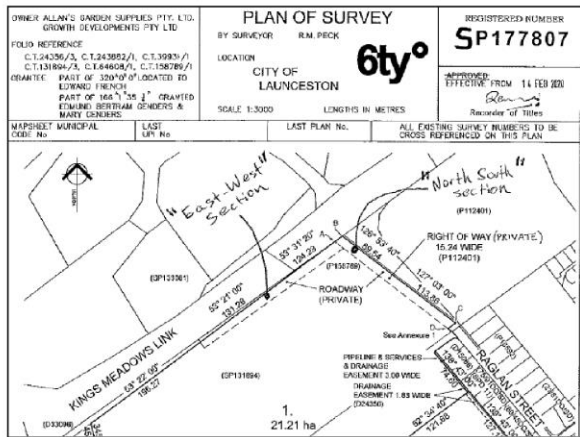
The valuation advice contained herein is provided by way of a revision to our original valuation report dated 20th July 2020 in respect of the subject land. Since the date of our previous valuation advice, additional information has been provided by Launceston City Council including details of variations to the land area intended for potential transfer to the landowners, which has been taken into account in our revised assessment of value.

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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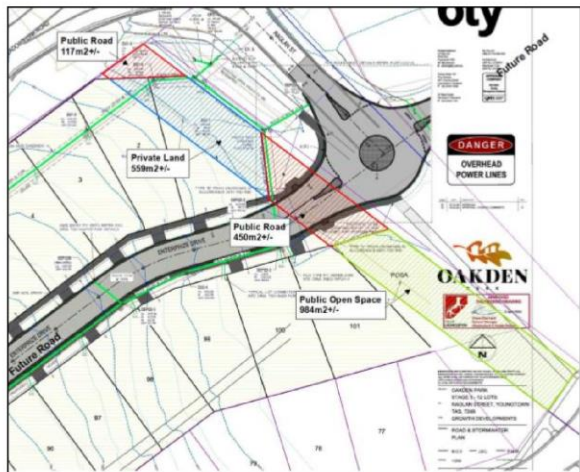
Subject Land Area:

The overall certificate of title of which the subject right of way easement forms a part has an area of 16.57 Hectares according to the current title plan. A copy of the current Title Plan is appended to this report, together with supporting plans provided to us by Launceston City Council.

In accordance with our specific instructions from the Council, the position of the subject right of way easement is delineated in the following extract from the supporting plan documentation as provided to us by the Council, annotated as "North South section" on the plan below (note, this certificate of title (CT 177807) is now historic with the subject land now being contained within CT 179280/100).



The Council has also been provided the following extract from the engineering drawings submitted by the developers for the proposed subdivision on the land, which provide the land areas to be adopted for the purposes of this valuation advice.



City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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According to the information provided and as outlined within the engineering drawing extract above, the land area/s to be adopted for the purpose of this valuation advice is as follows:

- Land designated "Private Land" 559 sqm
- Land designated "Public Open Space" 984 sqm
- Total Land Area: 1,543 sqm

We have been advised by the Council that the areas of land shaded in red and designated "Public Road" are to be disregarded for the purpose of this valuation advice.

We reserve the right to review our assessment of value should a formal survey of the requisite land areas indicate an area that differs significantly from the affected land area as outlined above.

Land Description:

The subject title comprises an irregular shaped parcel of land which has a gentle fall in contour from the northern boundary along Kings Meadow Link towards the south eastern corner adjoining Raglan Street.

The land parcel of which the subject easement forms a part is currently being developed as part of an extensive residential subdivision. From our on-site observations it appears that infrastructure works have occurred over part of the easement including roadway construction and installation of in ground services.

These works have not been taken into account in our assessment of value for the subject easement which is predicated on the basis of the underlying land value only, exclusive of surface improvements which have been undertaken as part of the subdivision scheme.

Photographs:



Overview of easement – view north to south



Overview of easement – view south to north

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Location:

The property is located in a developing outer suburban mixed use precinct, approximately 6 kilometres to the south of Launceston's Central Business District (CBD).

This is a high profile location, with the subject land being situated adjacent to a major intersection of the Midland Highway on the approach to southern Launceston, and the Kings Meadow Link road which connects residential suburbs to the south and east of the city to the Midland Highway.

Surrounding development includes a mixture of freestanding residential dwellings to the south and east of the subject land, and commercial and light industrial properties to the north on the opposite side of the Kings Meadow Link.

Planning:

The subject land is currently zoned "10.0 General Residential" under the prevailing Launceston Interim Planning Scheme 2015.

Our research indicates that the overall land parcel containing the subject right of way easement has planning consent for subdivision to provide some 216 residential lots. As at the date of our inspection subdivision works had commenced with the initial phase of the development having been completed and sold in separate titles.

Notwithstanding the current subdivision that has been commenced over the subject land, in assessing our opinion of value for the subject easement we have had regard to the value of the overall land parcel as an englobo site; that is, undeveloped land that whilst zoned to allow for subdivision into smaller parcels is taken to be largely undeveloped and unserviced as at the date of valuation.

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Market Sales:

In establishing applicable valuation parameters for the subject property, we have examined market activity within the locality over recent years and have analysed relevant sales for comparison purposes.

Our research revealed that there have been few sales of vacant land within the immediate locality of Youngtown over recent years, and accordingly it has been necessary to extend our search for market sales evidence of englobo land sales to other similar developing suburban localities around Launceston to assess applicable market parameters.

A selection of market sales transactions which are considered relevant in determining market parameters for the subject land are summarised in the table below:

Address	Sale Date	Sale Price	Land Area (m2)	Rate \$/m2
2-6 Deek Street, Kings Meadows	8/03/2018	\$420,000	20,980	\$20.02
Lot 1 Celery Top Drive, St Leonards	1/11/2019	\$715,000	16,630	\$42.99
13 Basin View Drive, West Launceston	20/09/2018	\$205,000	10,760	\$19.05
9 Rose Lane, South Launceston	23/11/2018	\$150,000	13,375	\$11.21

Valuation Considerations:

Having regard to the available sales evidence, prevailing market conditions, and the particular attributes and characteristics of the subject land, we consider an appropriate range of value for the subject land would be between \$20 and \$24 per square metre.

We have been instructed to provide our assessment of the value of the interest held by City of Launceston in the subject right of way easement, as distinct from the unencumbered market value of the freehold land.

It is acknowledged that the Council's interest in the easement constitutes a lesser interest than that of the freehold title holder, and accordingly we have adopted a lower proportional rate to reflect the Council's interest in our valuation calculations below.

Land Description	Land Area	Value Range	\$/sqm Land	Total Value
CT 179280 / 100				
Subject Land (area of r.o.w. easement only)	1,543 m2	Low	20.00	\$30,860
	1,543 m2	High	24.00	\$37,032
Core Land Value			22.00	\$33,946
Adjust for:				
Proportional Interest - Council		35%		\$11,881
Value of Council Interest				\$11,881
Rounded for Valuation Purposes				\$11,900

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Valuation Conclusion:

Our assessment of the value of the interest held by City of Launceston in the subject Right of Way easement is:

\$11,900

(ELEVEN THOUSAND NINE HUNDRED DOLLARS)

Apportioned between the respective land parcels as follows –

- Private Land 559 sqm: \$4,300
- Public Open Space 984 sqm: \$7,600

This valuation is exclusive of GST if applicable.

Date of Valuation: 9th July 2020

Signed:

Richard Carhart
MRICS AAPI CPV
Senior Valuer
LG Valuation Services Pty Ltd

8th September 2020

Part of HMC Property Group
PO Box 1470 Launceston TAS 7250
Phone (Mobile): 0408 141 030
E-mail: richard@hmval.com.au

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Definitions

Compliance:

Our valuation has been prepared in accordance with the Australian Property Institute Practice Standards and Guidance Notes.

Market Change:

Due to the possible changes in market forces and circumstances in relation to the subject property, the report can only be regarded as representing our opinion of the value of the property as at the Date of Valuation.

Coronavirus Disease 2020 (COVID-19):

The coronavirus (COVID-19) is currently disrupting world economies and while clear property impacts at a local level are not yet observable, it is prudent to acknowledge this situation and continue to monitor on an ongoing basis. The International Monetary Fund is forecasting a global recession for 2020 and most Australian economists are predicting that Australia will also succumb to recession domestically, despite recent Government stimulus efforts designed to support the economy and employment.

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Currency of Valuation:

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Reliance on Valuation:

We do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of the Period of Valuation Reliance identified below, from the Date of Valuation, or such earlier date if you become aware of any factors that have any effect on the valuation. We recommend the valuation be reviewed at regular intervals.

Period of Valuation Reliance:

The Period of Valuation Reliance for this report is 3 months. Without limiting the generality of the above, we do not assume responsibility or accept any liability where the valuation is relied upon after the expiration of three months from the date of the valuation.

City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Environmental Issues:

This valuation has been assessed on the assumption that the property is free from elevated levels of contaminants and is not impacted by any environmental issues that may affect the marketability and/or value of the property. It should be noted that such environmental matters are outside our area of expertise and that the valuation contained herein has been prepared without the benefit of soil tests or external environmental impact reports.

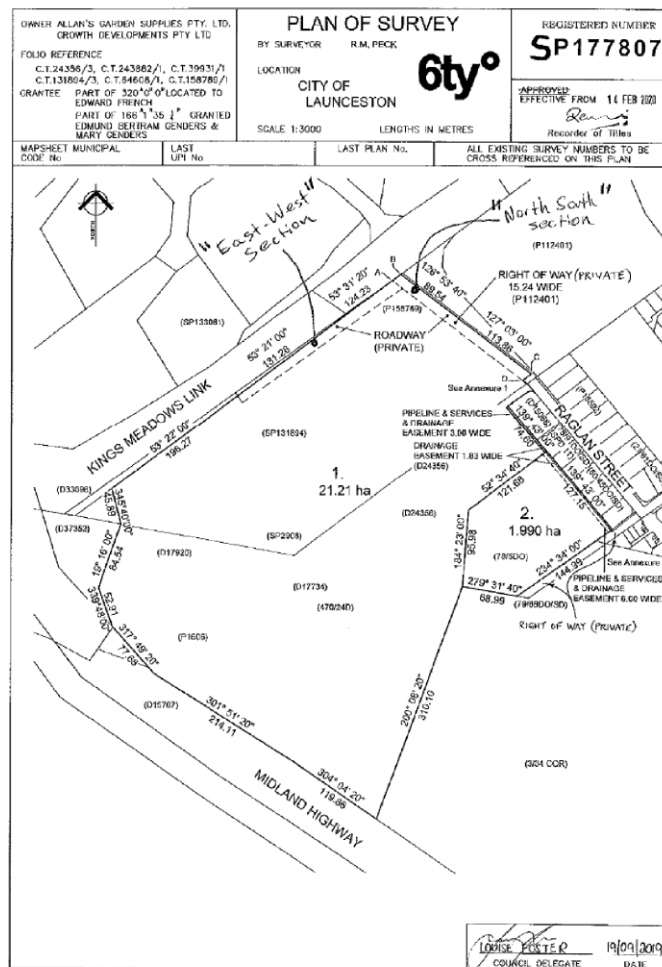
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City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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Appendix 1:
Supporting Plans provided by Launceston City Council



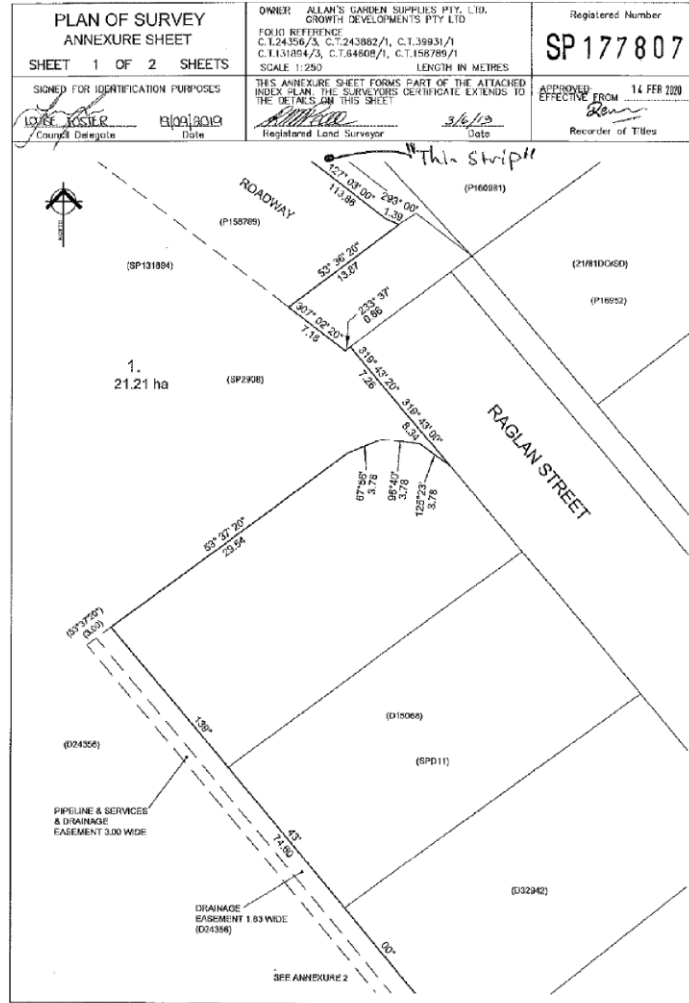
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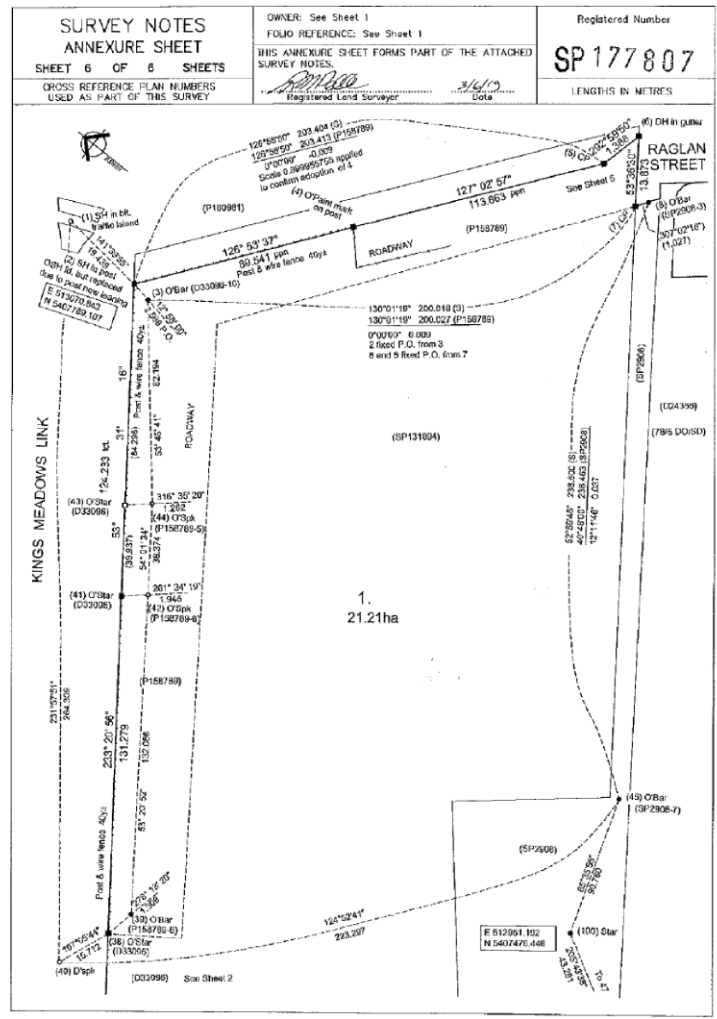
City of Launceston Council Land at 24 Raglan Street – "North-South strip"	LG Valuation Services Pty Ltd LG20/1422
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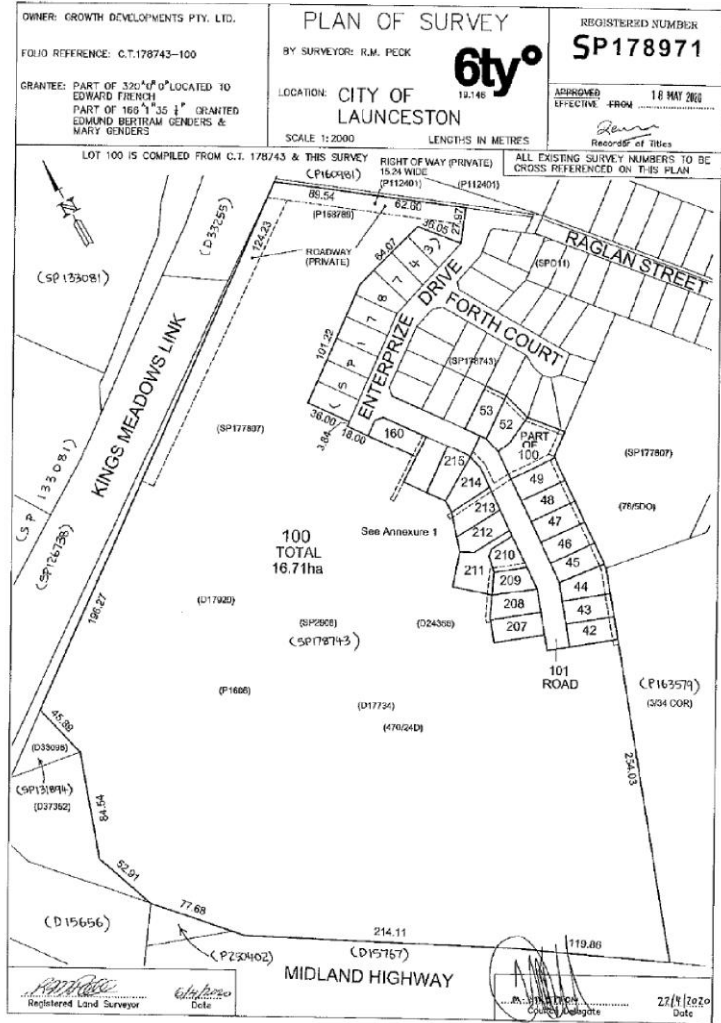
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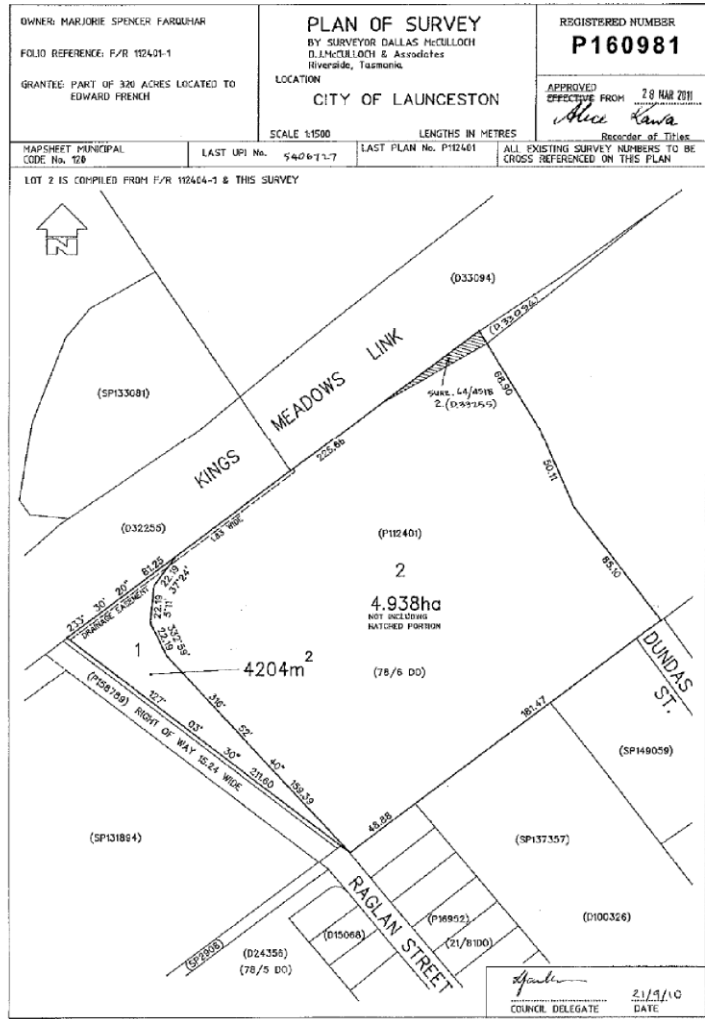
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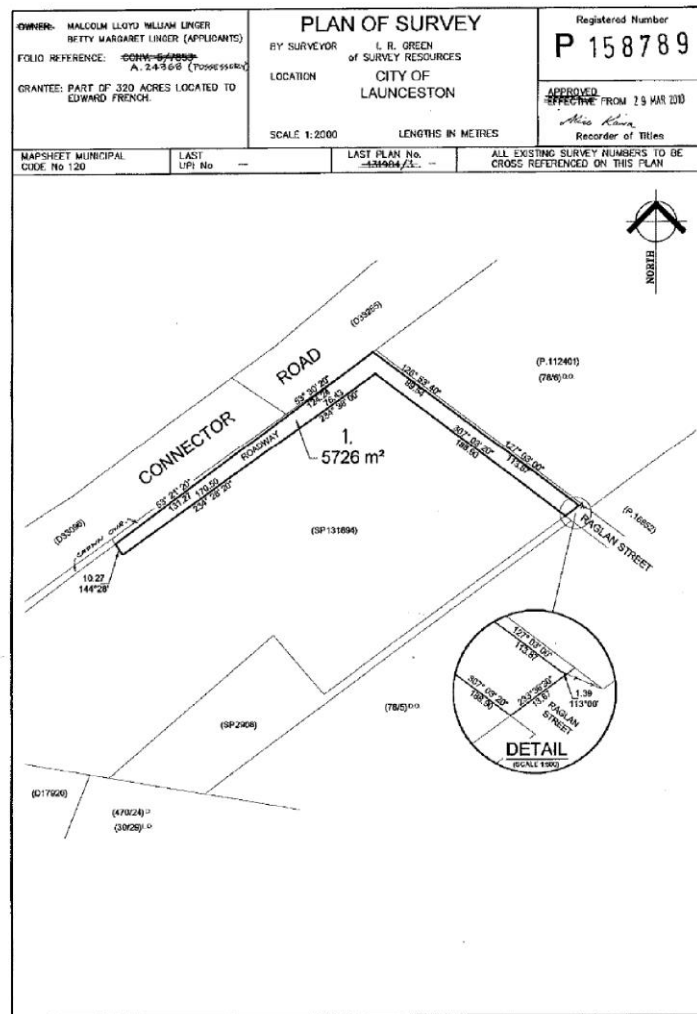
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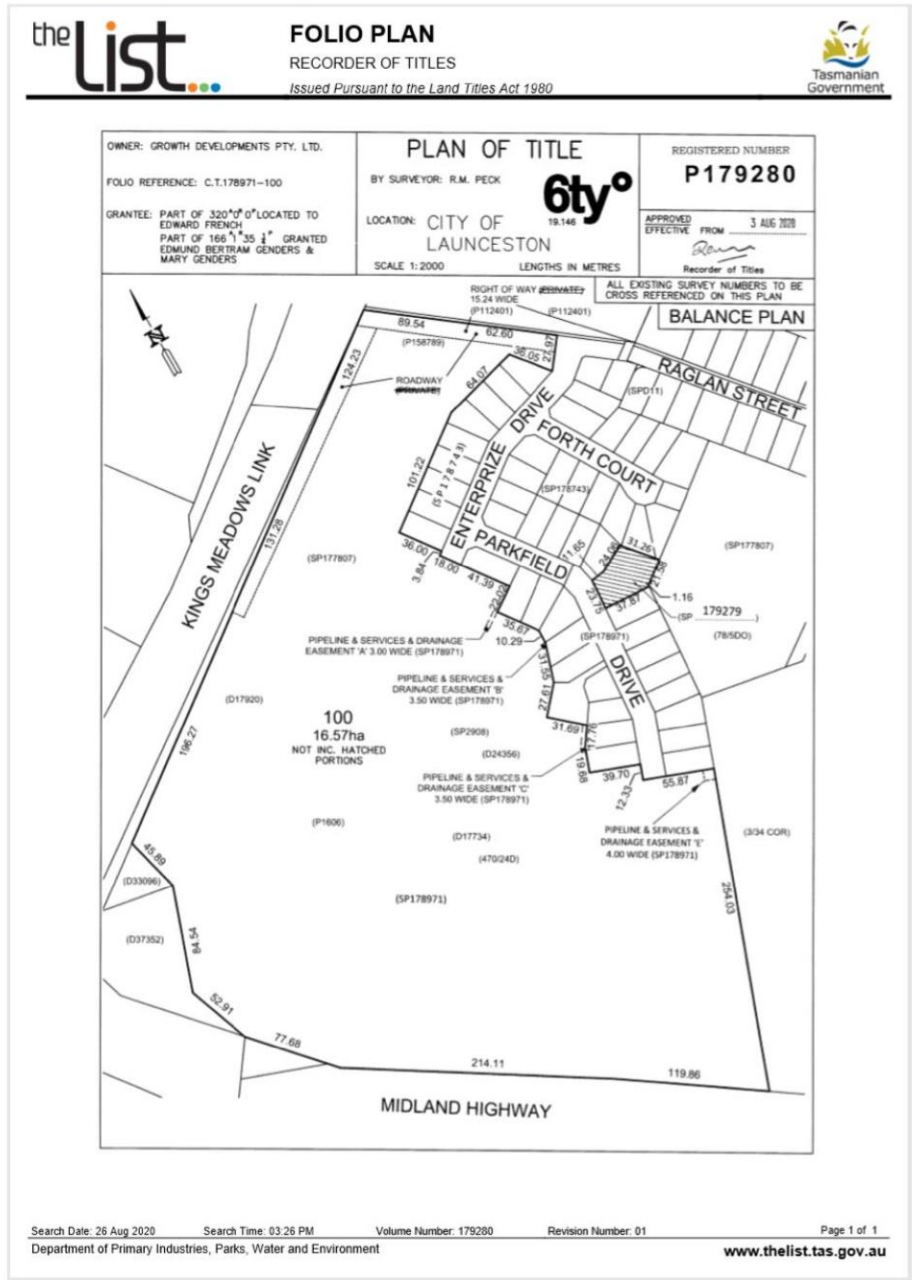
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Appendix 2:

Current Certificate of Title (as at date of valuation advice)

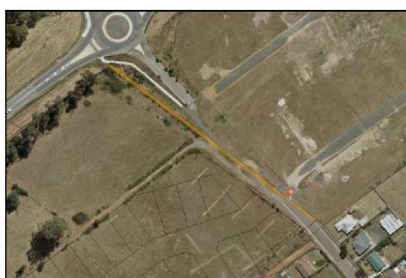


Attachment 2 - Valuation of Abandoned Strip of Land**VALUATION REPORT**

Property Address: Land (narrow strip parallel to Raglan Street right of way) at 24 Raglan Street, Youngtown TAS 7249

Our Reference: LG20/1423

Date of Valuation: 6th July 2020



Aerial Photograph



Location Map

Title:

The strip of land which forms the subject of this valuation advice is held at general law and is described in Conveyance 5 - 7853.

The subject land runs between Certificate of Title Volume 178971 Folio 100 to the west, and Certificate of Title Volume 160981 Folio 1 to the east.

Ownership:

From our research and the documentation provided, the current ownership of the subject land is unclear and is not specified under the usual cadastral title system.

We have been provided with a copy of written advice to Launceston City Council from Ian Cornelius of Draftaplan Land Information Service, which details historic ownership and transfers relating to the subject land however is inconclusive as to the current ownership status, concluding that *"there is no apparent registered proprietor of the Roadway land capable of dealing with LCC in respect to the land"*.

On the basis of the information available to us, we have provided our assessment of the current market value of the subject land without knowledge of the formal ownership of the land.

The land to either side of the subject land is in the ownership of Growth Developments Pty Ltd (CT 178971 Folio 100) and Launceston City Council (CT 160981 Folio 1) respectively.

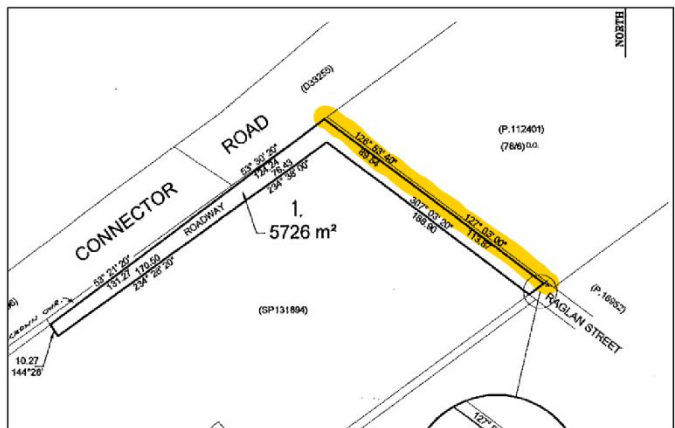
City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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Purpose of Valuation:

To assess the current market value of the strip of land referenced in Conveyance 5 - 7853 for potential acquisition purposes.

Subject Land Area:

The position of the subject strip of land is delineated in the following extract from the supporting plan documentation provided by the Council (derived from CT 158789).



We have not sighted detailed measurements or a formal survey of the land area comprising Conveyance 5 - 7853.

Accordingly, our assessment of value is based on a land area for the subject parcel of 508.5 sqm, which is deduced from a length of 203.4m in two bearings (89.54m & 113.87m) derived from the supporting title plans, and a width of 2.5m as per the letter advice received from Ian Cornelius.

We reserve the right to review our assessment of value should a formal survey of the easement indicate an area that differs significantly from the affected land area as outlined above.

Land Description:

The subject land comprises a narrow (+/-2.5 metre) rectangular shaped parcel of land which has a gentle fall in contour from the northern boundary along Kings Meadow Link towards the south eastern corner adjoining Raglan Street.

The subject land parcel together with adjoining land is currently being developed for access purposes as part of an extensive residential subdivision. From our on-site observations it appears that infrastructure works have occurred over part of the land including roadway construction and installation of in ground services.

City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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These works have not been taken into account in our assessment of value for the subject easement which is predicated on the basis of the underlying land value only, exclusive of surface improvements which have been undertaken as part of the subdivision scheme.

Photographs:



Overview of land – view south to north



Overview of land – south eastern section

Location:

The property is located in a developing outer suburban mixed use precinct, approximately 6 kilometres to the south of Launceston’s Central Business District (CBD).

This is a high profile location, with the subject land being situated adjacent to a major intersection of the Midland Highway on the approach to southern Launceston, and the Kings Meadow Link road which connects residential suburbs to the south and east of the city to the Midland Highway.

Surrounding development includes a mixture of freestanding residential dwellings to the south and east of the subject land, and commercial and light industrial properties to the north on the opposite side of the Kings Meadow Link.

Planning:

The subject land is currently zoned “10.0 General Residential” under the prevailing Launceston Interim Planning Scheme 2015.

Our research indicates that the land parcel contiguous with the subject land has planning consent for subdivision to provide some 216 residential lots. As at the date of our inspection subdivision works had commenced with the initial phase of the development having been completed and sold in separate titles.

Notwithstanding the current subdivision appears to have been commenced over the subject land as well as adjacent titles, in assessing our opinion of value for the subject land we have had regard to the value of the overall land parcel as an englobo site; that is, undeveloped land that whilst zoned to allow for subdivision into smaller parcels is taken to be largely undeveloped and unserviced as at the date of valuation.

City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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Market Sales:

In establishing applicable valuation parameters for the subject property, we have examined market activity within the locality over recent years and have analysed relevant sales for comparison purposes.

Our research revealed that there have been few sales of vacant land within the immediate locality of Youngtown over recent years, and accordingly it has been necessary to extend our search for market sales evidence of englobo land sales to other similar developing suburban localities around Launceston to assess applicable market parameters.

A selection of market sales transactions which are considered relevant in determining market parameters for the subject land are summarised in the table below:

Address	Sale Date	Sale Price	Land Area (m2)	Rate \$/m2
2-6 Deek Street, Kings Meadows	8/03/2018	\$420,000	20,980	\$20.02
Lot 1 Celery Top Drive, St Leonards	1/11/2019	\$715,000	16,630	\$42.99
13 Basin View Drive, West Launceston	20/09/2018	\$205,000	10,760	\$19.05
9 Rose Lane, South Launceston	23/11/2018	\$150,000	13,375	\$11.21

Valuation Considerations:

Having regard to the available sales evidence, prevailing market conditions, and the particular attributes and characteristics of the subject land, we consider an appropriate range of value for the subject land would be between \$20 and \$24 per square metre.

Land Description	Land Area	Value Range	\$/sqm Land	Total Value
Conveyance 5 - 7853				
Subject Land	508.5 m2	High	20.00	\$10,171
	508.5 m2	Low	24.00	\$12,205
Core Land Value			22.00	\$11,188
Adjust for:				
Proportional Interest - Whole		100%		\$11,188
Value of Council Interest				\$11,188
Rounded for Valuation Purposes				\$11,200

Compensation Considerations

We are not aware of the Council's current position with regard to obtaining title over the subject parcel of land, however we understand that compulsory acquisition may be considered and would therefore make the following comments relating to the amount of compensation that may be applicable.

Under the provisions of the Land Acquisition Act 1993, in determining the amount of compensation payable for the land various factors are to be taken into account in addition to the market value of the land, including such matters as any special value due to financial advantage incidental to the claimant's ownership of the estate; damage through severance; betterment of other land; injurious affection, and disturbance.

We have considered the above factors in light of the particular circumstances pertaining to the subject property, and make the following general comments:

City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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- The land to be acquired relates to the whole of the lot (conveyance), with no residual estate to remain under the existing ownership to our knowledge;
- The property comprises vacant land only with no business or other financial consideration tied to the subject land;
- Based on the information currently available to us regarding ownership, we are not aware if the landowner has any pecuniary interest in surrounding properties which may be affected by acquisition of the subject land;

On the basis of the above, we are of the view that there should be no further adjustments made in addition to the market value of the land for compensation purposes under the relevant Act.

Valuation Conclusion:

Our assessment of the value of the subject land for potential acquisition purposes is assessed at:

\$11,200

(ELEVEN THOUSAND TWO HUNDRED DOLLARS)

This valuation is exclusive of GST if applicable.

Date of Valuation: 9th July 2020

Signed:



Richard Carhart
MRICS AAPI CPV
Senior Valuer
LG Valuation Services Pty Ltd

22nd July 2020

Part of HMC Property Group
PO Box 1470 Launceston TAS 7250
Phone (Mobile): 0408 141 030
E-mail: richard@hmval.com.au

City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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Definitions

Compliance:

Our valuation has been prepared in accordance with the Australian Property Institute Practice Standards and Guidance Notes.

Market Change:

Due to the possible changes in market forces and circumstances in relation to the subject property, the report can only be regarded as representing our opinion of the value of the property as at the Date of Valuation.

Coronavirus Disease 2020 (COVID-19):

The coronavirus (COVID-19) is currently disrupting world economies and while clear property impacts at a local level are not yet observable, it is prudent to acknowledge this situation and continue to monitor on an ongoing basis. The International Monetary Fund is forecasting a global recession for 2020 and most Australian economists are predicting that Australia will also succumb to recession domestically, despite recent Government stimulus efforts designed to support the economy and employment.

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City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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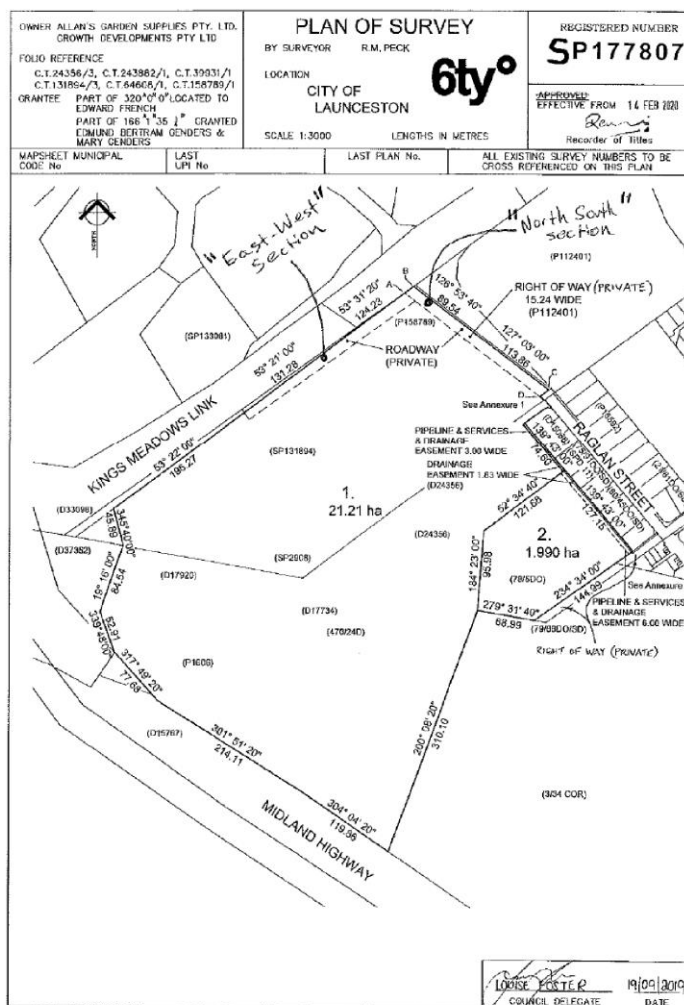
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City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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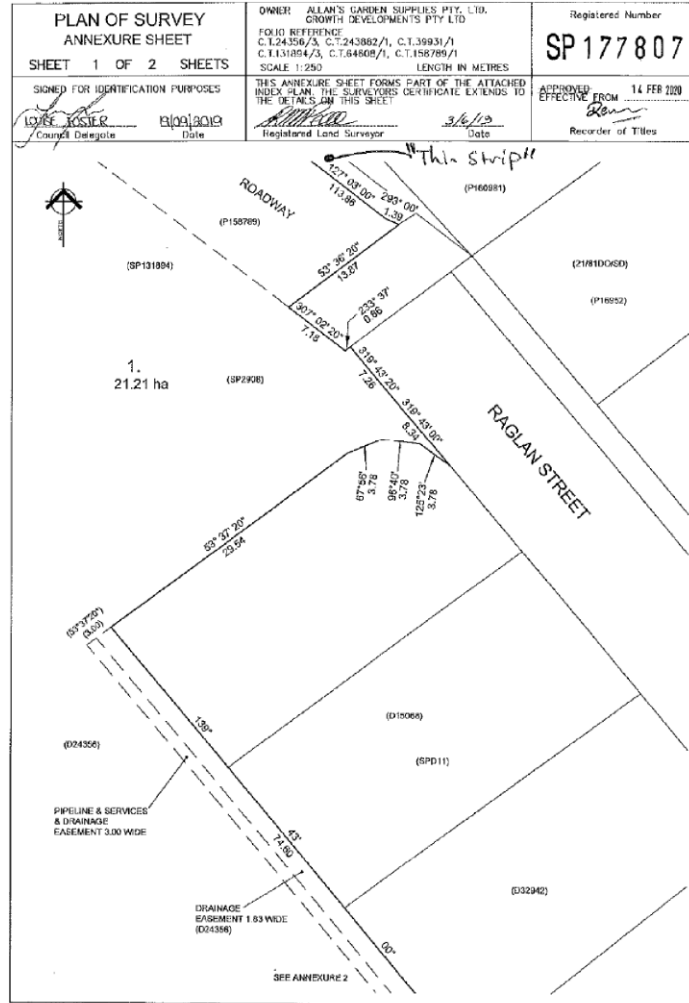
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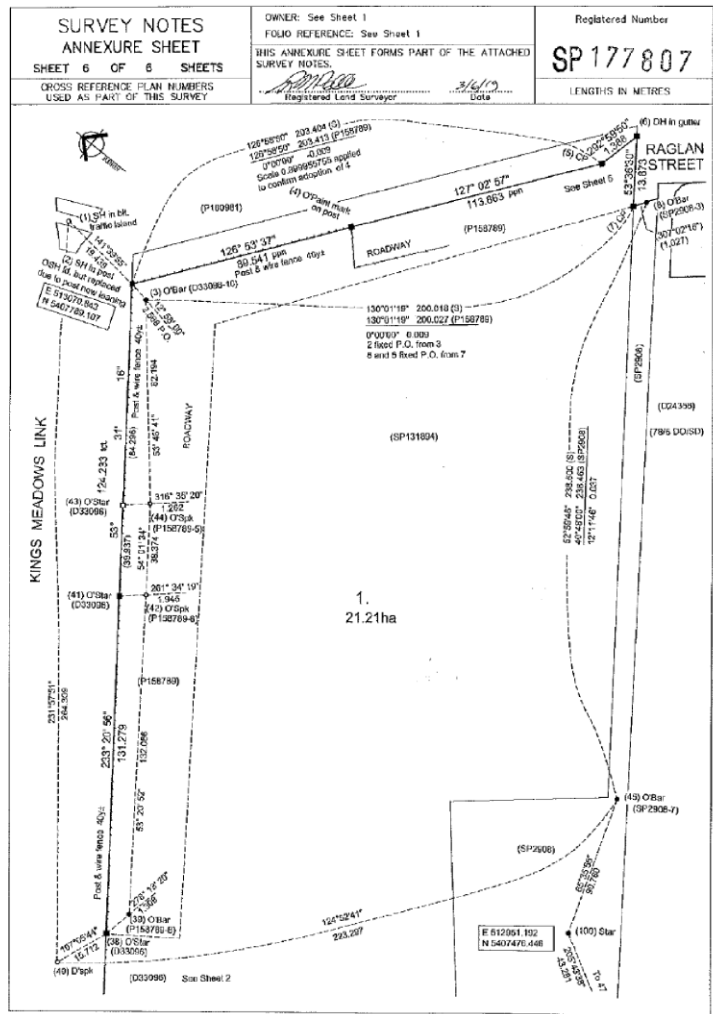
City of Launceston Council Land at 24 Raglan Street	LG Valuation Services Pty Ltd LG20/1423
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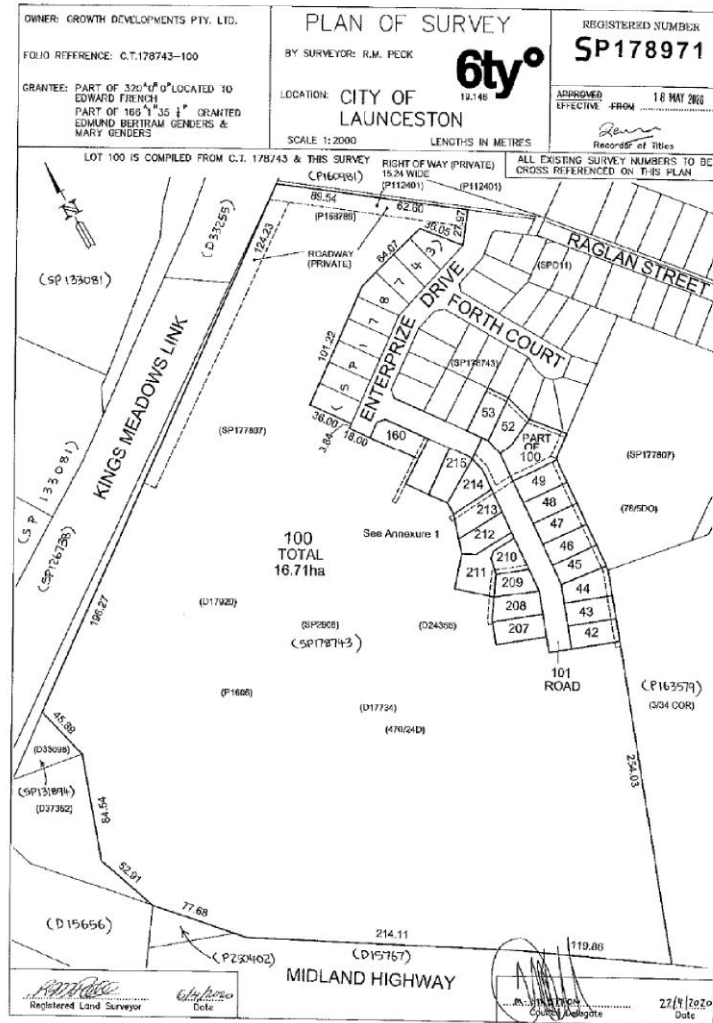
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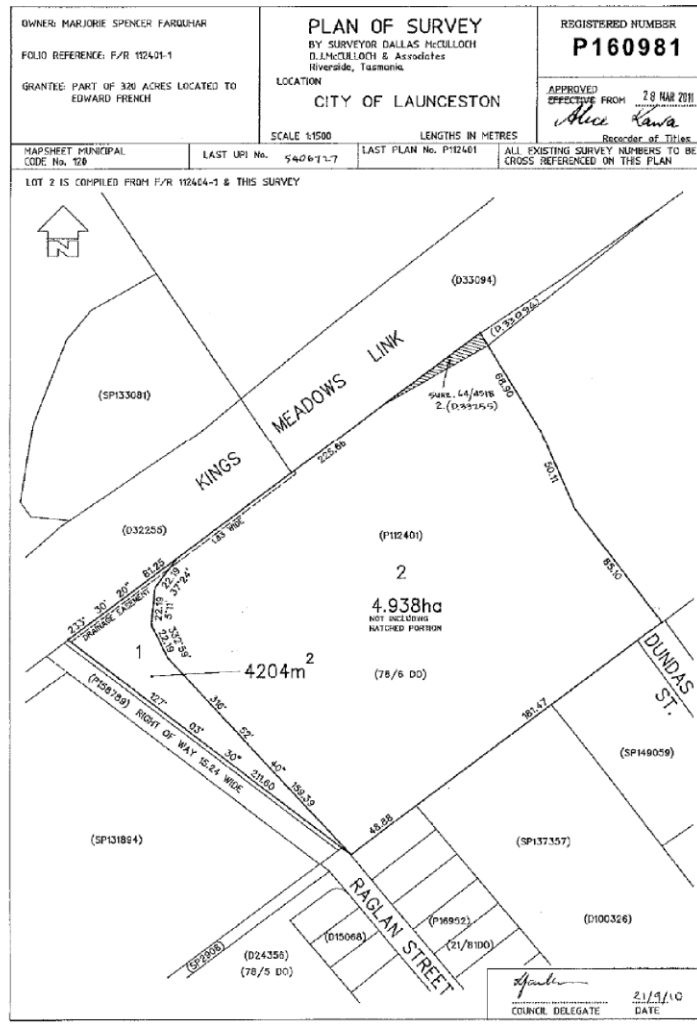
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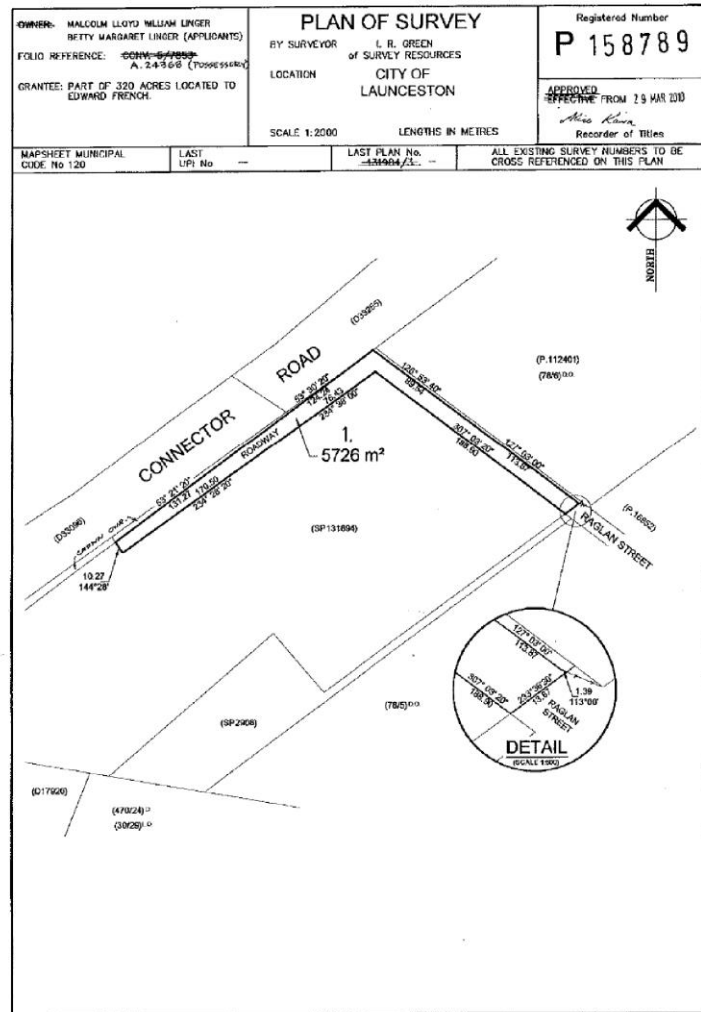
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20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items have been identified as part of this Agenda

21 CLOSED COUNCIL

This decision requires an absolute majority of Council

RECOMMENDATION:

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

21.1 Confirmation of the Minutes

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

21.2 Cityprom Review

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

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

21.3 End of Closed Session

To be determined in Closed Council.

22 MEETING CLOSURE
