



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 10 DECEMBER 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: 10 December 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.



Michael Stretton
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 you must register your attendance at the Council Meeting 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

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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 26 November 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.)

7.1 Ms Gabrielle Dewsbury - Member - Youth Advisory Group

Ms Dewsbury will provide Council with details of the Youth Advisory Group's activities.

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.)

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

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 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association with Existing Hotel; Construction of Alterations and Additions to Existing Buildings

FILE NO: DA0623/2020

AUTHOR: Luke Rogers (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:	ERA Planning
Property:	89 Lindsay Street, 85 Lindsay Street and 87 Lindsay Street, Invermay
Zoning:	Open Space, Particular Purpose 9 - North Bank
Receipt Date:	28/09/2020
Validity Date:	28/10/2020
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval (extension granted):	10/12/2020
Representations:	Four

PREVIOUS COUNCIL CONSIDERATION:

DA0660/2015 (Amended under DA0660/2015.A01, DA0660/2015.A02 and DA0660/2015.A03) - Visitor Accommodation - Food Services, Hotel Industry, Community Meeting and Entertainment, Utilities, Pleasure Boat Facility and Vehicle Parking; construction of extensions to the silos, associated car and bicycle parking and landscaping; pedestrian connections to adjoining public open space; construction of a pontoon for boat facility; installation of signage - approved under delegation.

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

STANDARDS REQUIRING COUNCIL DISCRETION

- 19.4.1 Building height, setback and siting
- 19.4.2 Landscaping
- E16.7.2 Flood Impact
- E6.5.1 Car parking numbers

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0623/2020 Community Meeting and Entertainment - Construction of a function centre in association with existing hotel; Construction of alterations and additions to existing buildings to accommodate kitchen and toilet facilities; construction of pedestrian access ramps to Riverbend Park and flood levee at 89-91 Lindsay Street (CT169012/2), 85 Lindsay Street (CT169882/1) and 87 Lindsay Street (CT169012/1), Invermay subject to the following conditions:

1. ENDORSED PLANS AND 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. Planning permit supporting submission, Prepared by ERA Planning and Environment, Address 89-91 Lindsay Street, Invermay, Job No. 2021-021, Dated 25 September 2020.
 - b. Site Plan, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A700-Sk07, Dated 01/09/2020.
 - c. South, West and North Elevation, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A702-Sk05, Dated 01/09/2020.
 - d. Section AA and BB, Prepared by Artas Architects, Project - Silo Hotel Deck Enclosure, Project No. 201047, Drawing No. A703-Sk02, Dated 01/09/2020.
 - e. Traffic Impact Assessment, Prepared by GHD, Project - Proposed Silo Hotel Deck Extension, Dated September 2020.
 - f. Flood Management Plan - Letter, Prepared by Alan Leake of Rare Innovation, Project - Deck Enclosure - 89 Lindsay Street, Launceston, Reference No. 210011, Dated 24 September 2020.
 - g. Flood Management Plan, Prepared by Alan Leake of AJL Consulting Engineers, Project - North Bank Silo Redevelopment, Reference No. 16001, Dated 14 January 2016.
-

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

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:

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01585-LCC, dated 16/10/2020 and attached to the permit.

5. BUSINESS HOURS

The operation of the function centre must be confined to being between the hours of 6:00am and 12:00am (midnight).

6. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

7. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to show:

- a. the provision of the required accessible parking, bicycle parking, and motorcycle parking, as identified in the Traffic Impact Assessment.
 - b. a survey plan accurately identifying which parts of the development will encroach onto or above the Council's land, and the details of any such encroachments.
 - c. the proposed access (currently shown as stairs) into Riverbend Park, such that it is suitable for emergency access, along with details of how the access will be managed so that it is used for emergency access only and not general public access.
-

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

- d. the proposed stormwater drainage system for the development, such that all stormwater runoff from the development can discharge to the existing internal drainage network for the site, and no stormwater from the development is discharged to the Council's land.

Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

8. 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.

9. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains or to discharge concentrated stormwater runoff onto the Council's land.

10. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

11. SOIL AND WATER MANAGEMENT PLAN

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

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

12. PROTECTION OF COUNCIL OWNED LAND

The Council owned land is to be protected from damage during the construction works by ensuring that:

- a. prior to commencing any work on the subject site the owner must erect fencing on the boundary between the Council owned land and the subject site.
- b. no building material, stockpiles, skip bins or machinery are to be stored on the Council owned land.
- d. no excavation or fill works within the subject site are permitted to extend into, impact upon the stability of, or reduce the ability of the Council to maintain, the Council owned land.
- e. no access to the subject site is permitted via the Council owned land without express written consent from the General Manager Infrastructure and Assets Network.
- f. where permission is granted to access subject site via the Council owned land, any and all damage caused to the Council owned land is to be remediated within the timeframe specified in the written consent to access.

13. SECTION 71 AGREEMENT

Prior to the commencement of any work and use, the owner shall enter into an agreement(s) with the Launceston City Council for any encroachment or occupation onto or above Council owned land. Such agreements will be under Section 71 of the *Land Use Planning and Approvals Act 1993*, or other such instrument, as determined by the Council at its sole discretion. All reasonable costs associated with the preparation and registration of the agreement(s) must be met by the applicant.

14. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

15. DEMOLITION

The Developer must:

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

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0623/2020. 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.

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>>

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

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. Food Premises

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

REPORT:

1. THE PROPOSAL

The proposal is for the construction of an enclosed function centre and associated facilities in connection with the existing Silos Hotel. The proposed function centre will be constructed on an existing deck area, will have a gross floor area of 421.26m² and a maximum height of 7.65m above natural ground level. The function centre will cater for a total of 200 seated guests. In association with the function centre, alterations are proposed to construct toilet facilities over an area of 55.8m² and a preparation kitchen over an area of approximately 121.9m². A circulation area between the function centre and existing hotel building is proposed over an area of 109.88m². The proposal also includes some changes to doors and signals between these areas. A pedestrian access ramp is proposed from the deck to the Riverbend Park on Council owned land. This ramp will be required to meet appropriate standards through the building approvals process. The proposed use of the function centre will be between 6:00am and midnight, seven days a week.

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	89-91 Lindsay Street (CT169012/2), 85 Lindsay Street (CT169882/1) and 87 Lindsay Street (CT169012/1), Invermay
Zone	40.0 Particular Purpose Zone 9 - North Bank Silos and 19.0 Open Space
Size	4.1ha total; 5077m ² on CT169012/2
Access	Existing, direct access to CT169012/2 from two crossovers to Lindsay Street
Shape	Irregular
Slope	Varied with majority essentially level other than slope either side of levees
Existing structures	Large hotel and associated facilities; landscaping and structures of Riverbend Park; Flood levee
Connection to services	All services are maintained on site
Surrounding land	19.0 Open Space surrounding the site 23.0 Commercial to the north and north east 25.0 General Industrial to the north west Tamar River/Kanamaluka and North Esk River to the east, west and south
Overlays	Code E16.0 - Invermay/Inveresk Flood Inundation Area - Riveredge Recreational Precinct.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

19.0 Open Space Zone

<p>19.1.1 Zone Purpose Statements</p> <p>19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.</p> <p>19.1.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.</p>
<p>Consistent</p> <p>The proposal is for the construction of a function centre in association with an existing hotel use. The development includes construction of an access ramp to the Riverbend Park, in the Open Space Zone. The Riverbend Park is an existing passive recreation use and the proposed community meeting and entertainment use is proposed to be connected to the park to ensure the development supports the ongoing use of the Riverbend Park.</p>

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

The proposed use and development on the Silos Hotel site is compatible with the passive recreation in the surrounding lots as well as the natural and landscape amenity derived from the meeting of the North Esk River and the kanamaluka/Tamar River. The proposal is deemed to be consistent with the purpose of the zone.

19.3 Use Standards

19.3.1 Hours of operation

To ensure that uses do not cause unreasonable loss of amenity to nearby sensitive uses.
Complies The proposed use will not cause an unreasonable loss of amenity to nearby sensitive uses.
A1 Operating hours, except for office and administrative tasks, must be between: (a) 8.00am and 10.00pm adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential Urban Mixed Use and Village zones; or (b) 6.00am to midnight otherwise.
Complies The proposed use will operate between the hours of 6.00am and midnight, seven days a week. The site does not adjoin the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use or Village Zones. The proposal complies.

19.3.2 Mechanical plant and equipment

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.
Complies The proposal does not include the use of mechanical plant or equipment within the Open Space Zone.

19.3.3 Light spill and illumination

To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.
Complies The proposed lighting and illumination will not cause an unreasonable loss of amenity to sensitive uses.
A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and (b) contain direct light from external light sources within the boundaries of the site.

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

Complies

The site does not adjoin the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use or Village Zones. The direct light from external light sources will be within the boundaries of the site. The proposal complies.

19.3.4 External storage of goods

To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.

Complies

The proposal will not include the external storage of goods, materials or waste.

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

Complies

The proposal will not include the external storage of goods, materials or waste.

19.3.5 Commercial vehicle parking

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

Complies

The proposal does not include the use of commercial vehicles within the Open Space Zone.

19.3.6 Open space character

To ensure that uses are of an appropriate scale for the zone.

Complies

The proposed use and development is at an appropriate scale for the Open Space Zone.

A1 If for:

- (a) no permit required uses; or
- (b) a combined gross floor area not exceeding 250m² over the site.

Complies

The proposal does not include a gross floor area of 250m² or more within the Open Space Zone. The development within the zone is not for enclosed buildings and therefore, does not have a gross floor area. The proposal complies.

19.4 Development Standards

19.4.1 Building height, setback and siting

To ensure that building bulk and form, and siting:

- (a) is compatible with the character of the surrounding area;
- (b) protects the amenity of adjoining lots and surrounding uses; and
- (c) respects the natural and landscape values of the site.

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

<p>Complies The proposed development within the Open Space Zone has a bulk, form and siting that is compatible with the character of the surrounding area. The development in the zone will have a negligible impact on the amenity of surrounding uses and will respect the natural and landscape values on the site and in the area.</p>
<p>A1 Building height must be no greater than 5m.</p>
<p>Complies The proposed development within the Open Space Zone are stairs with a height less than 5m. The proposal complies.</p>
<p>A2 Setback from all boundaries must be no less than 10m.</p>
<p>Relies on Performance Criteria The proposed development within the Open Space Zone are stairs which are built on the boundary between two lots. As such, the proposal relies on performance criteria.</p>
<p>P2 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjacent lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the natural and landscape values of the site; (d) the setbacks of surrounding buildings; (e) the height, bulk and form of existing and proposed buildings; (f) the privacy to private open space and windows of habitable rooms on adjoining lots; (g) sunlight to private open space and windows of habitable rooms on adjoining lots; (h) any existing screening or the ability to implement screening; and (i) the character of the surrounding area.
<p>Complies The proposed development within the Open Space Zone are stairs which will have a negligible impact on the amenity of occupiers of adjacent lots. The main area of the site is essentially level, however the wider site is surrounded by a flood levee, with significant slopes on either side of that levee. The deck and area of development for the Silos Hotel is built to the height of that flood levee, at approximately 4.5m AHD, while Riverbend Park is approximately 2m lower than the levees. The wider site is an irregular shape and covers an area of 4.1ha. There are significant landscape and natural value to the site, particularly derived from the interface with the kanamaluka/Tamar River and North Esk River. The proposed structure will not detract from those values.</p> <p>There are existing buildings on the site that are built to lot boundaries, including the Silos Hotel and buildings/structures within the Riverbend Park. The proposed structure is minor in the context of the site. There are large structures and development existing and proposed for the site, including the Silos Hotel, which has significant height and bulk. The proposed stairs will be inconsequential in the context of the site and will not impact other nearby uses or the character of the area. The proposal is deemed to comply.</p>

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19.4.2 Landscaping

<p>To ensure that development is landscaped to retain the natural values of the site and contributes to the broader landscape of the area.</p>
<p>Complies The proposed development will retain sufficient landscaping to ensure that the natural values of the site are maintained and that the site contributes to the broader landscape of the area.</p>
<p>A1 If for no permit required uses.</p>
<p>Relies on Performance Criteria The proposal is in association with a community meeting and entertainment use, a discretionary use in the zone. As such, the proposal relies on performance criteria.</p>
<p>P1 Development must be landscaped to respect the natural values of the site and the broader landscape of the area, having regard to: (a) location and height of retaining walls; (b) the existing vegetation and its retention where it is feasible to do so; (c) the location of any proposed buildings, driveways, car parking, storage areas, signage and utility services; (d) proposed height and type of fencing; (e) proposed vegetation plantings; (f) the location of pedestrian movement routes; (g) maintenance of plantings, weed management and soil and water management; and (h) the character of the surrounding area; as shown in a detailed landscaping plan.</p>
<p>Complies The proposed development within the Open Space Zone are stairs, which will have a negligible impact on the natural values of the site and the landscape of the area. The proposal does not include any retaining walls and does not impact any retaining walls existing on the site. There is significant amounts of vegetation across the Riverbend Park. This vegetation and landscaping will be retained across the site. The proposed stairs are over a grassed area. There is no change to fencing or pedestrian movement routes proposed. The proposal does not include any vegetation or changes to the Riverbend Park landscaping, which is appropriately designed and maintained. The proposal is minor and it is not considered necessary to add to the existing detailed landscaping plan for the Riverbend Park, as the proposal will not affect that landscaping. The proposal is deemed to comply.</p>

40.0 Particular Purpose Zone 9 - North Banks Silos

<p>40.1.1 Zone Purpose Statements 40.1.1.1 To provide for redevelopment of the existing silos for visitor accommodation, hotel industry, food services, community meeting and entertainment and other supporting uses.</p>
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Consistent

The proposed development is in association with the existing silos and Silos Hotel. The proposal is for a community meeting and entertainment use that will allow for further use of the site and development of the Silos Hotel. The proposal is a permitted use class in the zone. Therefore, the proposal is deemed to be consistent with the purpose of the zone.

40.3 Use Standards

40.3.1 Mechanical plant and equipment

Objective:

To ensure that mechanical plant and equipment do not cause an unreasonable loss of amenity to user of the site or adjoining public land.

Consistent

The proposed mechanical plant or equipment will not cause an unreasonable loss of amenity to the users of the site or to the adjoining public land.

A1 Air conditioning, air extraction, heating or refrigeration systems or compressors for non-sensitive uses must be designed, suitably located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by users of the surrounding public land.

Complies

The proposed additional mechanical plant and equipment associated with the function centre will be within the building structure. This is considered sufficient mitigation to ensure that noise, odours, fumes and vibration will not be received by users of the surrounding public land. The proposal complies.

40.3.2 Light spill

Objective:

To ensure that light spill and levels of illumination from external lighting does not cause an unreasonable loss of amenity to the surrounding area.

Consistent

The proposed lighting and illumination will not cause an unreasonable loss of amenity to the surrounding area.

A1 Direct light sources from a building above the height of 10m must not be emitted outside the land.

Complies

The proposed development does not include any buildings with a height of 10m or more and no additional lighting is proposed on the silos or other development on the site that is over 10m in height. The proposal complies.

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40.3.3 Storage

Objective:

To ensure that adequate provision is made for storage of goods and waste.

Consistent

The proposed development includes adequate provision for the storage of waste and goods.

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

Complies

The proposal will not include the external storage of goods, materials or waste

40.4 Development Standards

40.4.1 Building height, siting and design

Objective:

To:

- (a) provide for re-development of the land and reuse of the silos to ensure that the visual impacts of any development are managed and that the form of development respects the original silo structures; and
- (b) ensure the re-development and re-use of the silos allows for the efficient use of the land.

Consistent

The proposed development of the site will allow for the continued use of the silos and the land to be used with greater efficiency. The development is appropriately designed and managed to ensure that its form will respect the original form of the silos and their redevelopment.

A1 Building height must not exceed:

- (a) 10m; and
- (b) 42m, provided the building is contained in an envelope formed by;
 - (i) a line 16m to the north or, and parallel to, the northern facade of the existing silos;
 - (ii) a line 2m to the south of, and parallel to, the southern facade of the existing silos; and
 - (iii) lines projecting at 90 degrees to the line of the northern and southern facades of the existing silos, drawn at the eastern and western extremities of the building;
 - (iv) as shown in Figure 40.4.1

Complies

The proposed function centre development will have a maximum height of 7.65m above ground level. The proposal complies.

A3 Site coverage must not exceed 55%.

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

Complies

The proposed development will increase the cover of roofed buildings over the site. The proposal will increase the cover on CT169012/2 to a total of approximately 46.2%. The proposal complies.

40.4.2 Active ground floors

Objective:

To ensure that building facades at ground floor level promote and maintain high levels of pedestrian interaction and amenity.

Consistent

The proposed building will maintain high levels of pedestrian interaction and amenity.

A1.1 New buildings on ground floors must:

- (a) have clear glazing display windows or glass doorways for not less than a total of 50% of all ground floor facades; and
- (b) screen mechanical plant or equipment.

A1.2 New buildings must provide at least one accessible entry point to connect the buildings to the levee walkway to the south of the land.

Complies

The proposed function centre is on the second floor, on an existing deck above a car parking area. As such, A1.1 does not apply. The proposed building is provided with accessible entry points to the deck that is connected to the levee walkway to the south of the land. The proposal complies with A1.2.

40.4.3 Landscaping

Objective:

To ensure that new development provides acceptable levels of landscaping.

Consistent

The proposed development does not impact landscaping requirements and ensures acceptable levels of landscaping continue to be provided.

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 proposed use and development will protect the safety and efficiency of the road and railway networks and not cause conflicts with those networks.

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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 will not result in the reduction and efficiency of roads by the increased use of existing accesses and junctions.

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

Complies

The proposal does not include any additional or dedicated car parking spaces on the site. The proposed use will share car parking spaces with the existing hotel use on the site, which will cause some increase in vehicle movements across the existing access. A traffic impact assessment provided in support of the application has laid out the expected AADT of vehicle movements generated by the use as 21 to 29 movements per day. The existing hotel use expected that 391 vehicle movements would be generated per day when a major function was being held. The additional function centre space would cause an increase in vehicle movements that is less than 20% of existing and less than 40 movements per day. The proposal complies.

E4.6 Development Standards

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

An appropriate level of car parking and associated facilities are provided to meet the needs of the use and development. The proposal will support cycling, walking and public transport as a means to transportation in the urban area. The proposal does not include the development of any additional parking or associated areas.

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E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

There is an appropriate level of car parking provided to meet the needs of the proposed use.

A1 The number of car parking spaces must:

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

Relies on Performance Criteria

The proposed function centre provides space for 200 seated guests, which requires the provision of 50 car parking spaces in accordance with Table E6.1. The proposal does not provide any additional or dedicated car parking spaces for the use. As such, the proposal relies on performance criteria.

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

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

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

- (a) the intensity of the use and car parking required;

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(b) the size of the dwelling and the number of bedrooms; and

(c) the pattern of parking in the locality; or

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

Complies

The proposal does not provide dedicated parking spaces for the use, however, there is sufficient parking on the site and in the surrounding area to meet the reasonable needs of the use. There are a number of options for off-road parking within reasonable walking distance of the site. This includes a car park at 86 Lindsay Street which is currently being developed and will provide parking for uses in the area, including the proposed function centre. This car parking facility will provide an additional 116 car parking spaces that would be able to be utilised by the users of the function centre and represents a significant increase in parking spaces in the area generally. There is also public off-road parking within the Riverbend Park precinct and at 95 Lindsay Street which would provide additional spaces for the users of the site. Finally, there is also public parking at Seaport Boulevard, which is accessible via the pedestrian footbridge and is within 500m of the site. There is ample off-road parking facilities available to support the use within reasonable walking distance of the site.

There is potential for multiple users to share parking spaces that exist on the site. The demand for the parking spaces will vary over time as the number of hotel guests vary and as patronage at the cafe, restaurant and bar vary across the day. Assessment of the current occupation of the Silos Hotel car park has determined that this area is rarely fully occupied and is often significantly below capacity. The proposed function centre is expected to host functions approximately once per week, and will not require parking for that use at other times. The times of the functions will range, depending on the function type.

The closest public transport stop to the site is approximately 700m away on Holbrook Street. This is generally too far to be considered reasonable walking distance. There is also a bus stop on Home Point Parade in the Seaport, however, this too is at a greater distance than would normally be considered reasonable walking distance.

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The site is constrained from providing additional parking spaces generally due to its size, uses and current level of development. The primary title of the site, that contains the Silos Hotel, cannot practically be further developed for car parking. The majority of the ground level is already developed for car parking and associated facilities, other than an area of landscaping that was required to be provided to meet the requirements of Particular Purpose Zone 9. The wider site is Council owned land that is within the Open Space Zone and is occupied by the Riverbend Park and associated facilities. It is unreasonable and undesirable for any of this land to be used as additional parking for the Silos Hotel and associated uses.

There is a significant amount of on-road parking that has the potential to support the use in the surrounding road network. The site is located on Lindsay Street, which allows unrestricted on street parking on both sides of the road for the majority of its length. These parking spaces are frequently occupied during business hours by commuters who work outside the immediate area, often in the CBD and surrounds. The uses within Lindsay Street generally are provided with ample car parking spaces to meet their needs, reducing the demand for on-road parking in the area. The on-road parking spaces in Lindsay Street are less occupied after hours and their occupation varies on weekends, when many functions are likely to take place on the site. During daylight hours on Saturday and Sunday the parking spaces on Lindsay Street are often occupied by recreational users of the area. Some of these on-road spaces would be available during daylight hours and the vast majority would be available during the evening and night-time on weekends. There is also the addition of on-road parking along the new roadway between Gleadow Street and Lindsay Street. These on-road spaces are currently also unrestricted and are not heavily utilised by the uses along this street, which have sufficient parking within their sites. The parking spaces in the surrounding area provide parking that is accessible and safe for the users of the proposed function centre. The availability of these parking spaces is higher at certain times, particularly for weekend or after work hours functions on the site. The roads in the area are frequently busy, with congestion evident at the Lindsay Street and Goderich Street intersection, however, recent traffic management solutions is expected to alleviate the pressure somewhat.

The parking demand for the proposed function centre will vary. The nature of functions that will take place on the site will generally determine the degree of parking that will be required, and where that parking will be provided. Functions that are likely to take place at the venue include conferences and similar business functions. These functions are likely to require parking during the day for those that are attending the function from Launceston or Tasmania and have driven to the event. Those attending from interstate and overseas are likely to not require parking. The parking provision in off-road facilities and on the site are considered to be sufficient for conferences or business functions.

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<p>The site is also likely to host social and cultural functions, such as weddings, work social events and similar functions. The levels of park required for such functions is often limited by reduced levels of driving at events where alcohol is consumed. These functions are likely to take place outside of normal business hours, when higher levels of on-road parking is available in the area. These functions are also likely to include guests of the hotel, which have dedicated on-site parking.</p> <p>The proposal does not include any additional parking provision on the site, which is considered to be a positive impact on the streetscape. Lindsay Street and the surrounding area is dominated by large car parking facilities in many instances. The parking areas at 78, 82, 84 and 86 Lindsay Street occupy a significant portion of the frontage to Lindsay Street. The primary area of the site at 89-91 Lindsay Street also has a significant parking area. The utilisation of the existing parking in the area will not have an unreasonable impact on the streetscape, and is considered to be a more positive impact generally than developing additional parking spaces in an area with high parking saturation.</p> <p>The proposal is supported by a traffic impact assessment provided by GHD and dated September 2020. This report includes an assessment of traffic movements and parking provision. It concludes that there is sufficient parking in the surrounding area. The proposal is deemed to comply.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies</p> <p>The total number of accessible car parking spaces has been assessed under Part D3 of the National Construction Code 2014 by GHD in the traffic impact assessment. The required number is one accessible car parking space for the use. Six are provided on the site and four are required by the existing hotel and its associated uses. As such, there is an adequate number of accessible car parking spaces provided on the site.</p>

E6.5.2 Bicycle parking numbers

<p>Objective:</p> <p>To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>Consistent</p> <p>An appropriate level of bicycle parking spaces will be provided to meet the needs of the use.</p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>

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Complies
 The proposed use requires a total of eight bicycle parking spaces in accordance with Table E6.1. The traffic impact assessment by GHD recommends that these spaces be provided in the form of four additional bicycle hoops that can accommodate two bicycles each. An amended plan condition has been imposed to ensure the recommended bicycle parking spaces are provided. As such, the proposal complies.

E6.5.4 Motorcycle parking

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

Consistent
 An appropriate level of motorcycle parking will be provided to meet the needs of the use.

A1 Except for dwellings in the General Residential zone, uses that require greater than 20 car parking spaces by Table E6.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.

Complies
 The proposed use requires a total of two motorcycle parking spaces in accordance with 50 car parking spaces required by Table E6.1 for the use. The traffic impact assessment by GHD recommends that these spaces be provided. An amended plan condition has been imposed to ensure the recommended motorcycle parking spaces are provided. As such, the proposal complies.

E6.6 Development Standards

E6.6.5 Bicycle facilities

Objective:
 To ensure that cyclists are provided with adequate facilities.

Consistent
 The proposed development will ensure that cyclists will be provided with appropriate facilities.

A1 Uses that require five or more bicycle spaces by Table E6.1 must provide one shower and change room facility on site, with one additional shower and change room on site for each 10 additional bicycles spaces required.

Complies
 The site provides existing change room and shower facilities in association with the existing use. The proposed use is required to provide an additional eight bicycle parking spaces in accordance with an amended plan condition. As this is less than 10 spaces, no additional shower and change room is required. The proposal complies.

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E6.6.6 Bicycle parking and storage facilities

<p>Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</p>
<p>Consistent The parking and storage facilities for bicycles will be safe, secure and convenient.</p>
<p>A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from the main entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
<p>Complies The bicycle parking spaces recommended by the traffic impact assessment and required by amended plan condition will be required to meet the acceptable solution and Australian Standards for bicycle parking and storage facilities.</p>
<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: <ul style="list-style-type: none"> (i) 1.7m in length; and (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of at least 2m and a gradient of no more 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle to that meets AS 2890.3 1993 Parking facilities - Bicycle parking facilities.
<p>Complies The bicycle parking spaces recommended by the traffic impact assessment and required by amended plan condition will be required to meet the acceptable solution and Australian Standards for bicycle parking and storage facilities.</p>

E16.0 Invermay/Inveresk Flood Inundation Area Code

<p>E16.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area; (b) ensure that new development is sited and designed to minimise the impact of flooding; and (c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.

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Consistent
 The proposed development is sited and designed to minimise the impact of flooding on that development. The proposal is subject to a flood report and flood management plan that give due consideration to the siting, design and emergency response capability of the new development on the land, which is subject to flood inundation.

E16.6 Use Standards

E16.6.1 Unacceptable uses

<p>Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.</p>
<p>Consistent The proposed use is not unacceptable in the area in which it is proposed.</p>
<p>A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.</p>
<p>Complies The proposed use is a community meeting and entertainment use in the Riveredge Recreation precinct.</p>

E16.7 Development Standards

E16.7.2 Flood Impact

<p>Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</p>
<p>Consistent The proposed development is sited and designed to avoid, mitigate and/or minimise the risks and impacts of flooding.</p>
<p>A3 All buildings not in the Residential use class must have a: (a) floor level of at least 3.4m AHD; and (b) gross floor area of not more than: (i) 400m²; or (ii) 10% more than that existing or approved on 1 January 2008.</p>
<p>Relies on Performance Criteria The proposed development has a minimum floor level of 5.85m. However, the function centre will have a floor area greater than 400m². As such, the proposal relies on performance criteria.</p>
<p>P3 Buildings not in the Residential use class must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer. The report and plan must: (a) detail: (i) the risks to life;</p>

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<ul style="list-style-type: none"> (ii) the likely impact on the use or development; and (iii) how the use or development will manage the risk to tolerable levels; during either an overtopping of the levee or a levee breach at the closest point in the levee during a 5% AEP, 2% AEP or a 1% AEP flood event; and <p>(b) consider the following:</p> <ul style="list-style-type: none"> (i) the likely velocity and depth of flood waters; (ii) the need to locate electrical equipment and other fittings above the 1% AEP flood level; (iii) the likely effect of the use or development on flood characteristics; (iv) the development and incorporation of evacuation plans into emergency management procedures for the precinct; and (v) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing measures in the development.
<p>Complies</p> <p>The proposed development is sited and designed in accordance with a hydrological report and emergency management plan prepared by Alan J Leake, a suitably qualified engineer previously of AJL Consulting Engineers and now of Rare Innovation. The report and management plan were completed in 2016 in association with the development of the hotel and associated uses. An addendum letter has been provided that confirms that the proposed development will not impact on flood management requirements. The proposed development is in accordance with the recommendations of the hydrological report and will be subject to the flood management plan for the wider site. These documents will be included in endorsed documents. The proposal complies.</p>

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.

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REFERRAL	COMMENTS
	EXTERNAL
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2020/01585-LCC, dated 16/10/2020.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 31 October to 16 November 2020. Four representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 The proposal is on land that is subject to flood inundation. It is unwise to develop on this land. Risks will increase as a result of climate change, sea-level rise and seismic risks. The liability risk is unacceptable to Launceston ratepayers and Tasmanian taxpayers.</p>
<p><i>Response 1</i> <i>The proposed development has been assessed against the Invermay/Inveresk Flood Inundation Area Code E16.0 and is deemed to comply. Flood management plans for the site completed by suitably qualified engineers confirm that the level of risk is acceptable. The use is compliant with the requirements of the Code. Objections raised about the suitability of Code E16.0 to meet its flood protection objectives cannot be addressed through the development assessment process. An application is assessed against the provisions of the Planning Scheme. The flood impacts have been assessed and the proposal is deemed to comply.</i></p>
<p>Issue 2 The application was not properly advertised. Reference was only made to 89-91 Lindsay Street, not to the surrounding land on which the development encroaches or the carpark at 86 Lindsay Street. Land owners consent was also not advertised.</p>
<p><i>Response 2</i></p>

9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(Cont'd)

<p><i>The proposal was advertised with the following addresses: 89-91 Lindsay Street (CT169012/2), 85 Lindsay Street (CT169882/1) and 87 Lindsay Street (CT169012/1), Invermay. The proposal does not include the car park at 86 Lindsay Street, as there is no dedicated parking proposed at this facility, and it is only considered off-road parking in the area, as are other facilities. There is no requirement that this land be included in public advertising. The proposal was provided with consent from the Council as the landowner. This was available for viewing at the Council's offices during the advertising period.</i></p>
<p>Issue 3 The traffic impact assessment does not adequately establish true parking and traffic load requirements. The parking was not advertised with the land and no details of that parking was provided. A Part V agreement should be entered binding the use to parking at 86 Lindsay Street. The movement of people and vehicles was not appropriately assessed in the traffic impact assessment.</p>
<p><i>Response 3</i> <i>The traffic and parking implications of the proposal were assessed against the Road and Railway Assets Code E4.0 and the Parking and Sustainable Transport Code E6.0 and was deemed to comply. The proposal does not provide additional car parking on site and was assessed as such. The traffic impacts on the area of the additional use were assessed as being reasonable. There is no requirement for overall movements in the area to be assessed where the increase in access to the site is less than 40 vehicle movements per day on average.</i></p>
<p>Issue 4 The Council operates on 'poor process' and the approval of the application despite flood and traffic issues would be poor process.</p>
<p><i>Response 4</i> <i>Each application is assessed against the relevant provisions of the Planning Scheme. The flood and traffic impacts have been assessed and deemed to comply.</i></p>
<p>Issue 5 Inclusion of additional impervious surfaces in the flood zone is poor planning practice.</p>
<p><i>Response 5</i> <i>The proposed development is on an existing impervious deck, other than the pedestrian ramp, which is a negligible change to impervious surface cover.</i></p>
<p>Issue 6 The proposal will take more business and activity outside the CBD and prefers an international hotel chain over small local accommodation providers.</p>
<p><i>Response 6</i> <i>Assessment of the proposal is against the provisions of the planning scheme. Function centres are able to operate in zones outside of the CBD. It is not the role of the planning system to prejudice any applicant over another.</i></p>

- 9.1 89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(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.

- 9.1 **89-91, 85 and 87 Lindsay Street, Invermay - Community Meeting and Entertainment - Construction of a Function Centre in Association With Existing Hotel; Construction of Alterations and Additions to Existing Buildings ...(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 - 89-91 Lindsay Street, 85 Lindsay Street and 87 Lindsay Street, Invermay (*electronically distributed*)
 2. Plans to be Endorsed - 89-91 Lindsay Street, 85 Lindsay Street and 87 Lindsay Street, Invermay (*electronically distributed*)
 3. TasWater SPAN - 89-91 Lindsay Street, 85 Lindsay Street and 87 Lindsay Street, Invermay (*electronically distributed*)
 4. Representations - 89-91 Lindsay Street, 85 Lindsay Street and 87 Lindsay Street, Invermay (*electronically distributed*)
-

9.2 Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown

FILE NO: DA0698/2019/SF7059

AUTHOR: Duncan Payton (Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider a statement to the Tasmanian Planning Commission subsequent to the public exhibition period for an amendment to the Launceston Interim Planning Scheme 2015 and to consider a revised development proposal.

PREVIOUS COUNCIL CONSIDERATION:

Council - 14 May 2020 - Agenda Item 9.2 - 357-361 Hobart Road, Youngtown - Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works

Council resolved to initiate Amendment 61 to the Launceston Interim Planning Scheme 2015 to rezone the land at 357-361 Hobart Road, Youngtown from the Commercial Zone to the General Residential Zone; and

Council - 14 May 2020 - Agenda Item 9.2 - 357-361 Hobart Road, Youngtown - Amendment 61 - Zone Land from Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works

In accordance with the former section 43A of the *Land Use Planning and Approvals Act 1993*, Council refused DA0698/2019 for the construction of 24 multiple dwellings and associated works at 357-361 Hobart Road, Youngtown.

RECOMMENDATION:

That Council:

1. in accordance with the former section 39(2) of the *Land Use Planning and Approvals Act 1993*, notifies the Tasmanian Planning Commission that six representations were received during the public exhibition period for Amendment 61.
-

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

2. provides advice to the Tasmanian Planning Commission recommending that:
 - a. Amendment 61 to the Launceston Interim Planning Scheme 2016 be approved; and
 - b. the refusal of DA0698/2019, as certified and exhibited, be set aside and replaced with the following approval;

Pursuant to section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0698/2019 - Residential - construction of 24 multiple dwellings and Subdivision - consolidation of four titles into one at 357-361 Hobart Road, Youngtown, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP01, revision G, dated 06/11/2020.
- b. Unit Type 1A, 1B & 1C Floor Plans & Elevations, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP101, revision B, dated 18/11/2020.
- c. Unit Type 2A, 2B & 2C, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP201, revision B, dated 18/11/2020.
- d. Unit Type 3A & 3B, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP301, revision A, dated 06/11/2020.
- e. Unit Type 4A & 4B, prepared by 6ty Pty Ltd, drawing no. 19.070, Proposed Unit Development, 359-361 Hobart Road, Youngtown, page AP401, revision A, dated 06/11/2020g. Preliminary Site Investigation, prepared by ES&D, project no. 6735, 359-361 Hobart Road, Youngtown, dated 10/07/2019.
- f. Noise Assessment Report, prepared by ES&D, project no. 6735, 359-361 Hobart Road, Youngtown, dated 12/08/2019.
- g. Traffic Impact Assessment, prepared by Traffic & Civil Services, 359 Hobart Road Residential Development, Youngtown, dated September 2019.
- h. Traffic Impact Assessment - supplement, prepared by Traffic & Civil Services, 359 Hobart Road Residential Development, Youngtown, dated October 2020.

2. SHARED ZONE SIGNAGE

Prior to the commencement of the use, 10kph Shared Zone signage shall be erected in the entrance driveway in accordance with the recommendation of the endorsed TIA.

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

3. LEGAL TITLE

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

4. 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

5. TASWATER

The development must comply with the requirements of Taswater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2019/01809-LCC, and attached to the permit.

6. FENCING

Prior to the commencement of the use:

1. all side and rear boundaries must be provided with a solid (ie. no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed at the developer's cost and to a height of:
 - a. 1.2m within 4.5m of the frontage; and
 - b. 1.8m - 2.1m elsewhere when measured from the highest finished level on either side of the common boundaries; and
2. Front boundary fencing up to a height of 1.8m, with all that part above 1.2m having a minimum 30% transparency.

7. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

- a. Mail receptacles must be provided and appropriately numbered for each dwelling unit.
- b. Storage area for waste and recycling bins.
- c. Either internal or external clothes drying facility to be provided for each dwelling to the satisfaction of the Council.

8. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
 - b. Be surfaced with an impervious all weather seal;
-

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be line-marked or otherwise delineated to indicate each car space and access lanes.

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

9. DAMAGE TO 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.

10. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

11. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to Council's stormwater mains.

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

12. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/altered, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

13. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

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

14. VEHICULAR CROSSINGS

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

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

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

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

15. SOIL AND WATER MANAGEMENT PLAN

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

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

16. PROTECTION OF PIPELINES

The Councils' existing underground pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. footings must be no closer than 1.5m from the outer edge of the pipe,
- b. footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. there must be a minimum clear space between buildings or substantial structures of at least 3m in width to allow maintenance along the line of the pipe.
- d. manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the Chief Executive Officer or his delegate pursuant to section 13 of the *Urban Drainage Act 2013*.

17. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Unit No	Strata Lot No.	Street Address
01	1	1/357-361 Hobart Road
02	2	2/357-361 Hobart Road
03	3	3/357-361 Hobart Road
04	4	4/357-361 Hobart Road
05	5	5/357-361 Hobart Road
06	6	6/357-361 Hobart Road
07	7	7/357-361 Hobart Road
08	8	8/357-361 Hobart Road
09	9	9/357-361 Hobart Road
10	10	10/357-361 Hobart Road
11	11	11/357-361 Hobart Road
12	12	12/357-361 Hobart Road
13	13	16/357-361 Hobart Road
14	14	15/357-361 Hobart Road
15	15	14/357-361 Hobart Road
16	16	13/357-361 Hobart Road
17	17	17/357-361 Hobart Road
18	18	1 Alma Street

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

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

18. 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.

19. NOISE ASSESSMENT REPORT

The applicant must comply with the Noise Assessment Report prepared by Environmental Service and Design, dated 05 December 2019. To reduce potential environmental impacts created by traffic noise from Hobart Road, the recommendations in Section 5 of the Noise Assessment report, dot points 2. and 3. are to be implemented.

20. ENVIRONMENTAL MANAGEMENT PLAN

A site specific Environmental Management Plan (EMP) is to be prepared by a suitably qualified person, prior to the development commencing. The EMP is to include, but not be limited to, a site plan, management of all wastes, staff training, incident reporting, contact details of relevant personnel, recording and responding to complaints. A copy of the EMP is to be available at the request of an Authorised Officer of the City of Launceston and is to be readily available to persons involved in the development.

21. WASTE DISPOSAL DOCUMENTATION

A copy of documentation for the disposal of Level 2 contaminated soil waste, at a Category B landfill, are to be provided to the City of Launceston.

22. DEMOLITION

The Developer must:

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

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

23. CONTAMINATED LAND

The applicant must comply with the Preliminary Site Investigation Report prepared by Environmental Service and Design dated June 2019 and complete all Works required in the recommendations. The use and development approved must be undertaken so as to comply with all the recommendations and requirements of the Environmental Site Assessment.

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0698/2019. You should contact the Council with any other use or developments, as they may require the separate approval of Council. The Council's planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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.

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

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.

Note:

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

REPORT:

PART A - SECTION 39 REPORT:

An application was made under the former section 33(1) of the *Land Use Planning and Approvals Act 1993* (the Act) by 6ty Pty Ltd for an amendment to the Launceston Interim Planning Scheme 2015 and a concurrent development application pursuant to the former section 43A of the Act.

Council initiated the planning scheme amendment and refused the development application at its Meeting on 14 May 2020. The application and permit were then placed on public exhibition from 23 May to 23 June 2020. The amendment appeared in *The Examiner* on two separate occasions - 23 and 27 May 2020. Six representations were received during this period.

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

In accordance with the former sections 39(2) and 43F(6) of the *Land Use Planning and Approvals Act 1993*, Council must, within 35 days of the close of the exhibition period, send a report to the Tasmanian Planning Commission on the amendment and planning permit. To facilitate the requests of the proponent extensions to this timeline have been obtained.

Five of the six representations opposed the development, asserting that it was not appropriate and would detrimentally alter the character of the area. The sixth, from the applicant, commented on the extensive experience of the proponents in the provision of social and affordable housing, the consistency of the proposal with the State's Affordable Housing Strategy 2015-2025 and the Regional Land Use Strategy and provided response to Council's grounds for refusal.

None of the representations suggested the rezoning to General Residential was not appropriate and as such there are no reasons for Council not to proceed with the amendment. The issues raised relate to the form of the development and are considered in the table below. The amendment should be forwarded to the Tasmanian Planning Commission with a recommendation that it be approved.

Whilst the below table attempts to summarise and comment upon the issues raised, it should be read in conjunction with the representations themselves.

<p>Issue 1 The development of 24 dwellings is overdevelopment for that corner block.</p>
<p><i>Response 1</i> <i>It is agreed that the proposal sought to maximise the number of affordable dwelling units it could incorporate onto the site. As a result, there was a reliance upon multiple performance criteria. Despite being able to raise an argument that the development satisfied the relevant standards, the Council determined that collectively the proposal was an overdevelopment of the site that would neither satisfactorily provide for the amenity of the occupants or for the amenity of residents in the surrounding area. In response, the proponents have provided a revised proposal, reducing the total number of units proposed to 18 and providing improved amenity for the residents.</i></p>
<p>Issue 2 There is already a significant number of housing department houses in the area, with their associated issues. This proposal will be too much.</p>
<p><i>Response 2</i> <i>The planning scheme does not distinguish between tenure or property ownership.</i></p>
<p>Issue 3 The proposed development is not in keeping with the character of the area.</p>

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

Response 3

Whilst it is agreed that this area of Youngtown is characterised by single dwelling developments, there are a number of multiple unit developments throughout the area although most contain only two or three dwellings. The retirement village across Hobart Road presents a substantial number of dwellings on a broad acre site and largely resembles a residential suburb with predominately single dwellings.

The initial proposal for 24 dwellings, was viewed by Council as incompatible with the dominant form of single storey, single dwellings in the surrounding area. The proponents have responded with a reduced proposal for 18 dwellings which they assert address many of the incompatibility issues.

Issue 4

The proponents, Centacare Evolve Housing, Catholic Care Tasmania, and the City Mission are all experienced providers of affordable and social housing. The Tasmanian Government's Affordable Housing Strategy 2015-2025 and its Affordable Housing Action Plan 2019-2023, aim to provide some 1,500 new dwellings, including 607 social housing dwellings, to reduce the proportion of low income households experiencing housing stress and persons experiencing homelessness.

Response 4

The Scheme does not distinguish between owners, occupiers or proponents as any number of these may change over time. The Scheme supports the provision of a diverse range of housing types and styles, however, to protect the amenity of surrounding residents a range of minimum standards is imposed. Council determined that these standards were not satisfied by the initial proposal. The proponents' revised proposal seeks to address this concern by reducing the number of dwellings and providing improved private open space and external storage facilities.

Issue 5

Clause 10.4.1 required the density of the development to be compatible with the surrounding area or to provide a significant social or community housing benefit. Council's ground of refusal stated that the development was not compatible with the surrounding area and that the proposal had not demonstrated sufficient social or community housing benefit. The proponents assert:

- **the proposed housing will be delivered and managed, at below market rents, by a registered non-government community housing provider;**
- **the need for social and affordable housing in Tasmania is increasing;**
- **the Department of Communities Tasmania has mapped the Launceston area as high need to address housing for persons with a disability, younger persons, and older persons; and**
- **the provision of affordable housing in an area of high demand, close to public transport, education and employment opportunities ensures the proposal provides for a significant social and community housing benefit.**

9.2 Amendment 61 - Zone Land From Commercial to General Residential and Construct 24 Multiple Dwellings and Associated Works - 357-361 Hobart Road, Youngtown ...(Cont'd)

Response 5

The revised proposal presented by the proponents has reduced the number of proposed dwellings and improved the private space, parking and storage opportunities to reinforce the significant social and community benefit of the proposal and to mitigate any perceived dis-benefits.

Issue 6

The second ground of refusal referred to the loss of amenity to the adjoining residence on the City Mission Shop site. This area is zoned commercial and the residence will be demolished when the multiple dwellings are built and the existing occupants rent one of those.

Response 6

This is a statement of expectation only. The proposed development of 24 multiple dwellings on the subject site is in no way linked to or conditional upon the demolition of a dwelling on an adjoining title, not part of the application. Demolition of the adjoining dwelling would be subject to further approval either as demolition alone or in conjunction with some other development of the site. The revised proposal has replaced the proposed 11 conjoined two storey units, with six effectively (units 2 and 3 and 4 and 5 have conjoined garage walls) free standing single storey units, thus addressing the amenity issues to the existing residence on the adjoining City Mission site to the north.

Issue 7

The third ground of refusal was that the dwellings were provided with insufficient private open space to provide for outdoor recreation as an extension of the dwelling and that there was insufficient space provided for storage and gardens.

The proponents contend that the dwellings are relatively small and that the proposed private open space is commensurate with that and meets the needs of the occupants. Further, the proponents submit that small garden sheds could be provided for additional storage purposes if required, although the intent is that such storage be contained within the dwelling. The proponents reiterate the size of private open space available to the units:

1-10:	4m² first floor balcony and 10m² ground level
11:	4m² first floor balcony and 12m² ground level
12:	22m² at ground level
13-18:	4m² first floor balcony and 30m² ground level
19-22:	27-38m² at ground level
23 and 24	70m² at ground level

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Response 7

At the time of its decision, Council was aware that the proposed dwellings were small and was similarly aware of the areas of private open space proposed. Council did not concur that the dwellings would not be occupied by families with children (perhaps single parent with two children) and otherwise need more private open space than effectively a single car park.

The revised proposal offers principal private open space of:

1-5:	Not less than 44m ² at ground level, accessible from the living room
6:	31m ² at ground level, accessible from the living room
7-12:	Each unit has a first floor external balcony of 3.4m ² and 18m ² - 24m ² private open space at ground level
13-16:	36m ² at ground level, accessible from the living room
17-18:	27-38m ² at ground level
23 and 24	70m ² at ground level

External storage sheds and clothes lines are proposed in the open space of each unit. Additionally, most units will have additional open space at the front, side or rear.

Issue 8

The proponents assert that whilst the intent is for the provider to maintain gardens and landscaping and thus the occupants would not require garden tools and the like and adequate storage is available within the dwellings, nevertheless small garden sheds could be accommodated if required, with small commercially available products.

Response 8

Concerns expressed in considering the application were split between the obvious limitations on storage within the small dwellings and the long term use of the dwellings if they become surplus to the proponent's needs and are sold individually. The need or desire for such secure storage is not limited to gardening tools and the storage needs of occupants of affordable housing may be little different from the needs of residents of many other types of housing. The revised proposal includes the provision of external storage for each unit.

Issue 9

Council rejected the proposal on the grounds that insufficient car parking was provided to meet the reasonable needs of the occupants of 24 dwellings. The proponents have provided statistical evidence to establish that the average number of cars owned by occupants of two bedroom dwellings is 1.24 in Youngtown and 1.29, State-wide. Notwithstanding their assertion that the average is significantly lower for residents of social housing, the proponent's note that, based on the Youngtown average, the proposal would require 30 car parking spaces and the proposal provides 32.

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Response 9

Notwithstanding that the number of car parking spaces provided may meet a statistical average for car ownership, given the number of units proposed for the site, with only two visitor spaces, the parking provision was considered inadequate. The revised proposal has reduced the number of proposed dwellings by six and increased the number of proposed car parking spaces to 34, with 4 designated visitor spaces.

Conclusion:

Having regard to the matters raised in the representations, it would be reasonable to ask the Commission to confirm Council's refusal of the initial development proposal.

However, the proponents, seeking to redevelop the site to provide suitable affordable housing to address some of the growing need within the community, have requested that Council consider an alternative proposal for a reduced number of dwellings and offering improved levels of amenity for residents.

Based on the assessment contained in Part B of this report, it is recommended that Council request the Tasmanian Planning Commission to set aside its initial refusal of the proposed development and to confirm its approval of the revised proposal.

It is noted that, the revised proposal is a substantial change to the original proposal and, if the Commission supports this approach, it will require exhibition of the revised proposal.

PART B - REVISED DEVELOPMENT ASSESSMENT REPORT

STANDARDS REQUIRING COUNCIL DISCRETION

- 10.4.1 Residential density for multiple dwellings
 - 10.4.13 Location of car parking
 - 10.4.16 Frontage and access
 - 10.4.2 Setbacks and building envelope for all dwellings
 - 10.4.3 Site coverage and private open space for all dwellings
 - 10.4.4 Sunlight and overshadowing for all dwellings
 - E11.6.1 Attenuation distances
 - E2.5 Use Standards
 - E2.6.1 Subdivision
 - E2.6.2 Excavation
 - E4.5.1 Existing road accesses and junctions
 - E4.6.4 Sight distance at accesses, junctions and level crossings
 - E6.5.1 Car parking numbers
-

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1. THE PROPOSAL

It is proposed to demolish the existing structures currently at 357-361 Hobart Road, Youngtown and consolidate the existing four titles into one lot of 4396m². It is then proposed to construct eighteen two bedroom units, a mix of single and double storey, to address the growing demand for affordable housing in the Launceston region.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is made up of four existing titles, giving an area of 4396m². It is an irregularly shaped parcel of generally level land, connected to the public water, sewerage and stormwater systems.

The site is surrounded by a mix of commercial uses, single dwellings and a retirement village. The broader area contains a similar mix of uses, with the addition of multiple dwellings and a supermarket and chemist.

Public transport is readily available and the site is within walking distance of a public park, shops and bus stops. It is located some two kilometres south of the Kings Meadows shopping centre, with major supermarkets and medical facilities.

The character of the site is currently best described as a mix of commercial and residential and is unlikely to significantly change as a result of the proposed development.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

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Consistent

The proposal to consolidate the existing four lots into a single lot and to construct 18 multiple dwellings on the resultant lot is consistent with the purpose of the zone to provide for residential use or development, encompassing a range of dwelling types, at suburban densities and respecting the neighbourhood character.

10.4 Development Standards

10.4.1 Residential density for multiple dwellings

Objective:

To provide for suburban densities for multiple dwellings that:

- (a) make efficient use of suburban land for housing; and
- (b) optimise the use of infrastructure and community services.

Consistent

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

A1 Multiple dwellings must have a site area per dwelling of not less than:

- (a) 325m² or
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.

Relies on Performance Criteria

With the four existing lots being combined into a single lot, the subject site has an area of 4396m². The proposal to develop 18 dwellings on the site results in a site area per dwelling of 244m².

P1 Multiple dwellings must only have a site area per dwelling that is less than 325m², or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:

- (a) is compatible with the density of the surrounding area; or
- (b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:
 - (i) the site is wholly or partially within 400m walking distance of a public transport stop;
 - (ii) the site is wholly or partially within 400m walking distance of a business, commercial, urban mixed use, village or inner residential zone

Complies

The proposed eighteen dwellings will be connected to the existing public water, sewer and stormwater services in the area, each of which has the capacity to cater for this demand.

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Whilst the surrounding development is characterised by a mix of commercial, single dwellings and a retirement village, the proponents assert that the development seeks to provide affordable housing to assist with the State's Affordable Housing Strategy 2015-2025 (AHS). As Launceston is identified in the AHS as having a high demand for social and affordable housing, with over 400 persons currently seeking one or two bedroom dwellings in Youngtown, the proponents maintain that the proposal will provide a significant benefit to social or community housing.

It is further noted that the site is well within 400m of bus stops and a supermarket and chemist.

Whilst the proponents seek to rely upon P1(b), they also note that the density of this proposal is compatible with the density of dwellings in the surrounding area and that *there is significant divergence in the dwelling densities that exist. 14% of existing dwellings have a site area per dwelling which is less than the proposal (244m²). 19% have a site area per dwelling greater than 1000m². The density of the proposal is within the range of densities that exist in the area.*

10.4.2 Setbacks and building envelope for all dwellings

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

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

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

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

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

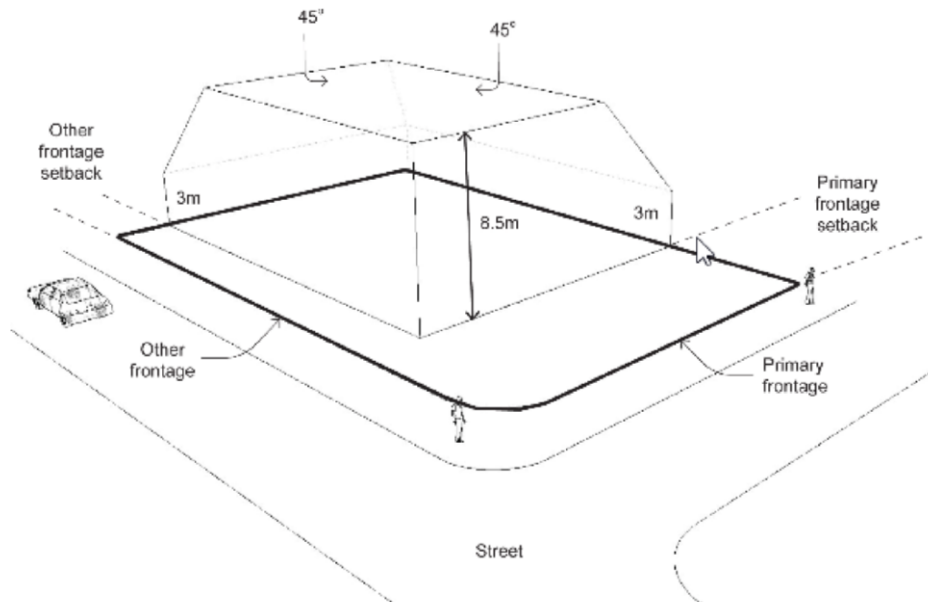
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<p>the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>
<p>Complies</p> <p>The primary frontage of the site is to Alma Street. Units 12, 16 and 18, have frontage to Alma Street and comply with the minimum prescribed setback of 4.5m. Units 7-12 have frontage to Hobart Road, a secondary frontage, and are setback 3.0m in compliance with the prescribed 3m minimum.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the facade of the dwelling; or</p> <p>(b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>
<p>Relies on Performance Criteria</p> <p>Unit 18 has a carport at the front of the dwelling with a setback of 4.5m from Alma Street and relies upon performance criteria.</p>
<p>P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p>
<p>Complies</p> <p>There are carports built to the property boundaries at 19 and 25 Alma Street and the proposed 4.5m setback is considered to be compatible as it is within the range of setbacks for garages and carports currently in Alma Street.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>

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Complies

The subject site is a corner lot with a primary and secondary frontage. The northern and eastern boundaries are thus considered by the scheme to be side boundaries. All proposed dwellings fit within the prescribed building envelope as depicted in Diagram 10.4.2D of the scheme.



10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

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

Consistent

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

A1 Dwellings must have:

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

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Relies on Performance Criteria

Whilst the proposal satisfies the acceptable solution in terms of maximum site coverage, at 1685m² or 38.2%, being less than the prescribed 50%, the proposal does not satisfy the prescribed 60m² of private open space for dwelling 7-11 (the two storey dwellings fronting Hobart Road) or the minimum 25% of the site area being free from impervious surfaces. Performance criteria are relied upon.

P1 Dwellings must have:

- (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:
 - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and
 - (ii) operational needs, such as clothes drying and storage; and
- (b) reasonable space for the planting of gardens and landscaping.

Complies

The proposed eighteen, two bedroom, affordable housing units each have an area of private open space that is considered to be appropriate to the size of the dwelling and able to provide outdoor recreational space to meet the reasonable needs of the occupants.

Dwellings 7-11 will have a 3.4m² external balcony at the first floor and 24m² of private open space at ground level, capable of being used for outdoor recreation, storage and clothes drying. These dwellings are not intended to cater for most families and their need for outdoor space is therefore less. They provide small areas of open space, commensurate with the small balconies of apartment living. Relevantly, the proponents note that whilst most of the dwellings will be managed by the proponents, dwellings 7-12 will be available for the private market. Consequently, they are less likely to be occupied by families or individuals who require more space to meet their needs. Each dwelling has a small area available at the front or side for the planting of a garden and a small community garden is proposed opposite dwellings four and five.

A2 A dwelling must have an area of private open space that:

- (a) is in one location and is at least:
 - (i) 24m²; or
 - (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and
- (b) has a minimum horizontal dimension of:
 - (i) 4m; or
 - (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and
- (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and

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<p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>
<p>Relies on Performance Criteria The proposed dwellings will not have private open space areas that achieve the specified 4m minimum dimension and performance criteria are relied upon.</p>
<p>P2 A dwelling must have private open space that:</p> <p>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:</p> <p>(i) conveniently located in relation to a living area of the dwelling; and</p> <p>(ii) orientated to take advantage of sunlight.</p>
<p>Complies All of the dwelling units have areas of private open space that are capable of serving as an extension of the dwelling. In each case these areas are conveniently located in relation to the living areas of the dwelling and are orientated to take advantage of sunlight.</p>

10.4.4 Sunlight and overshadowing for all dwellings

<p>Objective: To provide:</p> <p>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and</p> <p>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
<p>Relies on Performance Criteria Given the orientation of the site and the nature of the proposed development, a number of the dwellings will not have appropriately north facing windows and performance criteria are relied upon.</p>
<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>Complies All of the proposed dwellings will have windows facing north, east or west, able to allow sunlight to enter a habitable room other than a bedroom.</p>

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A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):
 - (i) at a distance of 3m from the window; and
 - (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21 June.
- (c) That part, of a multiple dwelling, consisting of:
 - (i) an outbuilding with a building height no more than 2.4m; or
 - (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.

Relies on Performance Criteria
 Unit 14 will be located 1.5m to the north of the north facing living room window of unit 15. Performance criteria are relied upon.

P2 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).

Complies
 Notwithstanding the proximity of the two buildings, they will be separated by a fence. Dwelling 15 also has an east facing, glazed, doorway to allow additional sunlight into the dwelling. It is considered that this design will ensure that there is no unreasonable loss of amenity.

A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):
 - (i) at a distance of 3m from the northern edge of the private open space; and
 - (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21 June.
- (c) That part, of a multiple dwelling, consisting of:
 - (i) an outbuilding with a building height no more than 2.4m; or
 - (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.

Complies
 Whilst a number of dwellings are to the north of the private open space of other dwellings on the site, they are sufficiently separated to comply with the acceptable solution.

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10.4.5 Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).
Complies Only the carport for unit 24 addresses, and is within 12m of, the frontage to Alma Street. This carport has a width of 4.5m and complies with the acceptable solution.

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
Complies Only dwellings 7-12 have a floor level above 1m and the balconies at this level face the 6m wide internal driveway and be separated by more than 6m from any windows or glazed doors of the opposite dwellings.
A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and

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<p>(iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.</p>
<p>Complies Only dwellings 7-12 have a floor level above 1m and the balconies at this level face the 6m wide internal driveway and be separated by more than 6m from any windows or glazed doors of the opposite dwellings.</p>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>
<p>Complies Obscure glazing is proposed to be fitted to all windows of habitable rooms within 2.5m of the shared driveway.</p>

10.4.7 Frontage fences for all dwellings

<p>Objective: To control the height and transparency of frontage fences to:</p> <p>(a) provide adequate privacy and security for residents; and</p> <p>(b) allow the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) provide reasonably consistent height and transparency.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>

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Complies
 The site plan indicates that the frontage fences to Hobart Road and Alma Street will be to a height of 1.8m, with the portion above 1.2m maintaining 30% transparency.

10.4.8 Waste storage for multiple dwellings

Objective:
 To provide for the storage of waste and recycling bins for multiple dwellings.

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

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:
 (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or
 (b) in a communal storage area with an impervious surface that:
 (i) has a setback of at least 4.5m from a frontage; and
 (ii) is at least 5.5m from any dwelling; and
 (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.

Complies
 The site plan depicts an appropriate bin storage area for each dwelling.

10.4.9 Site facilities for multiple dwellings

Objective:
 To provide adequate site and storage facilities for multiple dwellings.

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

A1 Each multiple dwelling must have access to 6m³ of secure storage space not located between the primary frontage and the facade of a dwelling.

Complies
 The site plan depicts external storage for each dwelling.

A2 Mailboxes must be provided at the frontage.

Complies
 Mailboxes, located at the entrance to the site are indicated on the site plan.

10.4.10 Common property for multiple dwellings

Objective:
 To ensure that common areas are easily identified.

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

A1 Site drawings must clearly delineate private and common areas, including:
 (a) driveways;
 (b) parking spaces, including visitor parking spaces;

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<p>(c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.</p>
<p>Complies These are shown on the site plan.</p>

10.4.12 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Complies The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <p>(a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.</p>
<p>Complies Part of the northwest of the site is within the 30m buffer of a water feature, albeit piped, and will be filled, up to 400mm.</p>

10.4.13 Location of car parking

<p>Objective: To:</p> <p>(a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.</p>
<p>Complies Shared driveways are located more than 1.5m from windows to habitable rooms.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>

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<p>Relies on Performance Criteria Two visitor car parking spaces, and one car park for dwelling 16, are proposed within the primary setback to Alma Street, between units 12 and 16 and performance criteria are relied upon.</p>
<p>P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to:</p> <ul style="list-style-type: none"> (a) the visual impact of the car parking location viewed from the road; (b) access for users of the site; (c) pedestrian and vehicular traffic safety; (d) the nature and characteristics of the street; (e) the need for the location; (f) any landscaping of the car parking or turning area location; and (g) construction methods and pavement types.
<p>Complies The three car parking spaces proposed within the frontage setback to Alma Street are safe and convenient, as the Traffic Impact Assessment provided with the application documents attests. Landscaping and boundary fencing will ensure that the parking does not adversely impact on the streetscape, noting that this area has formed part of the garden centre car park for many years and is currently car parking.</p>

10.4.15 Lot size and dimensions

<p>Objective: To ensure the area and dimensions of lots are appropriate for the intended use of the lots.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1.1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a minimum area of no less than 500m²; and (b) be able to contain a rectangle measuring 10m by 15m; or <p>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or (b) be required for the provision of public utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and <p>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>
<p>Complies The proposed subdivision is the consolidation of four existing lots into a single lot of 4396m².</p>

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10.4.16 Frontage and access

<p>Objective: To ensure that lots provide:</p> <ul style="list-style-type: none"> (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>
<p>Complies The proposed lot has ample frontage to both Hobart Road and Alma Street.</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, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies The proposed lot currently has reasonable access from both Hobart Road and Alma Street.</p>

10.4.17 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 complies with the relevant acceptable solutions or performance criteria.</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 The consolidated lot will be serviced by the existing stormwater connection.</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>Complies Such advice has been given.</p>

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10.4.18 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies The consolidated lot will be connected to a reticulated water supply in accordance with the TasWater notice.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The consolidated lot will be connected to a reticulated sewerage system in accordance with the TasWater notice.

10.4.19 Integrated urban landscape

Objective: To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Subdivision does not create any new road, public open space or other reserves.
Complies The subdivision does not create any new road, public open space or reserve.

10.4.20 Walking and cycling network

Objective: To:
(a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists;
(b) design footpaths, shared path and cycle path networks that are safe and accessible; and
(c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Subdivision does not create any new road, footpath or public open space.
Complies The subdivision does not create any new road, foot path or public open space.

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10.4.21 Lot diversity

Objective: To provide a range and mix of lot sizes to suit a variety of dwelling and household types.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Subdivision is for 10 lots or less.
Complies The subdivision is the consolidation of four lots into one.

10.4.23 Neighbourhood road network

Objective: To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Subdivision does not create any new road.
Complies No new roads are created.

10.4.24 Public transport network

Objective: To provide for access to public transport.
Consistent The proposal complies with the relevant acceptable solutions or performance criteria.
A1 Subdivision does not create any new road.
Complies No new roads are created.

E2.0 Potentially Contaminated Land Code

E2.1 The purpose of this provision is to: (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
Consistent A report, prepared by a suitably qualified person, has concluded that the development of the potentially contaminated land does not present a risk to human health or the environment.

E2.5 Use Standards

Objective: To ensure that potentially contaminated land is suitable for the intended use.
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<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Land is suitable for the intended use, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health or the environment that includes: (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before any use commences; and (iii) a statement that the land is suitable for the intended use.</p>
<p>Complies The environmental site assessment prepared by ES&D has concluded <i>that the level of contamination does not present a risk to human health or the environment. Although as a precaution there is a management measure recommended to remove impacted soil from the areas specified ... no further investigation is required. The development can proceed.</i></p>

E2.6 Development Standards

E2.6.1 Subdivision

<p>Objective: To ensure that subdivision of potentially contaminated land does not adversely impact on human health or the environment and is suitable for its intended use.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Subdivision does not adversely impact on health and the environment and is suitable for its intended use, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or</p>

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- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or
- (c) a plan to manage contamination and associated risk to human health and the environment that includes:
 - (i) an environmental site assessment;
 - (ii) any specific remediation and protection measures required to be implemented before any use or development commences; and
 - (iii) a statement that the land is suitable for the intended use or development.

Complies

The environmental site assessment prepared by ES&D has concluded *that the level of contamination does not present a risk to human health or the environment. Although as a precaution there is a management measure recommended to remove impacted soil from the areas specified ... no further investigation is required. The development can proceed.*

E2.6.2 Excavation

Objective:

To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.

Consistent

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

A1 No acceptable solution.

Relies on Performance Criteria

P1 Excavation does not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or
- (c) a plan to manage contamination and associated risk to human health and the environment that includes:
 - (i) an environmental site assessment;
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and
 - (iii) a statement that the excavation does not adversely impact on human health or the environment.

Complies

The environmental site assessment prepared by ES&D has concluded *that the level of contamination does not present a risk to human health or the environment. Although as a precaution there is a management measure recommended to remove impacted soil from the areas specified ... no further investigation is required. The development can proceed.*

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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 Traffic Impact Assessment (TIA), prepared by Traffic and Civil Services demonstrates that the proposed development protects the safety and efficiency of the road network.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

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

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

Relies on Performance Criteria

The TIA indicates that there will be some 120 vehicle movements per day from the site. No clear data is available on previous traffic volumes, however, it is presumed that the increase may be greater than 40 and performance criteria are relied upon.

P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:

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

Complies

The TIA provided with the application indicates that the increased use will be safe and will not unreasonably impact on the efficiency of the roads having regard to the prescribed matters.

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E4.6.2 Road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>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.</p>
<p>Complies There will be a single access, providing both entry and exit, to each of Hobart Road and Alma Street.</p>

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

<p>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.</p>
<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>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.</p>
<p>Relies on Performance Criteria The sight distance from the Alma Street access, towards Hobart Road is 50m and relies upon performance criteria.</p>
<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.</p>
<p>Complies The TIA concludes that the existing sight distance is adequate, given the traffic from Hobart Road will be travelling slowly, and will provide for the safe movement of vehicles.</p>

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E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

The TIA has also addressed the provision of car parking and determined that an appropriate level of parking is provided to meet the reasonable needs of the use and satisfy the purpose of the code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

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

A1 The number of car parking spaces must:

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

Relies on Performance Criteria

The Table seeks the provision of two car parking spaces per two bedroom dwelling and one visitor car parking space per four dwellings. This produces a requirement for 41 car parking spaces. The proposal provides 34 car parking spaces and relies upon performance criteria.

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

- (a) the availability of off-road public car parking spaces within reasonable walking distance;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or

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<ul style="list-style-type: none"> (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) an assessment of the actual car parking demand determined in light of the nature of the use and development; (g) the effect on streetscape; and (h) the recommendations of any traffic impact assessment prepared for the proposal; or <p>P1.2 The number of car parking spaces for residential uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the locality; or <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>
<p>Complies</p> <p>Given the nature of the proposed use as accessible housing - which statistically represents lower vehicle ownership, the relative close proximity of services and the ready availability of public transport, it is argued that the provision of two parking space per unit, for all other than dwellings 1-12 which will have only one parking space each, and four dedicated visitor parking spaces, is enough to meet the reasonable needs of the use. The proponents provide statistical analysis of parking demand for two bedroom dwellings in Youngtown, Launceston and Tasmania. This indicates a total of 22 car parking spaces should be allocated to the residents, whereas the proposal provides 30 car parking spaces for the residents plus an additional four visitor car parking spaces.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

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

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Complies

All parking, access ways and manoeuvring spaces will have a gradient of less than 10% and will be formed and paved and drained to the public stormwater system. Appropriate line marking will be included.

E6.6.2 Design and layout of parking areas

Objective:

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

Consistent

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

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

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

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

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

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

Complies

The proposal complies with the prescribed standards.

E6.6.3 Pedestrian access

Objective:

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

Consistent

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

A1.1 Uses that require 10 or more parking spaces must:

- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by:
 - (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or
 - (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and

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<p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>
<p>Relies on performance criteria</p> <p>The proposal includes 34 car parking spaces spread throughout the 18 dwelling units. A 1m wide footpath is not provided and performance criteria are relied upon.</p>
<p>P1 Safe pedestrian access must be provided within car parks, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.
<p>Complies</p> <p>Whilst it is not uncommon for such multi residential developments not to provide dedicated footpaths, the TIA has recommended that 10kph shared zone signage be erected in lieu of such a footpath to maintain safe pedestrian movement. An appropriate condition is recommended.</p>

E11.0 Environmental Impacts and Attenuation Code

<p>E11.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure appropriate consideration of the potential for environmental harm or environmental nuisance in the location of sensitive uses; and (b) ensure the environmental impacts of new uses are eliminated, reduced or mitigated to avoid environmental harm or environmental nuisance.
<p>Consistent</p> <p>Appropriate consideration has been given to the potential for environmental impacts on the residents from nearby industrial activities, particularly the steel cutting and drilling undertaken in the nearby steel works. A noise assessment, prepared by ES&D has been provided.</p>

E11.6 Use Standards

E11.6.1 Attenuation distances

<p>Objective:</p> <p>To ensure that potentially incompatible uses are separated by a distance sufficient to mitigate any adverse effects.</p>

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<p>Consistent The proposal complies with the relevant acceptable solutions or performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P1 Sensitive use or subdivision for sensitive uses within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 or a buffer area shown on the planning scheme overlay maps, must demonstrate that there will be no environmental nuisance or environmental harm, having regard to:</p> <p>(a) a site-specific study that considers:</p> <ul style="list-style-type: none"> (i) the degree of encroachment; (ii) the location of the boundaries of the site of the sensitive use or subdivision; (iii) the location of the sensitive use; (iv) the location of the boundaries of the site on which the activity is located; (v) the location of the area on which the activity is undertaken; (vi) the nature of the activity being protected by the attenuation area or buffer area; (vii) the degree of hazard or pollution that may emanate from the activity; and (viii) the measures within the use to mitigate impacts of the activity on the sensitive use; and <p>(b) any advice provided in writing from the owner or operator of the activity; and</p> <p>(c) any advice provided in writing by the Director of the Environment Protection Authority.</p>
<p>Complies The noise report prepared by ES&D has determined that the noise from the nearby steel works is inaudible from the site during normal daytime operations. Noise levels are dominated by traffic noise and the ES&D report has recommended appropriate construction measures, in glazing and doors, to mitigate this.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Recommended conditions.
Environmental Health	Recommended conditions.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.

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REFERRAL	COMMENTS
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2019/01809-LCC.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

As the application is to be determined pursuant to section 43A of the Act, public exhibition of the proposal is not undertaken until after approval. In this instance, it is anticipated that a direction from the Commission for further exhibition will be forthcoming.

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal complies with the Scheme, as if the proposed amendment had been completed, 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.

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SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Land Use Planning and Approvals Act 1993
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

ATTACHMENTS:

1. Locality Map - Amendment 61 - 357-361 Hobart Road, Youngtown (*distributed electronically*)
 2. Plan of Amendment - Amendment 61 - 357-361 Hobart Road, Youngtown (*distributed electronically*)
 3. Representations - 357-361 Hobart Road, Youngtown (*distributed electronically*)
 4. Plans to be Endorsed - 357-361 Hobart Road, Youngtown (*distributed electronically*)
 5. TasWater Amended SPAN - 357-361 Hobart Road, Youngtown (*distributed electronically*)
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9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse**FILE NO:** DA0693/2020**AUTHOR:** Duncan Payton (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:	Tasmanian Timber Specialists Pty Ltd
Property:	179 Ravenswood Road, Ravenswood
Zoning:	Commercial
Receipt Date:	7/10/2020
Validity Date:	13/10/2020
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval (extension granted):	11/12/2020
Representations:	Three

PREVIOUS COUNCIL CONSIDERATION:

Numerous approvals have been granted for the site. The most recent being DA0404/2016 for landscape supplies and the construction of the retaining wall and boundary fence which was approved under delegation.

STANDARDS REQUIRING COUNCIL DISCRETION

23.4.1 Building height, setback and siting

23.4.2 Streetscape

E2.5 Use Standards

E2.6.2 Excavation

E5.5.1 Risk to sensitive use

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0693/2020 - Storage - demolition of existing buildings and construction of a warehouse at 179 Ravenswood Road, Waverley, subject to the following conditions:

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Site Plan, prepared by Woolcott Surveying, drawing no. 161120, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 16/11/2020 - AMENDED PLAN REQUIRED.
- b. Site Plan, prepared by Woolcott Surveying, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- c. Mezzanine Floor Plan, proposed warehouse and showroom, 179 Ravenswood Road, Waverley.
- d. Artist's impression, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- e. Artist's impression, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- f. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- g. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- h. Perspective, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- i. Elevations, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- j. Roof plan, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- k. Aerial plan, document set ID: 4430113, proposed warehouse and showroom at 179 Ravenswood Road, Waverley, version 3, dated 15/10/2020.
- l. Decommissioning Report, prepared by Tasman Geotechnics, reference TG13010/1-02, Former service station at 179 Ravenswood Road, Waverly, dated 28/05/2013.

2. LEGAL TITLE

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

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3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA2020/01701-LCC 20/10/2020 and attached to the permit.

5. SITE LANDSCAPING PLAN

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

- a. major site features such as building footprints, topography, contours existing vegetation and street boundaries; and
- b. existing and proposed garden areas and plantings (including a 6m wide landscape belt around the frontage of the site and containing not less than nine trees capable of growing to a height of not less than 10m); and
- c. any stabilisation works required as a result of tree or vegetation removal; and
- d. all proposed garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- e. suitable irrigation or a fixed sprinkler system for the watering of all lawns and landscaped areas; and
- f. any screen planting (where required).

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

- g. installed in accordance with the endorsed plan; and
- h. completed within three months of the use commencing; and
- i. maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

6. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

7. AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to show:

- a. An altered car parking arrangement that ensures all spaces are functional and designed in accordance with AS/NZS 2890.1 and to satisfy E6.0 Parking and the Sustainable Transport Code, including the provision of a 1m wide footpath. Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans.

8. 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.

9. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

10. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

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11. VEHICULAR CROSSINGS (& ASSOCIATED FOOTPATH WORKS)

No works to install, removal or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

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

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

12. SOIL AND WATER MANAGEMENT PLAN

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

13. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

14. EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 *Control of the obtrusive effects of outdoor lighting* or any subsequent versions of the document.

15. WASTE MATERIALS

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

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16. DEMOLITION

The Developer must:

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

17. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to other uses. Precautions must be taken to avoid nuisance, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

Reversing beepers must be low tone.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0693/2020. 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 03 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.

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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.

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 demolish all existing buildings on the site and to construct a 64m x 45m (2,880m²) warehouse for the distribution and sale (mainly wholesale) of building materials. A 15m wide canopy at the rear of the building will allow loading and unloading under cover.

Heavy vehicles will enter via Ravenswood Road and exit via Waverley Road. Light vehicles (ie. staff and occasional customers) will enter and exit via the western access to Waverley Road.

The site will operate 7.30am to 5.30pm - Monday to Saturday and 9.00am to 2.00pm - Sundays.

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2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is an irregularly shaped lot of some 9,621m², located at the junction of Ravenswood and Waverley Roads. It is connected to reticulated water, sewer and the public stormwater systems.

Currently, the site operates as landscape supplies and shed sales. It has three accesses, two to Waverley Road and one to Ravenswood Road.

Extensive earthworks have been undertaken recently, including the construction of a substantial retaining wall around the rear of the site. Additionally, a landscape belt has been planted around the frontage of the site and across the rear, above the retaining wall.

The site is adjoined to the north and east by land zoned low density residential, the access to and the property known as 179 Ravenswood Road. Beyond this, to the north along Ravenswood Road the land is zoned commercial, although the first two lots contain single dwellings.

Across Waverley Road, to the south is a relatively recently developed light industrial estate, whilst to the west, over Ravenswood Road the land is largely river flats zoned rural resource.

The character of the site is best described as commercial.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose****23.0 Commercial Zone****23.1.1 Zone Purpose Statements**

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

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

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

Consistent

The proposal to develop a 2,880m² warehouse for the storage and distribution and sale of building materials is consistent with the purpose of the zone to provide for large floor area retailing and service industries.

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

23.3 Use Standards

23.3.1 External storage of goods

Objective: To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.
Complies It is not proposed to store goods or materials outside the main building and canopy.

23.4 Development Standards

23.4.1 Building height, setback and siting

Objective: To ensure that building bulk and form and siting: (a) is compatible with the streetscape and character of the surrounding area; and (b) protects the amenity of adjoining lots.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 Building height must be no greater than: (a) 10m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
Complies The proposed building has a maximum height to the ridgeline of the roof of 9.92m.
A2 Setback from a frontage must be: (a) no less than 5.5m; or (b) no less than the setback of an adjoining building.
Complies The proposed building is to be setback 17m from the Ravenswood Road frontage and 19m from the Waverley Road frontage.
A3 Buildings can be built up to the side and rear boundaries.
Complies Whilst the building may be built to the side boundaries, it is not and maintains a 14m setback to the northern boundary and 7m (from the proposed canopy) to the eastern boundary. (It is noted that as the site has two frontages, each of the other boundaries is considered a side boundary and there is no rear boundary).
A4 Where the site is located on the boundary of the General Residential, Inner Residential and Low Density Residential zones, new buildings or alterations to existing buildings, must: (a) be set back a horizontal distance of no less than 3m from the zone boundary; and (b) have a solid fence no less than 1.8m high on the zone boundary.

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>Relies on Performance Criteria The proposed building is appropriately setback from the northern and eastern boundaries with the low density residential zone. There is a retaining wall to the eastern and part of the northern boundaries that more than meets the expectation of a 1.8m solid fence.</p> <p>However, this retaining wall is not directly on the zone boundary and does not run at more than 1.8m the full length of the northern boundary. Performance criteria are relied upon.</p>
<p>P4 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height, bulk and form of proposed buildings; (c) the solar access of habitable room windows and private open space of adjoining dwellings; (d) the privacy of habitable room windows and private open space of adjoining dwellings; (e) the amenity of adjoining dwellings; (f) the size and proportions of the lot; (g) any existing or proposed vegetation or screening; (h) the location of building openings; and (i) any external lighting.
<p>Complies Given the topography of the site and that the northern boundary with the low density residential zone is only to the driveway to the dwelling beyond the eastern boundary, it is considered that the existing retaining walls with their landscaping above, satisfy the intent that there be no unreasonable loss of amenity to the occupiers of the adjoining residential zone.</p> <p>The adjoining dwelling is substantially above the proposed use and will not suffer any loss of direct sunlight or solar access.</p>
<p>A5 The façade and entrance of the primary building, must be clearly visible and accessible from a road, for pedestrians and persons with a disability.</p>
<p>Complies The façade and entrance to the building will be clearly visible and accessible from the road and for pedestrians and persons with a disability.</p>

23.4.2 Streetscape

<p>Objective: To ensure that development has an acceptable impact on the streetscape.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>A1 Excepting walls built to the lot boundary, new buildings or extensions to existing buildings must:</p> <ul style="list-style-type: none"> (a) have external walls constructed with no less than 50% brick, concrete, masonry or glass; (b) have external walls, unless brick or glass, painted or finished with a texture coat; and (c) have no less than 50% glazing to the external walls of the office components of the buildings.
<p>Relies on Performance Criteria The building is proposed to be clad in a mix of concrete panels, colorbond and glass, with the colorbond section being just over 50% and thus relying on performance criteria.</p>
<p>P1 New buildings or extensions to existing buildings must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the nature of the proposed use; (c) the visibility of the building from the road; (d) the external treatment and finish of buildings; and (e) the building materials used in the surrounding area.
<p>Complies The proposed building is a substantial building and will be highly visible from Hoblers Bridge and Ravenswood Roads. The topography of the area provides for the building to effectively sit within the base of the hill, with the prominent two storey dwelling sitting above it.</p> <p>The artist's impression, included with the plans to be endorsed, shows that despite its bulk, the proposed building does not look out of place, particularly with the similarly large warehouse buildings on the adjacent light industrial estate. The proposed building will be compatible with the streetscape.</p>
<p>A2 Car parking must not be located within 3m of the frontage.</p>
<p>Complies Car parking will not be located within 3m of the frontage.</p>

23.4.3 Fences

<p>Objective: To provide for fences that are appropriate to the site and character of the area.</p>
<p>Consistent New fences have recently been erected in accordance with the 2016 approval and no new fences are proposed.</p>

23.4.4 Site landscaping

<p>Objective: To ensure that new development improves the amenity of the site and the streetscape.</p>

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 New buildings or extensions with a gross floor area greater than 100m² or 50% of the existing gross floor area, whichever is less, must:</p> <ul style="list-style-type: none"> (a) landscape an area within the front setback of not less than the 50% of that area; and (b) provide a minimum of one tree capable of growing to a height of no less than 10m planted for every 1,000m² of site area. Trees must be located within a minimum 3m diameter landscaped area.
<p>Complies Landscaping has recently been undertaken around the perimeter of the site in conjunction with the erection of the approved fencing. A condition is recommended seeking a landscape plan extending this to a 6m wide strip across the frontage with at least nine trees, capable of reaching 10m in height.</p>

E1.0 Bushfire-Prone Areas Code

<p>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.</p>
<p>Consistent The proposed development and use of the site is not for vulnerable or hazardous uses and further consideration of the code is not warranted.</p>

E1.6 Development Standards

E2.0 Potentially Contaminated Land Code

<p>E2.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.
<p>Consistent The site has previously been used as a service station. The decommissioning assessment report, prepared by Tasman Geotechnics Pty Ltd is included with the plans to be endorsed. The Tasman Geotechnics report confirms <i>that the site is suitable for ongoing residential and commercial/industrial use</i> (p.11).</p> <p>The proposal is, therefore, consistent with the purpose of the code to ensure there is no adverse impact on human health or the environment.</p>

E2.5 Use Standards

<p>Objective: To ensure that potentially contaminated land is suitable for the intended use.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>A1 The Director, or a person approved by the Director for the purpose of this Code:</p> <ul style="list-style-type: none"> (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.
<p>Relies on Performance Criteria The Director had not given such certification or approval. Performance criteria are relied upon.</p>
<p>P1 Land is suitable for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health or the environment that includes: <ul style="list-style-type: none"> (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before any use commences; and (iii) a statement that the land is suitable for the intended use.
<p>Complies The report by Tasman Geotechnics Pty Ltd confirms that the site is suitable for the intended use.</p>

E2.6 Development Standards

E2.6.2 Excavation

<p>Objective: To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria P1 Excavation does not adversely impact on health and the environment, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: <ul style="list-style-type: none"> (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.

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Complies

Only limited excavation will be required for footings and the like. The report by Tasman Geotechnics Pty Ltd confirms that there will be no adverse impact on health or the environment.

E5.0 Flood Prone Areas Code

E5.1 The purpose of this provision is to:

- (a) ensure that use or development subject to risk from flooding is appropriately located and managed; and
- (b) to minimise the risk of damage or pollution in the event of a flood.

Consistent

The south-east corner of the site is shown as potentially subject to inundation by flood waters in a 1% event, however, the proposed building is not shown to be affected and risk is thus minimised consistent with the intent of the code.

E5.5 Use Standards

E5.5.1 Risk to sensitive use

Objective:

To minimise the risk of injury to, or loss of human life or damage to property, in relation to sensitive uses in the event of a flood.

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

E5.6 Development Standards

E5.6.1 Development subject to flooding

Objective:

To minimise the risk of injury to, or loss of human life, or damage to property or the environment, by avoiding areas subject to flooding where practicable, or mitigating the adverse impacts of inundation to an acceptable level.

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 No acceptable solution.

Relies on Performance Criteria

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

- (a) the need for the location;
- (b) the nature and characteristics of the development;
- (c) the scale and intensity of the development;
- (d) the characteristics of the inundation of the land that is subject to the risk;
- (e) the nature and frequency of the inundation;
- (f) the need for and the availability of infrastructure, including access and reticulated services;
- (g) accessibility to the development during flooding;

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- (h) the capacity of the development to withstand flooding;
- (i) the capacity of the owner or occupants to respond to or manage the flood risk;
- (j) the location of effluent disposal or sewerage reticulation or storage of materials;
- (k) the nature of any works required to mitigate the risk;
- (l) any mitigation works proposed to be carried out outside the boundaries of the site;
- (m) any works interfering with natural watercourse processes or restrictions or changes to flow;
- (n) any works resulting in an increase in risk to other buildings, including buildings outside the boundaries of the land; and
- (o) any recommendations or advice contained in a report by a suitably qualified person.

Complies

The proposed warehouse is outside the area shown as subject to flood risk and the risk of injury to, or loss of human life, or damage to property is minimised.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent

The proposal is provided with access, manoeuvring and parking areas sufficient to meet the likely needs of the use and is consistent with the purpose of the code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 The number of car parking spaces must:

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

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>Complies The table requires the provision of one car parking space per 200m² of gross floor area. The proposed floor area is 2,880m² and 15 car parking spaces are required. The proposed site plan shows the provision of 17 car parking spaces.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require six or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>
<p>Complies One car parking space is proposed for accessible parking and is subject to the requirements of the NCC and the <i>Building Act 2016</i>.</p>

E6.5.5 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection, and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 A loading bay must be provided for uses with a gross floor area greater than 1,000m² in a single occupancy.</p>
<p>Complies Loading bays are provided under the proposed canopy attached to the western side of the building.</p>

E6.6 Development Standards

E6.6.1 Construction of parking areas

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

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and (e) have a vertical clearance of not less than 2.1m above the parking surface level. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.</p>
<p>Complies All vehicles will enter and leave the site in a forward direction and all parking and manoeuvring areas comply with the applicable tables.</p>

E6.6.3 Pedestrian access

<p>Objective: To ensure pedestrian access is provided in a safe and convenient manner.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1.1 Uses that require 10 or more parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the main entry point to the building.</p>

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

Complies
 Car parking is located adjacent and perpendicular to the proposed warehouse building and an appropriate condition will be applied to ensure pedestrian access is provided in a safe and convenient manner.

E6.6.4 Loading bays

<p>Objective: To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>
<p>Complies Loading bay areas are provided under the proposed canopy and will be designed in accordance with the applicable standards.</p>
<p>A2 It must be demonstrated that the type of vehicles likely to use the site can enter, park and exit the site in a forward direction, without impact or conflicting with areas set aside for parking or landscaping, in accordance with AS2890.2 - 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>
<p>Complies The site plan demonstrates that the anticipated trucks can enter and leave the site in a forward direction.</p>

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Services	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.

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA2020/01701-LCC 20/10/2020.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 17 October to 3 November 2020. Three representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 Height of the building greater than 9m will detract from the amenity of the landmark two storey building at the rear of the site.</p>
<p><i>Response 1</i> The subject site is zoned Commercial where the acceptable solution allows for a building height of 10m. The proposed building will be 8.25m to the gutters and 9.92m to the ridgeline of the roof. There is no capacity to require any change in the building height. Notably there is some 12m change in ground level from the site of the proposed building to the site of the existing 'landmark' building at 177 Ravenswood Road. Therefore, the whole of the existing dwelling will be seen above the proposed building from most view lines.</p>
<p>Issue 2 The noise of forklift reversing beepers can already be heard from an existing warehouse off Waverley Road. The proposal will result in more noise,</p>
<p><i>Response 2</i> The proponent has advised that low tone reverse beepers will be used in the proposed warehouse to minimise noise. An appropriate condition will be included. Further the proponent has advised that he also owns the other warehouse in Swanston Park, off Waverley Road, and since becoming aware of the noise issue, has spoken with the operators who have agreed to similarly install low tone beepers.</p>

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

<p>Issue 3 Previous earthworks has impacted on previous underpinning of the dwelling at 175 Ravenswood Road and more earthworks and heavy vehicles may exacerbate this.</p>
<p><i>Response 3</i> <i>Woolcott Surveys, on behalf on the proponent, has advised:</i> <i>"the majority of the earthworks have been completed on-site and further earthworks will involve foundations of the new warehouse, construction of paved areas, etc. It is noted the concrete retaining wall to the rear has been over-engineered and is constructed to a higher specification than required".</i> <i>Woolcott Surveys further advised that the land is considered very stable and that the limited earthworks required and the anticipated heavy vehicle traffic is not expected to have any impact on the surrounding buildings. The representor has been advised to take photographic evidence of the current state of the dwelling for comparative purposes should it be asserted that any damage results from the proposal.</i></p>

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

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.

9.3 179 Ravenswood Road, Waverley - Storage - Demolition of Existing Buildings and Construction of a Warehouse ...(Cont'd)

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

ATTACHMENTS:

1. Locality Map - 179 Ravenswood Road, Waverley (*electronically distributed*)
 2. Endorsed Plans - 179 Ravenswood Road, Waverley (*electronically distributed*)
 3. TasWater SPAN - 179 Ravenswood Road, Waverley (*electronically distributed*)
 4. Representations - 179 Ravenswood Road, Waverley (*electronically distributed*)
-

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings**FILE NO:** DA0556/2020**AUTHOR:** Duncan Payton (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:	mj Architecture
Property:	20 Church Street, Launceston
Zoning:	Inner Residential
Receipt Date:	8/09/2020
Validity Date:	23/10/2020
Further Information Request:	18/09/2020
Further Information Received:	26/10/2020
Deemed Approval:	11/12/2020
Representations:	10

STANDARDS REQUIRING COUNCIL DISCRETION

- 11.4.12 Location of car parking
- 11.4.13 Overlooking
- 11.4.16 Density control of multiple dwellings
- 11.4.17 Private open space for multiple dwellings
- 11.4.22 Earthworks and retaining walls
- 11.4.23 Development for discretionary uses

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 DA0556/2020 - Residential - Demolition of existing dwelling and construction of four new dwellings at 20 Church Street, Launceston, subject to the following conditions:

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover sheet, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D00.01, dated 19/10/2020.
- b. Site Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.01, dated 16/10/2020.
- c. Typical Unit Ground Floor Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.02, dated 16/10/2020.
- d. Typical Unit First Floor Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D01.03, dated 16/10/2020.
- e. Elevations, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D02.01, dated 16/10/2020.
- f. Elevations, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D02.02, dated 16/10/2020.
- g. Perspectives, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.01, dated 16/10/2020.
- h. Sun Study, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.02, dated 16/10/2020.
- i. Vehicle Turning and Access Plan, prepared by mj architecture, project no. 2010, unit development at 20 Church Street, Launceston, revision 02, page D09.03, dated 16/10/2020.
- j. Services Plan, prepared by DI Consulting Engineers, project no.19321, unit development at 20 Church Street, Launceston, revision 0, page P01, dated 09/10/2020.
- k. Details, prepared by DI Consulting Engineers, project no. 19321, unit development at 20 Church Street, Launceston, revision 0, page P02, dated 09/10/2020.

2. AMENDED PLANS REQUIRED

Prior to the commencement of any work, amended plans must be submitted to the satisfaction of the Manager City Development. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must include:

- a. a clear 1.5m separation between the ground floor bedroom windows and the shared driveway, or suitable privacy screening;
 - b. the dining room window of each dwelling fitted with obscure glass or other external screening with a uniform transparency of not more than 25%;
 - c. location and height of all retaining walls following assessment of existing and required retention by a suitably qualified engineer;
 - d. landscape plan to integrate the frontage into the streetscape, provide screening to carparks, and landscaping of private open space;
-

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

- e. the visitor car parking space rotated 90 degrees and shown as two parking spaces; and

3. EXISTING CONCRETE PARTY WALL

If the existing concrete party wall on the boundary with 16 Rocklyn Place is removed, a suitable structure shall be provided and the existing clothes line, or similar replacement, reinstated at a similar height above the ground.

4. LEGAL TITLE

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

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01446-LCC, 29/10/2020 and attached to the permit.

7. FENCING

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

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

The requirement for and design of retaining walls shall be certified by a suitably qualified engineer.

8. PRIVACY SCREEN

Obscure glazing or privacy screening, with a uniform transparency of not more than 25% shall be installed at the ground floor bedroom windows of dwellings 1, 2 and 3, and at the dining room windows of all dwellings.

9. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

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

10. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

- a. be properly constructed to such levels that they can be used in accordance with the plans;
- b. be surfaced with an impervious all weather seal;
- c. be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. be line-marked or otherwise delineated to indicate each car space and access lanes;
- e. the visitor parking spaces must be a minimum of 2.6m wide.

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

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

On-site detention storage must be provided to restrict increases in stormwater discharge from the site arising from the proposed development.

The allowable discharge rate from the site is calculated on the basis of the land being developed with either 200m² of impervious area or at the existing state of site development, whichever is greater, for the design storm.

The design storm is the 20%AEP, one hour event.

The volume to be detained prior to overflow is to be the difference between the volume of the developed hydrograph and the volume of the allowable discharge hydrograph for the site resulting from the design storm event.

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

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

12. 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.

13. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

14. SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to the Council's stormwater mains.

15. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterred, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

16. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites. No material or debris is to be transported onto the road reserve (including the nature strip, footpath and

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

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.

17. CONSTRUCTION OF RETAINING WALLS

All retaining walls, above 0.6m, located within 1.5m of the property boundaries are to be designed and certified by a suitably qualified person. The design must have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

18. STAGING OF WORKS WHERE DEVELOPMENT IS TO BE STAGED

If the development is to be staged, the following works must be provided with each Stage of the development and completed to the satisfaction of the Planning Authority:

Stage 1

- a. The single stormwater connection for the property referred to in Condition No. 14.
- b. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage, etc required for the unit(s) contained within Stage 1.
- c. The construction and sealing of that part of the driveway contained within the Common Property up to the southern boundary of Stage 1.

Subsequent Stages

- a. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage, etc required for the unit(s) contained within the Stage.
- b. The construction and sealing of that part of the driveway contained within the Common Property to the southern boundary of the Stage.

Final Stage

- a. All car parking and manoeuvring spaces, landscaping, mail boxes, bin storage etc required for the unit(s) contained within the final Stage.
- b. The construction and sealing of the incomplete driveway and all other works including landscaping contained within the Common Property.

19. STRATA LOT NUMBERS AND ADDRESSES FOR DWELLINGS

The following number and addressing is to be assigned to the development consistent with the residential addressing standard: Australian Standard AS4819:

Unit No	Strata Lot No.	Street Address
1	1	1/20 Church Street
2	2	2/20 Church Street
3	3	3/20 Church Street
4	4	4/20 Church Street

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

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

20. 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.

21. WASTE MATERIALS

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

22. DEMOLITION

The Developer must:

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

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0556/2020. 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.*
-

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

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.

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.

F. Fireplace/Woodheater Use

Use of the fireplace/woodheater will be subject to the Environmental Management and Pollution Control (Smoke) Regulations 2019 or as superseded.

G. Heat Pump Use

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

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

REPORT:**1. THE PROPOSAL**

It is proposed to demolish the existing single dwelling at the front of the site and a small outbuilding and to construct four, three bedroom, double storey dwellings. The dwellings will be constructed in two conjoined pairs.

A new driveway will be constructed along the length of the eastern boundary, with an appropriate retaining wall on the eastern side. Despite the natural fall of the lot, the driveway will fall towards the front of the lot for drainage purposes. Retaining walls are not currently proposed on the western boundary.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is a generally rectangular lot of some 1346m², located on the southern end of the dual carriageway, of Church Street in West Launceston. The lot gains access to Church Street over a small parcel, labelled *roadway*. Road owner's consent has been granted.

The site has a 3m fall from west to east across the length of the lot and contains a dwelling, outbuildings and mature vegetation. All buildings will be demolished and most of the existing vegetation will be cleared.

There is an existing dwelling immediately east of the current dwelling on site. Otherwise the rest of the eastern and southern boundaries abut the effectively vacant rear yards of single dwellings. The western boundary abuts other single dwellings, fronting Rocklyn Place, with rear yards more obviously utilised incidental to the dwellings.

There is a public walkway and park on the northern boundary of the site, connecting St Andrews Street and Maitland Street.

The surrounding area is a mix of single and multiple dwellings and presents a residential character.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1.1 Zone Purpose Statements

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.

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

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.

11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.

11.1.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.

Consistent

The proposal to demolish the existing dwelling and to develop four, three bedroom, two storey dwellings, in two conjoined pairs, is consistent with the purpose of the zone to provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas.

11.4 Development Standards

11.4.7 Site coverage

Objective:

To:

- (a) ensure that the site coverage of residential development and ancillary buildings respects the character of the surrounding area;
- (b) reduce the impact of increased stormwater runoff on the drainage system; and
- (c) provide for landscaping and private open space.

Consistent

The proposal satisfies the relevant acceptable solutions or performance criteria.

A1.1 Site coverage must be no greater than 60%; and

A1.2 No less than 25% of the site must be pervious to rainfall.

Complies

Site coverage is some 445m², or 33% of the 1,344m² lot. Approximately 50% of the site remains free from impervious surfaces.

11.4.8 Building height

Objective:

To ensure that the building height respects the character of the surrounding area.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Building height must be no greater than 9m.</p>
<p>Complies The proposed dwellings have a nominal height of 6.25m. With some 1.2m of fill required due to the topography, the buildings have a maximum height from natural ground level of some 7.4m and comply with the acceptable solution.</p>

11.4.9 Frontage setbacks

<p>Objective: To ensure that the setbacks from a frontage respect the character of the surrounding area.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1.1 The primary frontage setback must be no less than: (a) 4m; or (b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in the Figure 11.4.9 below; and Figure 11.4.9 - Primary Frontage Setback for Infill Lots.</p> <p>A1.2 Setback from a frontage other than a primary frontage must be no less than 3m; and</p> <p>A1.3 Porches, pergolas, verandas, that are less than 3.6m high and eaves may encroach no greater than 1.5m into the setbacks of this standard.</p>
<p>Complies The proposed frontage setback is 13.79m.</p>

11.4.10 Rear and side setbacks

<p>Objective: To ensure that the setbacks are compatible with the character of the surrounding area and minimise the impacts on the amenity and solar access of adjoining dwellings.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Buildings must be set back from the rear boundary no less than 2.5m.</p>
<p>Complies Setback from the rear boundary is proposed as 8.65m.</p>
<p>A2 Buildings must be set back from side boundaries no less than: (a) for lots 1,000m² or less, 1m, plus 0.3m for every metre of building height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m; or (b) for lots greater than 1,000m², 2m, plus 0.3m for every metre of building height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

Complies

Building height is measured from natural ground level. At their highest, the elevation to the western side boundary is 4.87m, which requires a setback of 2.6m. The proposed setback is shown as 3m.

To the eastern boundary, the proposed dwellings have required fill and therefore, have a height of up to 7.4m. To satisfy the prescribed setback, a setback of 3.9m is required. The proposed setback is shown as 4 - 4.1m.

11.4.12 Location of car parking

Objective:

To:

- (a) provide convenient car parking for residents and visitors;
- (b) protect residents from vehicular noise within sites; and
- (c) minimise visual impact on the streetscape.

Consistent

The proposal satisfies the relevant acceptable solutions or performance criteria.

A1 Shared driveways or car parks of residential buildings must be located no less than 1.5m from the windows of habitable rooms.

Relies on Performance Criteria

Bedroom 1 in each dwelling is located on the lower level and contains a window to the shared driveway. Whilst a 1.5m wide landscape bed is shown at Unit 4, the other units contain only a significantly smaller landscape bed. Performance criteria are relied upon.

P1 Shared driveways or car parking spaces must be located to not unreasonably impact on the amenity of the adjoining habitable rooms, having regard to:

- (a) the width of the driveway;
- (b) the location of the existing dwellings and habitable rooms;
- (c) the location of car spaces;
- (d) the number of car spaces served by the driveway; and
- (e) any noise mitigation measures including screening or landscaping

Complies

The proposed driveway has a width of 4m between the side boundary and the front of the proposed dwellings. The dwellings all contain a bedroom at ground level with a window to the shared driveway. Whilst a small garden bed is proposed in front of these windows, only Unit 4 has a width of 1.5m.

Each unit contains a single garage and a separate external parking space. Visitor parking is provided between Units 2 and 3. Whilst the number of spaces served by the driveway diminishes from nine at Unit 1 to two at Unit 4, it is not considered unreasonable or impracticable to require the provision of a defined 1.5m separation or the inclusion of a suitable screen to maintain the amenity of bedroom 1 in each unit. An appropriate condition is proposed.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.</p> <p>A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Relies on Performance Criteria The primary frontage setback is that area between the front of the building and the boundary. A car parking space for Unit 1 is shown in that front setback area and performance criteria are relied upon.</p>
<p>P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to:</p> <ul style="list-style-type: none"> (a) the visual impact of the car parking location viewed from the road; (b) the streetscape; (c) access for users of the site; (d) safety for pedestrian and vehicular traffic; (e) the nature and characteristics of the road; (f) the need for the location; (g) any landscaping of the car parking or turning area location; and (h) the construction methods and pavement types.
<p>Complies The proposed car parking space in the front setback area will be setback 10m from the boundary and the inclusion of some landscaping will ensure that this does not have an adverse impact upon the streetscape. A suitable condition is proposed requiring a landscape plan, including landscaping of the frontage to obscure the proposed car park.</p> <p>Access and manoeuvring into and out of the proposed car parking for the development will be safe and convenient. A vehicle turning and access plan is included in the endorsed plans.</p>
<p>A3 A garage or carport must be:</p> <ul style="list-style-type: none"> (a) within 10m of the dwelling it serves; and (b) located no less than 5.5m from a frontage; or (c) with a setback equal to or greater than the setback of the dwelling to the frontage; or (d) in line with or behind the front building line of the dwelling, if the dwelling is facing an internal driveway.
<p>Complies Each unit contains an internal single garage and an adjoining external car parking space compliant with the prescribed measures.</p>

11.4.13 Overlooking

<p>Objective: To minimise:</p> <ul style="list-style-type: none"> (a) overlooking into private open space and habitable room windows; and (b) the impact on the amenity of the adjoining and the subject site.
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>A1.1 A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio must:</p> <ul style="list-style-type: none"> (a) be offset no less than 1.5m from the edge of one window to the edge of the other; or (b) have sill heights no less than 1.7m above floor level; or (c) have fixed, obscure glazing in any part of the window less than 1.7m above floor level; or (d) have permanently fixed external screens to no less than 1.7m above floor level; and (e) have obscure glazing and screens must be no greater than 25% transparent; or <p>A1.2 New habitable room windows, balconies, terraces, decks or patios that face a property boundary at ground level must have a visual barrier no less than 1.8m high.</p>
<p>Relies on Performance Criteria</p> <p>The proposed units all contain windows and decks facing the eastern and western boundaries. Given the topography of the site and surrounding sites and the nature of suburban living, these windows are within 9m of the private open space of the adjoining properties. As not all the prescribed measures are demonstrated to be satisfied, performance criteria are relied upon.</p>
<p>P1 Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to:</p> <ul style="list-style-type: none"> (a) the setback of the existing and proposed building; (b) the location of windows and private open spaces areas within the development and the adjoining sites; (c) the level and effectiveness of physical screening by fences or vegetation; (d) the topography of the site; and (e) the characteristics and design of houses in the immediate area.
<p>Complies</p> <p>The performance criteria acknowledges that the development of new buildings is likely to have some impact upon the amenity of surrounding properties and in this instance, specifically requires that the development only minimises the potential for loss of amenity caused by overlooking having regard to a number of measures.</p> <p>Relevantly, to the eastern side there is a single dwelling on a similarly sized lot. With a boundary retaining wall of over 1m in height, plus a 1.8m boundary fence and the separation between the proposed buildings and the existing dwelling on 21 Church Street, there is likely to be very little overlooking from the upper level living rooms and decks. The principal views out to the eastern hills and the existing vegetation on the adjoining lot will afford adequate protection.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

To the western side, the subject site adjoins the rear gardens and private open space of four single dwellings on Rocklyn Place. Whilst the topography and fencing will offer some protection, the floor level of the upper level is some 1.2m above natural ground and potentially, persons in the dining rooms of the proposed units will have a direct view into the adjoining private open space. Given that the majority of the existing vegetation screening in this area is on the subject site and thus will be removed, it is considered that the fence alone will not adequately minimise the loss of amenity to the adjoining residents.

A condition is proposed to require an amended plan showing obscure glazing or screening on the dining room windows. Either option is to provide not more than 25% uniform transparency.

11.4.16 Density control of multiple dwellings

<p>Objective: To ensure that multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road and the surrounding area.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Multiple dwellings must have a site area per dwelling of no less than 350m².</p>
<p>Relies on Performance Criteria The subject site has an area of 1,344m², giving a site area per dwelling of 336m². Performance criteria are relied upon.</p>
<p>P1 Multiple dwellings must not detract from the character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the character of the streetscape; (b) the density of dwellings in the surrounding area; (c) the proximity of multiple dwellings on nearby sites; and (d) the proximity to public transport routes and services; and must have a site area per dwelling of not less than 250m².
<p>Complies Whilst the design of the proposed units is different to the existing dwelling, the visual presentation to the streetscape will not be dissimilar to that of a single dwelling, albeit not oriented to the street, its impact will be further softened by setback and landscaping. The character of the area, whilst residential, is varied. To the north, the eastern side of Church Street is dominated by multiple residential development, whereas, to the south the site is adjoined by single dwellings.</p> <p>Nevertheless, the site will present to public view points as similar to adjoining sites, the site area per dwelling is proposed as 336m² and public transport is available 120m away on Maitland Street and the hospital is a 500m walk. The proposed multiple dwellings will not detract from the character of the surrounding area.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>A2 Dwellings must have a density no greater than 40% by lot number, of the number of lots on land zoned Inner Residential along the road to which the site has frontage.</p>
<p>Complies The majority of the multiple dwellings fronting Church Street are contained within the Housing Services lot at 40 Church Street. Overall Church Street presents 11 lots with frontage, three of which currently contain multiple dwellings. The subject site will be number four, and not greater than 40% by lot number.</p>
<p>11.4.17 Private open space for multiple dwellings</p>
<p>Objective: To provide adequate and useable private open space for the needs of residents.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1.1 Each multiple dwelling must have private open space: (a) with a continuous area of 24m² and a horizontal dimension of no less than 4m; (b) directly accessible from, and adjacent to, a habitable room other than a bedroom; (c) with a gradient no steeper than 1:16; (d) located on the side or rear of the dwelling; and (e) that is not provided within the setback from a frontage. A1.2 Where all bedrooms and living areas in a multiple dwelling are above ground floor, each multiple dwelling must have private open space, with direct access from a habitable room other than a bedroom, of: (a) a balcony of 8m² with a minimum dimension of 2m²; or (b) a roof-top area of 10m² with a minimum width of 2m².</p>
<p>Relies on Performance Criteria Whilst each unit has the capacity to have more than the required 24m² of private open space, it cannot be provided in a means that satisfies the prescribed measures of the acceptable solution and performance criteria are relied upon.</p>
<p>P1 Multiple dwellings must be provided with sufficient private open space to meet the reasonable needs of the residents having regard to: (a) the size and usability of the private open space; (b) the accessibility of the private open space; (c) the availability of common open space; (d) the availability of and access to public open space; (e) the orientation of the lot to the road; and (f) the ability of the private open space to receive adequate solar access.</p>
<p>Complies Each unit is provided with an upper level deck of some 12m² and over 80m² of ground level open space. This is considered to be sufficient to meet the reasonable needs of the residents for outdoor recreation and enjoyment.</p>
<p>A2 The southern boundary of private open space must be set back from any wall 2m high or greater on the north of the space, no less than (2m + 0.9h) metres, where 'h' is the height of the wall as indicated in Figure 11.4.17.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>Complies The ground level private open space complies with this measure.</p>
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11.4.18 Site facilities for multiple dwellings

<p>Objective: To provide adequate site and storage facilities for multiple dwellings.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Each multiple dwelling must have access to 6m³ of secure storage space not located between the primary frontage and the facade of a dwelling.</p>
<p>Complies Suitable storage is provided within the garage of each unit and is shown on the typical ground floor plan.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p>Complies Mailboxes are shown on the site plan.</p>
<p>A3 No less than 2m² per dwelling must be provided for bin and recycling enclosures and be located behind a screening fence of no less than 1.2m.</p>
<p>Complies Bin storage is shown on the site plan.</p>

11.4.19 Common property for multiple dwellings

<p>Objective: To ensure that common areas are easily identified.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Site drawings must clearly delineate private and common areas, including: (a) driveways; (b) parking, including visitor parking; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.</p>
<p>Complies These features are shown on the site plan.</p>

11.4.20 Streetscape integration and appearance

<p>Objective: To: (a) integrate the layout and form of residential development with the road; and (b) promote passive surveillance; and (c) enhance streetscapes.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Dwellings, other than outbuildings, must: (a) have a front door and a window to a habitable room in the wall that faces a road; or (b) if not immediately adjacent to a road, face an internal driveway or common open space area.</p>
<p>Complies Given the topography and access to the site, the proposed units are setback over 13m from the frontage and all have a front door and window facing an internal driveway.</p>
<p>A2 Dwellings, other than outbuildings, must provide a porch, shelter, awning, recess, or similar architectural feature that identifies and provides shade and weather protection to the front door.</p>
<p>Complies The entry to each unit is effectively a covered porch or recess to provide shade and weather protection.</p>
<p>A3 The height of fences on and within 4.5m of a frontage must be no higher than: (a) 1.2m if solid; or (b) 1.8m, provided that the part of the fence above 1.2m has openings which provide no less than 50% transparency.</p>
<p>Complies Appropriate standard fencing conditions are proposed.</p>

11.4.22 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must: (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.</p>
<p>Relies on Performance Criteria The proposal will require retaining walls on the eastern and possibly western boundaries in excess of 1m and rely upon performance criteria.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies Having regard to the topography of the site and surrounding area, retaining walls are necessary and appropriate conditions are proposed to ensure suitable construction. The retaining walls will not cause any increase in overlooking or overshadowing of adjoining sites.</p>

11.4.23 Development for discretionary uses

<p>Objective: To ensure that development for discretionary uses is sympathetic to the form and scale of residential development and does not adversely impact on the amenity of nearby sensitive uses.</p>
<p>Consistent The proposal satisfies the relevant acceptable solutions or performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the setback of the building to a frontage; (b) the streetscape; (c) the topography of the site; (d) the building height, which must not be greater than 8.0m; (e) the bulk and form of the building; (f) the height, bulk and form of buildings on the site, adjoining lots and adjacent lots; (g) setbacks to side and rear boundaries; (h) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings; (i) the degree of overshadowing and overlooking of adjoining lots; (j) mutual passive surveillance between the road and the building; (k) any existing and proposed landscaping; (l) the visual impact of the building when viewed from adjoining or immediately opposite lots; (m) the location and impacts of traffic circulation and parking; and (n) the character of the surrounding area.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

Complies
 Having regard to the prescribed matters and as discussed in the preceding sections, the proposed development fits within the prescribed building envelope, is considered to be compatible with the form and scale of surrounding development and will not unreasonably impact upon the amenity of nearby sensitive uses.

E6.0 Parking and Sustainable Transport Code

E6.1 The purpose of this provision is to:

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

Consistent
 The proposal provides adequate access, parking and manoeuvring areas to meet the likely needs of the residents and is consistent with the purpose of the zone.

E6.5 Use Standards

E6.5.1 Car parking numbers

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

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

A1 The number of car parking spaces must:

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

Complies
 The table requires the provision of two car parking spaces per three bedrooms and one visitor parking space per five dwellings. The proposal includes a single garage and an external parking space for each dwelling and a visitor car parking space is provided between the two pairs of dwellings.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.
Complies The proposed parking, manoeuvring and access areas have a gradient of less than 10%, and are paved and drained to the public stormwater service as shown on the endorsed service plan PO1.

E6.6.2 Design and layout of parking areas

Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent The proposal complies with the applicable acceptable solutions or performance criteria.
A1.1 Car parking, access ways, manoeuvring and circulation spaces must: (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and (e) have a vertical clearance of not less than 2.1m above the parking surface level. A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building. A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are six spaces or more. A1.4 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.
Complies

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(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 TWDA2020/01446-LCC,.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 31 October 2020 to 16 November 2020. Ten (10) 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 existing house is of an iconic style and could easily be renovated for a family and then maintain the gardens and protect the trees and streetscape.</p>
<p><i>Response 1</i> <i>There is no doubt that the existing could be renovated and used as a family home. However, the owner has proposed an alternative outcome that is compatible with the scheme provisions. The scheme does not state a preference to retain the existing. The site is not heritage listed.</i></p>
<p>Issue 2 The proposed new dwellings are intrusive and overwhelming in scale.</p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

Response 2

The proposed dwellings are dug into the western side of the site, which effectively reduces the bulk presented to the western neighbours. Conversely, the rear of the site is to be built up along the eastern side to maintain functionality and drainage. This will result in a more bulky presentation to the east, however, this is mainly to rear yards and somewhat shielded by vegetation on those sites. Their scale meets the acceptable solutions for building envelope and is not out of character with recent dwelling construction in the broader area and, at two stories, they are not considered to be overwhelming.

Issue 3

The development is out of character with the area and the streetscape. The development does not present an entrance to the street.

Response 3

The streetscape is currently made up of an eclectic mix of dwellings and landscaping. The proposed dwellings will face an internal driveway and present a side wall to the road frontage. With the setback increased to 13.7m, parking and landscaping will assist the development to remain compatible with the existing streetscape, notwithstanding that it will be different from the existing situation.

Issue 4

The development will interfere with the established historical and cultural fabric and nature of the area.

Response 4

The site is not heritage listed. The historic and cultural fabric of the area revolves around it being an established, yet changing, residential area. As with much of Church Street, this site will change from its previous architectural style to the current style of the day. The introduction of new residents to the area may or may not impact on the cultural fabric of the area and this may or may not be positive as it is throughout Launceston as it continues to grow and develop.

Issue 5

Shadow diagrams do not tell the true story of the impact on light.

Response 5

The shadow drawings provided by the applicant indicate the likely area covered by shadow from the proposed buildings and the shadows from the neighbouring buildings to the west. They do not seek to argue that existing vegetation already casts a shadow, dappled or otherwise. They indicate that there will be only a relatively minor impact on the adjoining properties to the east and the sunlight to the neighbouring yards will not be impacted by the proposed development for most of the day.

Issue 6

Reduction in privacy - upstairs dining rooms in the proposed units will look straight into our living areas. Windows overlooking adjoining properties should be frosted.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

Response 6

Each of the four proposed dwellings will have a dining room window facing directly onto the adjoining private open space and windows of the residences in Rocklyn Place.

Unlike the General Residential zone, the Inner Residential zone does not deem a 3m separation to be satisfactory. Screening or use of obscure glass in these windows is considered to be a reasonable expectation and can be achieved without significantly limiting natural light into those habitable rooms (i.e. horizontal louvered screens) and a suitable condition is proposed.

Issue 7

Liveability - our private backyard will be overlooked and our use of the yard, balconies and living areas will be negatively impacted and affect the residents quality of life.

Response 7

As noted previously, a suitable condition is proposed.

Issue 8

Retaining wall - there is a significant drop to 20 Church Street, the development will need to include an adequate retaining wall and fence.

Response 8

A standard condition requiring a 1.8m high boundary fence, measured from the highest finished ground level on either side, will be imposed. The applicants advise that they will include retaining walls where necessary and do not think a retaining wall is required on the western side. A condition is recommended to require an amended plan, prepared by a suitable qualified engineer, to determine where retaining walls are required and provide appropriate design. The plan should also address the integrity of the existing retaining wall on the eastern side. The proponents are responsible for the cost of fencing and retaining walls in the first instance. On-going maintenance and repair is a matter between the neighbouring residents and subject to separate State legislation.

Issue 9

There is an existing concrete wall (party wall to shed on subject site) which seems to be on 16 Rocklyn and should be retained or replaced. At the least, the existing attached clothes line should be replaced.

Response 9

As noted previously, an appropriate condition is recommended.

Issue 10

Loss of views and sunlight due to the proposed dwellings being two storey. It would be better if they were single storey.

Response 10

It is largely unavoidable that, on sloping sites, when the site in front is developed there will be an impact on the views on the residents of the lot behind. The planning scheme does not specifically seek to protect the views of an individual. Rather this is considered in terms of the degree on impact on the amenity of the neighbours. In this case, the neighbour's views will be affected, particularly from their ground floor areas. However their upper floor areas will be largely unaffected and the impact is not considered to have an unreasonable impact upon their amenity.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(Cont'd)

<p>Issue 11 There is no green belt or landscaping to shield the surrounding dwellings from the proposed units.</p>
<p><i>Response 11</i> <i>It is not inappropriate to see a house on a neighbouring lot and there is no practicable opportunity for such screening vegetation. A condition is proposed to require a landscape plan to assist the integration of the frontage into the streetscape and landscaping of the private open space.</i></p>
<p>Issue 12 Need to ensure the trees in the park and public areas are protected from damage during construction.</p>
<p><i>Response 12</i> <i>1A standard condition is proposed to avoid damage to public infrastructure, which includes public trees.</i></p>
<p>Issue 13 Placement and collection of an additional 12 bins in the street will be a significant issue and lead to further congestion.</p>
<p><i>Response 13</i> <i>It is often difficult to find space on the public street frontage for the collection of bins from multiple dwelling sites. There is, however, a reasonable length of park frontage around which bins may be placed. The planning scheme addresses bin storage for each dwelling on-site, but does not address the need to put the bins out for collection.</i></p>
<p>Issue 14 Quality and stability of existing retaining walls, both inside and outside the site. There is a low retaining wall, covered in vegetation at the entrance to the site that appears to be in poor condition and there are several cracks in the existing retaining wall between the houses at 20 and 21 Church Street. The proposed development will place significant stress on these. Existing retaining walls should be investigated and replaced as necessary before construction of new dwellings commences.</p>
<p><i>Issue 14</i> <i>As noted previously, a condition is recommended to require an engineer's assessment of existing and required retaining walls.</i></p>
<p>Issue 15 Visitor Parking - parking in Church Street is already difficult, particularly at the end with its hairpin turn. Is there enough parking on-site?</p>
<p><i>Issue 15</i> <i>The planning scheme requires the provision of only one visitor car parking space and this is provided between the two pairs of dwellings. The proposed visitor space is 7m long and proposed to be parallel with the driveway. It is considered that this would function more efficiently if turned 90 degrees to be parallel with the proposed resident parking. This would also allow the provision of two visitor car parking spaces with only a small reduction in open space for Units 2 and 3. An appropriate condition is proposed.</i></p>

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(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.

9.4 20 Church Street, Launceston - Residential - Demolition of Existing Dwelling and Construction of Four New Dwellings ...(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 - 20 Church Street, Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 20 Church Street, Launceston (*electronically distributed*)
 3. TasWater SPAN - 20 Church Street, Launceston (*electronically distributed*)
 4. Representations - 20 Church Street, Launceston (*electronically distributed*)
 5. Response to Representations received - 20 Church Street, Launceston (*electronically distributed*)
-

9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit**FILE NO:** DA0247/2020**AUTHOR:** Duncan Payton (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:	12 Thrower Street, West Launceston
Zoning:	Low Density Residential
Receipt Date:	21/05/2020
Validity Date:	25/05/2020
Further Information Request:	15/10/2020
Further Information Received:	22/10/2020
Deemed Approval:	27/12/2020
Representations:	Eight

STANDARDS REQUIRING COUNCIL DISCRETION

12.4.2 Building height, setback and siting
12.4.3 Outbuildings and other structures
12.4.4 Development for discretionary uses
E17.6.3 Siting of buildings, structures and works
E17.6.4 Height and Bulk of Buildings
E17.6.5 Tree and Vegetation Removal
E6.6.1 Construction of parking areas
Planning Directive No. 6 Visitor Accommodation

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0247/2020 Residential - construction of a dwelling; and Visitor Accommodation - construction of a holiday unit at 12 Thrower Street, West Launceston, subject to the following conditions:

9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover sheet, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- b. Site plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- c. Site section, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- d. Dwelling floor plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- e. Future accommodation floor plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- f. Roof plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- g. Elevations, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- h. Elevations, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- i. Perspective views, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- j. Turning path and driveway section, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.
- k. Sewerage plan, prepared by Boxx Projects, project no. 20004, proposed dwelling and future accommodation, 12 Thrower Street, West Launceston, version 2, page A000, dated 26/10/2020.

2. VEGETATION MANAGEMENT PLAN

Prior to the commencement of works, a site Vegetation Management Plan identifying tree protection areas for all trees to be retained on the subject site, including such tree protection area extending from the mature trees on the adjoining property (8-10 Thrower Street) and addressing any works adjacent to or within any tree protection areas on the subject site, must be prepared by a suitably qualified person and submitted for the approval of the Manager City Development. Once approved the plan will be endorsed and

9.5 12 Throver Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

will form part of the permit. The Management Plan must address how impact on the existing trees will be mitigated or avoided in accordance with *Australian Standards 4970 Protection of Trees on Development Sites to Protect Existing Trees*.

3. LEGAL TITLE

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

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00711, dated 25/11/2020 and attached to the permit.

5. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

6. VISITOR ACCOMMODATION USE

This permit allows the use of the visitor accommodation unit for Visitor Accommodation, defined as a Holiday Unit, for short-term accommodation for persons away from their normal place of residence, on a commercial basis, as defined in Planning Directive No.6 - Exemption and Standards for Visitor Accommodation in Planning Schemes, issued 1 July 2018 and as modified on 1 August 2018. This visitor accommodation unit must not be converted to long term residential use.

7. FENCING

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

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

8. PRIVACY

The windows in the eastern walls of the dwelling and the accommodation unit must be fitted with obscure glass or an external screen, of no more than 25% uniform transparency, to a height of not less than 1.7m above the finished floor level to ensure reasonable privacy for the adjoining property.

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9. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

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

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. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

12. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements. The asphalt patch is to be placed to ensure a water tight seal against the

9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

13. CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

No works to install, removal or modify a vehicular crossing, are to be undertaken without the issue of a Vehicular Crossing Permit for the works. Modification of a vehicular crossing includes any widening of the kerb layback or the driveway apron, in any form whatsoever.

An application for such work must be lodged electronically via the Council's eServices web portal or on the approved hard copy form. The application must include a detailed plan showing all necessary works required within the road reserve to facilitate the driveway.

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

14. 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.

15. 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.

16. AMENITY - VISITOR ACCOMMODATION

The on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by the emission of noise, artificial light, vibration or any other source of nuisance.

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17. NO BURNING OF WASTE

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

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0247/2020. 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.

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.

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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. Sale of Food and Beverages

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

F. Heat Pump Use

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

REPORT:**1. THE PROPOSAL**

It is proposed to construct a three bedroom single dwelling, and a two bedroom visitor accommodation unit at 12 Thrower Street, West Launceston. The two buildings are each single level, although they will project from the hillside and be supported by poles at the front. Parking is provided under the dwelling, with steps climbing the hill to the visitor accommodation unit.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is a 753.5m² vacant residential lot, located on the northern side of Thrower Street in West Launceston. The site climbs steeply from Thrower Street.

The land to the west forms part of the Cataract Gorge Reserve. Otherwise the site is surrounded by land zoned Low Density Residential and most lots have been developed for single dwellings, showing a range of building form and bulk often representing the era of their construction. There is a multiple dwelling development at 6 Thrower Street.

The character of the area is residential.

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3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

12.0 Low Density Residential Zone

12.1.1 Zone Purpose Statements

12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.

12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.

12.1.1.3 To provide for development that is compatible with the natural character of the surrounding area.

Consistent

The proposal to construct a single dwelling and a similar building, for the purpose of visitor accommodation, on the steeply sloping, 753.5m², vacant lot at 12 Thrower Street, is consistent with the purpose of the zone to provide for residential use or development and for non-residential uses compatible with residential amenity.

12.3 Use Standards

12.3.1 Hours of operation

Objective:

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

Consistent

This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.

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

Complies

The proponent asserts that the use will not involve the use or operation of commercial vehicles. To the extent that commercial cleaners or maintenance persons may be required in the future, this would only be expected during normal business hours, between check out and check in of the visitors.

12.3.2 Mechanical plant and equipment

Objective:

To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.

Consistent

This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.

A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.

9.5 12 Throrer Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

<p>Complies The proposed visitor accommodation is of a similar physical scale to the proposed dwelling and will contain only domestic scale heating, air conditioning and appliances. A standard environmental condition regarding emissions is proposed.</p>
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12.3.3 Light spill and illumination

<p>Objective: To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.</p>
<p>Consistent This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Urban Mixed Use and Village zones; and (b) contain direct light from external light sources within the boundaries of the site.</p>
<p>Complies The site does not adjoin any of the specified zones and external light will be limited to normal domestic security lighting which will be directed such that all direct light is contained within the site.</p>

12.3.4 External storage of goods

<p>Objective: To ensure that external storage of goods, materials and waste does not detract from the amenity of the area.</p>
<p>Consistent This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 Storage of goods and materials, other than for retail sale, or waste must not be visible from any road or public open space adjoining the site.</p>
<p>Complies No external storage of goods is proposed for the visitor accommodation use.</p>

12.3.5 Commercial vehicle parking

<p>Objective: To ensure that parking of commercial vehicles does not detract from the amenity of the area.</p>
<p>Consistent This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 Commercial vehicles must be parked within the boundary of the site.</p>

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Complies

On the rare occasions that a commercial vehicle may be required for the purposes of maintenance or repair, it will be parked within the site either at the allocated parking at the dwelling or elsewhere within the driveway.

12.4 Development Standards

12.4.1 Site Coverage

Objective:

To ensure that site coverage:

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

Consistent

This clause applies only to the single dwelling and the proposal satisfies the applicable acceptable solutions or performance criteria.

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

A1.2 No less than 25% of the site must be free from impervious surfaces.

Complies

Site coverage refers to the proportion of the site covered by roofed buildings. Whilst this clause does not apply to the visitor accommodation use, the calculation for site coverage must include both buildings.

Site coverage is, therefore, 289m² or 38.4% of the 753.5m² lot. More than 25% of the lot will remain free from impervious surfaces.

12.4.2 Building height, setback and siting

Objective:

To ensure that building bulk and form, and siting:

- (a) is compatible with the streetscape and character of the surrounding area; and
- (b) protects the amenity of adjoining lots.

Consistent

This clause applies only to the single dwelling and the proposal satisfies the applicable acceptable solutions or performance criteria.

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

Complies

The proposed dwelling is shown to have a maximum height of 6.9m and the visitor accommodation building has a height of 7.6m.

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

- (a) 8m; or
- (b) for infill lots, within the range of the setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.2 below; and Figure 12.4.2 - Primary Frontage Setback for Infill Lots.

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

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<p>Relies on Performance Criteria The proposed dwelling has a setback from the frontage with Thrower Street of 7.5m and relies upon performance criteria.</p>
<p>P2 Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setbacks of surrounding building; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public places; (e) the retention of vegetation; (f) the existing or proposed landscaping; and (g) the safety of road users.
<p>Complies Thrower Street contains a mix of dwellings and a range of building setbacks from as little as 0m to around 21m. The building styles and their visual impacts vary greatly, with older buildings being somewhat obscured by mature vegetation and newer buildings being more visible. Relatively recent dwellings on the southern side of Thrower Street are in broadly similar styles to the proposed buildings and when viewed from public places, present a compatible appearance.</p> <p>The proponents advise that the buildings are brought forward slightly as a result of the topography and seeking to minimise required excavation.</p> <p>The proposed location of the buildings will have no impact on the safety of the road users and a formed driveway and parking area will be constructed to allow forward entry and exit.</p>
<p>A3.1 Setback from a side boundary must be no less than 3m plus 0.5m for every metre of building height over 3m, or part thereof. A3.2 Setback from a rear boundary must be no less than 5m.</p>
<p>Relies on Performance Criteria At a height of 6.9m, the proposed dwelling requires a side setback of 5m to meet the acceptable solution. It is proposed to have a setback of 1.5 to the western side boundary and some 2.5m to the eastern boundary and relies upon performance criteria. Setback from the rear boundary is some 7m.</p>
<p>P3 Buildings must be sited such that there is no unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape, and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) the privacy to private open space and windows of habitable rooms on adjoining lots; (g) sunlight to private open space and windows of habitable rooms on adjoining lots; (h) any existing screening or the ability to implement screening; and

9.5 12 Throrer Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

<p>(i) the character of the surrounding area.</p> <p>Complies The proposed side setbacks will not result in any unreasonable loss of amenity to the occupiers of adjoining lots. The lot to the west is part of the Cataract Gorge reserve and is relatively dense bush land.</p> <p>To the east is a double lot with a dwelling, outbuildings and mature vegetation. The dwelling is some 20m away from the proposed dwelling and largely obscured by existing vegetation. The proposed dwelling contains two bedroom windows on the eastern wall, inset to provide a 3m setback from the boundary. The applicant has advised willingness to screen these windows or fit obscure glass.</p> <p>Given the existing mature vegetation on the adjoining boundary, overlooking or overshadowing will be negligible.</p>
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12.4.3 Outbuildings and other structures

<p>Objective: To ensure that:</p> <ul style="list-style-type: none"> (a) outbuildings do not detract from the character of the surrounding area; (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 sites.
<p>Consistent This clause applies only to the single dwelling and the proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A2 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 1.5m from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
<p>Relies on Performance Criteria Various earthworks, including excavation and some retaining walls are required and will include excavation in excess of the prescribed measures and performance criteria are relied upon.</p>
<p>P2 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works;

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<ul style="list-style-type: none"> (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies Earthworks will be appropriately designed by engineers and will include suitable drainage. The effect of these works is to provide for parking under the dwelling, stairs to both buildings and driveway access to the dwelling.</p> <p>There will be no unreasonable impact on the amenity of the adjoining lots. The excavation has provided for the proposed dwellings to sit lower on the lot without undue impact on the site. It provides for a relatively lightweight construction with views to the front and only minimal overlooking or overshadowing of the adjoining land. Excavation to provide a level building site would be excessive and impractical.</p>

12.4.4 Development for discretionary uses

<p>Objective: To ensure that discretionary uses are compatible with the form and scale of residential development and do not adversely impact on the amenity of nearby sensitive uses.</p>
<p>Consistent This clause applies only to the visitor accommodation and the proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 No acceptable solution</p>
<p>Relies on Performance Criteria P1 Development must be compatible with the form and scale of residential development and not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the setback of the building to a frontage; (b) the streetscape; (c) the topography of the site; (d) the building height, which must not be greater than 8.0m; (e) the bulk and form of the building; (f) height, bulk and form of buildings on the site, adjoining lots and adjacent lots; (g) setbacks to side and rear boundaries; (h) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings; (i) the degree of overshadowing and overlooking of adjoining lots; (j) mutual passive surveillance between the road and the building; (k) any existing and proposed landscaping; (l) the visual impact of the building when viewed from adjoining or immediately opposite lots; (m) the location and impacts of traffic circulation and parking; and (n) the character of the surrounding area.

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Complies

The proposed visitor accommodation unit is a compatible and consistent design with the proposed dwelling on the site. Its design is compatible with other recent residential development in Thrower Street and the broader area.

It has been designed to have similar regard to the prescribed measures as the proposed dwelling has for the standards relevant to it. The visitor accommodation unit will be located at the rear of the steeply sloping lot, with a rear setback of some 7m and side setbacks compatible with the dwelling. It has only bathroom and ensuite windows on its eastern elevation and these will contain obscure glass. Overlooking of the adjoining land will be limited to the proposed deck, which contains a solid wall on the eastern side and directs views to the south over the residential valley and to the Cataract Gorge reserve.

Visually the site will present the image of two dwellings set on the hillside amongst existing surrounding dwellings and mature vegetation. The proposal will be visually consistent with the surroundings when viewed from public areas.

Appropriate parking is provided at the dwelling, with stairs leading to the visitor accommodation. This has avoided the need for a difficult and visually unattractive driveway link across the centre of the lot between the two buildings.

Planning Directive No. 6 Visitor Accommodation

Objective: That Visitor Accommodation:

- (a) is compatible with the character and use of the area;
- (b) does not cause an unreasonable loss of residential amenity; and
- (c) does not impact the safety and efficiency of local roads or rights of way.

Consistent

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

A1 Visitor Accommodation must:

- (a) accommodate guests in existing and habitable buildings; and
- (b) have a gross floor area of not more than 200m² per lot.

Relies on Performance Criteria

The proposal includes the construction of a building for the purpose of visitor accommodation and relies upon the performance criteria.

P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:

- (a) the privacy of adjoining properties;
- (b) any likely increase in noise to adjoining properties;
- (c) the scale of the use and its compatibility with the surrounding character and uses within the area;
- (d) retaining the primary residential function of an area;
- (e) the impact on the safety and efficiency of the local road network; and
- (f) any impact on the owners and users rights of way.

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Complies

The proposed visitor accommodation is contained within a relatively small building at the rear of the lot and in a design generally compatible with the modern designs of new dwellings in the street and will not cause an unreasonable loss of residential amenity having regard to the specified matters.

The closest neighbouring dwellings are over 20 away from the proposed accommodation unit and are somewhat shielded by existing vegetation on their lots. Windows on the eastern wall of the accommodation unit will be appropriately screened, by condition, to maintain the privacy of the neighbouring lot. Some potential overlooking from the front deck area remains, however, the separation and existing vegetation are considered sufficient such that any overlooking is not unreasonable.

Notwithstanding possible unsociable behaviours from occasional guests, the visitor accommodation unit is not expected to generate noise above what might normally be expected from a dwelling.

The existing character of the area is residential and it is dominated by an image of a range of buildings and architectural styles, developed across the hillside. The proposed construction of the visitor accommodation unit, and the proposed dwelling, will be compatible with that image.

With three dwellings on 4 Thrower Street, only some 60m to the east, the introduction of one visitor accommodation unit into this area, largely dominated by single dwellings, will not detract from the primary residential function of the area.

The low volume of traffic expected with a single visitor accommodation use will not adversely impact upon the safety and efficiency of the local road network, notwithstanding that Thrower Street is also shared space with local children.

A2 Visitor Accommodation is not for a lot, as defined in the *Strata Titles Act 1998*, that is part of a strata scheme where another lot within that strata scheme is used for a residential use.

Complies

The subject site is not part of a strata scheme.

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;

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- (e) ensure that parking spaces and accesses meet appropriate standards; and
- (f) provide for the implementation of parking precinct plans.

Consistent

The proposal provides for access, manoeuvring and parking areas to meet the reasonable needs of the occupants and is consistent with the purpose of the code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective:

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

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 The number of car parking spaces must:

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

Complies

The Table requires two car parking spaces for the three bedrooms of the dwelling and one car parking space for the visitor accommodation unit. These three spaces are provided under the proposed dwelling.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective:

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

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 All parking, access ways, manoeuvring and circulation spaces must:

- (a) have a gradient of 10% or less;
- (b) be formed and paved;
- (c) be drained to the public stormwater system, or contain stormwater on the site;
- (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and
- (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

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<p>Relies on Performance Criteria Whilst the proposed driveway will be formed and paved, it will have a gradient of up to 19% and will rely upon performance criteria.</p>
<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing and line marking.
<p>Complies The topography of the land provides little opportunity for driveway access at lesser gradients. The proposed access driveway and manoeuvring areas travel diagonally across the land, sweeping back to provide level manoeuvring space in front of the dwelling and level parking under the dwelling.</p> <p>To avoid dust or sediment, and to provide all-weather access, the driveway will be constructed in an exposed aggregate concrete and drained to the public infrastructure in Thrower Street.</p>

E6.6.2 Design and layout of parking areas

<p>Objective: To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1.1 Car parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) provide for vehicles to enter and exit the site in a forward direction where providing for more than four parking spaces; (b) have a width of vehicular access no less than the requirements in Table E6.2, and no more than 10% greater than the requirements in Table E6.2; (c) have parking space dimensions in accordance with the requirements in Table E6.3; (d) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table E6.3 where there are three or more car parking spaces; and (e) have a vertical clearance of not less than 2.1m above the parking surface level. <p>A1.2 All accessible spaces for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A1.3 Accessible spaces for people with disability must be designated and signed as accessible spaces where there are 6 spaces or more.</p> <p>A1.4 Accessible car parking spaces for use by persons with disabilities must be</p>

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designed and constructed in accordance with AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities.

Complies
The proposal provides for forward entry and exit and satisfies the design components of the tables.

E17.0 Cataract Gorge Management Area Code

E17.1 The purpose of this provision is to:

- (a) protect the Cataract Gorge Reserve from incremental loss and degradation of its character and values; and
- (b) ensure that development within the Cataract Gorge Management Area is appropriately planned, located, designed and constructed to minimise the impact on the natural, historic, cultural, heritage, landscape and scenic character and values of the Cataract Gorge Reserve.

Consistent
The subject site adjoins the Cataract Gorge reserve on its western boundary, and is included within management Area 7 of the Cataract Gorge Management Area Code. The proposed development will not degrade the character of the Gorge and is consistent with the purpose of the code.

E17.6 Development Standards

E17.6.1 Acceptable development

Objective:
To protect the character and values of the Cataract Gorge Reserve.

Consistent
The proposal satisfies the applicable acceptable solutions or performance criteria.

A2 Must not be a new building, structure (except landscaping, fences, pergolas, dog kennels and the like) or works on slopes with a maximum average slope steeper than 1:3.

Complies
The proponents advise that the subject site has an average gradient of 31% or 1:3.2.

E17.6.3 Siting of buildings, structures and works

Objective:
To ensure that development is consistent with achieving the management objectives within the management units.

Consistent
The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 Buildings in management units must:

- (a) be setback at least 30m from the Cataract Gorge Reserve boundary for 23, 27 and 28 Coniston Place, in MU1; and
- (b) not be located within the 'no building' areas in Figure E17.1 to this Code.

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<p>Complies The site is not within the no building areas depicted in figure E17.1.</p>
<p>A2 Driveways and roads must:</p> <ul style="list-style-type: none"> (a) not be at a greater angle than \varnothing to the contour where the Maximum Average Slope is greater than 1:5; or (b) be constructed to ensure that the cross-fall of the driveway be one-way and directed into the hill, for vehicle safety and drainage purposes; (c) direct storm water runoff to the road storm water drainage system; (d) be no steeper than 25% (1 in 4) for distances of no more than 6m; (e) be no steeper than 20% (1 in 5) for balance of the driveway; (f) have an area with a grade of no more than 1 in 6 for a distance of at least 5m prior to a grade shift to 25% (1 in 4); and (g) be constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve.
<p>Relies on Performance Criteria The proposed driveway does not exceed 19% and stormwater is directed to the public infrastructure in Thrower Street. However, part of the transitional change of grade is within the road reserve and performance criteria are relied upon.</p>
<p>P2 When viewed from prime viewpoints and scenic drives, new driveways and roads must be consistent with the management objectives for the management unit, having regard to:</p> <ul style="list-style-type: none"> (a) minimising the visual impacts of the driveway or road; (b) the streetscape; (c) the safe and efficient use of the site and the road; (d) accessibility by emergency vehicles; (e) the adequacy of drainage arrangements; (f) the provision of transition areas for vehicles prior to steeper grades; and (g) the desirability of road and driveways constructed as close as possible to the natural contours.
<p>Complies To the extent that the site may be viewed from prime viewpoints or scenic drives, the proposed driveway is consistent with the management objectives of the management unit - to maintain residential character; development inevent from prime viewpoints and avoid unnecessary removal of vegetation.</p> <p>The driveway travels and curves across the site to avoid the un-natural straight cut driveway which would attract the eye, it is constructed in an exposed concrete aggregate rather than bright grey concrete or black asphalt.</p> <p>Given the topography of the site, the proposed driveway has had regard to the prescribed measures and is consistent with the management unit objectives.</p>

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<p>A3 Driveways and roads must be:</p> <ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting; and (c) provided with erosion control measures immediately after construction to minimise the visual impact of the construction.
<p>Complies The choice of exposed concrete aggregate will provide all weather access on a surface likely to blend with the surrounding area. Appropriate conditions are proposed addressing erosion and landscaping.</p>
<p>A4 Excavation or filling:</p> <ul style="list-style-type: none"> (a) must not occur within 2m of any lot boundary; (b) must not exceed 1.8m in height; (c) must be retained; (d) on all slopes must be revegetated with endemic trees, shrubs and ground covers immediately after the works have been undertaken; (e) must not encroach within 3m of existing trees; (f) must not alter a military crest; and (g) must be minimised by stepping building work with the terrain.
<p>Relies on Performance Criteria Proposed excavation will be within 2m of the western boundary and some sections will exceed 1.8m. Performance criteria are relied upon.</p>
<p>P4 The visibility of excavation and filling from prime viewpoints and scenic drives must be consistent with the management objectives for the management unit, having regard to:</p> <ul style="list-style-type: none"> (a) the necessity of the works to facilitate development; (b) the siting of the works; (c) the scale of the works; (d) the engineering, materials and other design elements of the works; (e) the use of vegetation to screen and stabilize the works; and (f) the proposed methods for stabilization.
<p>Complies The management unit objectives seek to maintain the residential character, protect vegetation and minimise visibility from prime view points and scenic drives.</p> <p>The proposed development of a dwelling and a visitor accommodation unit on this steeply sloping site is consistent with the residential character of the immediate area. The development footprint has been kept low and within the acceptable solutions of the zone and therefore minimises any vegetation loss. It is noted that the site has been largely cleared in the past and the native vegetation of the Gorge largely ends on the boundary.</p> <p>The proposed development will blend rather than stand out in distant views of the site from scenic drives or prime viewpoints.</p>

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<p>A6.1 Areas between the ground floor (including outdoor deck areas) and ground level must be screened from view from prime viewpoints and scenic drives.</p> <p>A6.2 Tennis courts, ponds and swimming pools must not be constructed on land with a maximum average slope greater than 25% (1 in 4).</p>
<p>Relies on Performance Criteria The area under each building is proposed to be left open and relies upon performance criteria.</p>
<p>P6 The visibility of development from the prime viewpoints and scenic drives must be consistent with the management objectives for the management unit, having regard to:</p> <ul style="list-style-type: none"> (a) the necessity of the works to facilitate development; (b) the siting of the works; (c) the scale of the works; (d) the engineering, materials and other design elements of the works; (e) the use of vegetation to screen and stabilize the works; and (f) the proposed methods for stabilization.
<p>Complies Visibility of the site from prime viewpoints or scenic drives will be limited and mitigated by distance and the surrounding combination of bushland and residential development. The two buildings, set within the hillside, will be viewed as part of the broader residential area and the open underside, necessary for the provision of parking under the dwelling, will not stand out and will remain largely unnoticed.</p>
<p>A7 Boundary fences and walls must be:</p> <ul style="list-style-type: none"> (a) not greater than 1.8m high; and (b) coloured with dark natural tones.
<p>Complies Only a 1.8m timber paling rear boundary fence and a wire fence on the western (reserve) boundary are proposed.</p>

E17.6.4 Height and Bulk of Buildings

<p>Objective: To ensure that building height and building footprint are consistent with achieving the management objectives within the management units.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 Building height must not be greater than 6m.</p>
<p>Relies on Performance Criteria The proposed buildings are each higher than the prescribed 6m and rely upon performance criteria.</p>
<p>P1.1 In management units 1-15 (excepting West Launceston Primary School), the visibility of development from the prime viewpoints and scenic drives must be consistent with the management objectives for the management unit, having regard to:</p> <ul style="list-style-type: none"> (a) the siting of the building; (b) the building bulk and form;

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- (c) the design, materials, articulation and other design elements of the building;
- (d) the topography of the site;
- (e) the use of vegetation to screen the building; and
- (f) building height must not be greater than 8m.

P1.2 In management units 16, 17 and 18 and within the grounds of West Launceston Primary School, the visibility of development from the prime viewpoints and scenic drives must be consistent with the management objectives for the management unit, having regard to:

- (a) the siting of the building;
- (b) the building bulk and form;
- (c) the design, materials, articulation and other design elements of the building;
- (d) the topography of the site; and
- (e) the use of vegetation to screen the building.

Complies

As noted previously, the proposed buildings will be relatively inevent from the surrounding residential development when viewed from distant prime viewpoints or scenic drives.

The buildings are presented as two rectangular forms on the hillside and will be consistent with the shapes and forms of recent developments across the broader hillsides.

The proposed buildings sit one above the other, climbing the hill. They will not be skylined on otherwise stand out from the surrounding developed hillside. It is proposed to condition the permit to require a landscape plan, to include appropriate vegetation to further minimise any visual impact of the proposal and maintain the residential character.

A2 The building footprint must not exceed 250m².

Relies on Performance Criteria

The two proposed buildings have a combined footprint of 289m², notwithstanding that the majority of each building is elevated above the ground.

P2 Building footprint must be consistent with the management objectives for the management unit, having regard to:

- (a) the siting of the building;
- (b) the size of the site;
- (c) the need to remove vegetation to facilitate a larger footprint;
- (d) the impact of a larger footprint on natural values present on the site; and
- (e) the visual impact of the building when viewed from prime viewpoints and scenic drives.

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Complies

The site is within Management Unit 7 of the Cataract Gorge Management Area Code. The management objectives seek to maintain the residential character of the area, minimise the removal of vegetation and for development to be inevident from prime viewpoints.

Having regard to the siting of the proposed buildings on the 765m² lot, the minimal impact on existing vegetation and that the buildings will effectively blend with the surrounding dwellings spread over the hillside when viewed from distant prime viewpoints and scenic drives, it is considered that the increased footprint of the proposal is consistent with the management objectives of the Management Unit.

E17.6.5 Tree and Vegetation Removal

Objective:

To ensure that the removal, destruction or lopping of trees or the removal of vegetation is consistent with achieving the management objectives within the management units.

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 No acceptable solution.

Relies on Performance Criteria

P1 The removal, destruction or lopping of trees or the removal of vegetation must be consistent with the management objectives for the management units; and must demonstrate that the development will become inevident or suitably minimised when viewed from the prime viewpoints and scenic drives having regard to:

- (a) the amount of vegetation to be removed;
- (b) the visual impact of the works;
- (c) the necessity of the works to facilitate development;
- (d) the age and condition of the trees;
- (e) any proposed replacement plantings;
- (f) the impact on wildlife corridors; and
- (g) the impact on habitat for rare and threatened species.

Complies

The management unit objectives, seeking to maintain the residential character, recognise that some vegetation removal is necessary to facilitate development and thus seek to avoid the unnecessary removal of vegetation.

Consistent with this, the proposal seeks only to remove a small number of saplings that are contained within the proposed building areas. As noted earlier, the site has clearly been largely cleared at some time in the past and regrowth is little more than grass and saplings.

Concern has been raised about potential impact on an adjoining golden elm tree and it is considered appropriate to include a condition requiring reasonable can be undertaken to minimise impact of the development on that tree.

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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 2020/00711-LCC, 02/06/2020.
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 28 October to 12 November 2020. Eight representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 Two large dwellings on the block is not in keeping with the area. Nothing else in the street has two large dwellings.</p>
<p><i>Response 1</i> <i>The proposal is for one dwelling and one visitor accommodation unit. Each building is around 100m² which is not considered large, there are several buildings in Thrower Street with floor areas similar to the combined floor area of the proposal. Thrower Street contains a mix of dwelling styles, including dwellings of recent design and construction in styles compatible with the proposed development. There are three conjoined units at 4 Thrower Street.</i></p>

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<p>Issue 2 Concerned that the degree of excavation could compromise already landslip prone land.</p>
<p><i>Response 2</i> The subject site is not contained within the landslip overlays of the planning scheme and the proposed excavation is some 20m away from the dwelling at 8-10 Thrower Street. Excavation will be engineer designed for the characteristics of the site at the time of building approval.</p>
<p>Issue 3 Already get a lot of noise from visitor accommodation in Basin Road. The proposed visitor accommodation use will cause noise and impact our ability to enjoy our outdoor spaces.</p>
<p><i>Response 3</i> Notwithstanding the applicant's advice that he intends to live in the dwelling, there is no reason to expect that the visitor accommodation will consistently results in undue noise. The use of the visitor accommodation unit is reasonably expected to be lower than that of the dwelling. Whilst from time to time some visitors may make too much noise, this can also occur in single dwellings. However, in most cases the use of visitor accommodation units is largely indistinguishable from that of a single dwelling.</p>
<p>Issue 4 Thrower Street is a quiet no through road where children ride bikes and scooters in the street. Their safety will be impacted by visitor accommodation guests who don't know this.</p>
<p><i>Response 4</i> Thrower Street is used by residents, visitors and people accessing the Gorge recreation area from the end of the street. The street is narrow and includes vehicles parked on the side of the road. It is, by its nature, a low speed zone. Despite this, it is a public street and it does have traffic. The development of a dwelling on the subject site will generate between six and ten vehicle movements per day, as is expected from every other single dwelling. The proposed visitor accommodation can be expected to generate less than this on the days it is occupied. Noting that for much of the year, it will not have guests. Children riding bikes and scooters in the street would normally be supervised by a parent until considered sufficiently road aware to no longer require such supervision.</p>
<p>Issue 5 Street parking is an issue in the street and two large dwellings will increase congestion and pose further safety risk to children.</p>
<p><i>Response 5</i> Both the single dwelling and the visitor accommodation unit are relatively small, with a combined floor area less than some of the other dwellings in the street. The relevant acceptable solutions in the planning scheme require the provision of two car parking spaces for the single dwelling and one space for the visitor accommodation. These three spaces are provided under the proposed dwelling.</p>

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<p>Issue 6 Thrower Street is narrow and quiet. There is no provision for the parking of larger vehicles (camper vans or camper trailers) which means they will be parked on the street causing congestion and traffic hazards. This regularly happens with an Airbnb in Upper York Street.</p>
<p><i>Response 6</i> <i>The occasional parking of larger vehicles or vehicles with trailers, in the street is something that occurs in most streets. If the street is too narrow to contain such vehicles for the visitor accommodation use, it must be too narrow now for such parking by existing residents and guests, in which case it would be appropriately regulated. If parking for such vehicles is difficult for guests to the visitor accommodation, feedback to the booking sites will act as a self-regulator.</i></p>
<p>Issue 7 The existing boundary trees are mostly deciduous, meaning the proposed buildings would be directly viewable from adjoining property.</p>
<p><i>Response 7</i> <i>It is not unusual, when living in a residential area, to see dwellings on adjoining sites. The proposed visitor accommodation unit will appear, for all intents and purposes, no differently than a dwelling. The nearest dwellings are those at 13 Quarry Road and 8-10 Thrower Street, each at some 20m away from the proposed visitor accommodation and dwelling. This is not considered to represent an unreasonable visual impact.</i></p>
<p>Issue 8 The proposal does not satisfy the requirements of the Standards for Visitor Accommodation outlined in Planning Directive 6: • Compatible with the character of the area • Not cause unreasonable loss of amenity • Not impact safety and efficiency of local roads.</p>
<p><i>Response 8</i> <i>As discussed throughout this report, the proposal is for the construction of a single dwelling and a visitor accommodation unit. Both buildings are relatively small, at around 100m² each, although they are relatively prominent on the site as they are anchored to the ground at the rear and supported by poles at the front, with parking for both uses underneath the proposed dwelling. The character of the area is residential and include a mix of dwelling styles and sizes. The proposal is not considered to be inconsistent with the area. The amenity of the area is similarly consistent with a residential area, although it is affected throughout summer by visitors to the Gorge and periodically by noise from other alleged visitor accommodation units in the surrounding area. The proposed accommodation unit will generally have no impact greater than that expected from a dwelling. Whether a dwelling or visitor accommodation, there is always the possibility of a noisy evening from time to time. However, this is not considered unreasonable. As with activities in a dwelling, if the noise becomes unreasonable, the appropriate response is to call the authorities. It is not appropriate to reject the proposal on the grounds that occasional guests may behave unreasonably. Whilst Thrower Street is a relatively narrow and quiet street, the generation of less than 6-10 vehicle movements, on the days the visitor accommodation is occupied, is within the capacity of the safe and efficient use of the road.</i></p>

9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

<p>Issue 9 There has been no consultation as to how sewerage will be dealt with and where new pipes may go and what works will be done on other properties.</p>
<p><i>Response 9</i> The reticulated water and sewerage infrastructure is a matter for TasWater and governed by separate legislation. Nevertheless, the proposal plans show that both water and sewer will be connected via the front of the site, the proponent will be required to construct the sewerage infrastructure to connect to the existing service ant the north-western corner of 330 York Street.</p>
<p>Issue 10 Risk of damage to the existing Golden Elm Tree, not mentioned in the plans, and located just over 2m from proposed excavation.</p>
<p><i>Response 10</i> The existing golden elm tree, referred to by representors as a tree of significance, overhangs the property boundary. It is reasonable to condition the permit for appropriate measures to minimise impact on the tree. If the tree becomes a significant issue, potentially preventing development of the site, the proponent has the opportunity to seek a remedy through the Neighbourhood Disputes About Plants Act 2017.</p>
<p>Issue 11 Relaxed boundary setbacks will result in privacy issues for the adjoining property. Reliance on existing vegetation on adjoining properties is unacceptable.</p>
<p><i>Response 11</i> The proposal is to build the dwelling and the visitor accommodation unit some 2m from the eastern side boundary relies upon the applicable performance criteria. The acceptable solution sets a measure that is deemed to comply with the standard. The performance criteria is an alternative means of meeting that standard rather than a relaxation of the acceptable solution. Whilst the eastern windows on the dwelling (bedroom windows setback 3m) and the visitor accommodation unit (bathroom windows) are not considered to affect the privacy of the existing dwelling some 20m to the east, the applicant has advised that they are prepared to install obscure glass or suitable screening. An appropriate condition is recommended.</p>
<p>Issue 12 There is significant confusion within the proposal. The applicant's planning assessment is inaccurate and based on incorrect assumptions and has not addressed the planning directive dealing with visitor accommodation.</p>
<p><i>Response 12</i> The applicant's report is intended to provide assistance in understanding the proposal, it is unfortunate that some errors and omissions have come to light, however, these are not fatal to the proposal. This report contains an assessment against the relevant provisions of the scheme.</p>
<p>Issue 13 There will be direct overlooking from the proposed dwelling and the deck on the visitor accommodation unit has a direct line of sight into the main bedroom and bathroom of the dwelling to the east.</p>

9.5 12 Throver Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

Response 13

If the existing vegetation on the neighbouring lot is removed, the visitor accommodation unit will potentially have a view line to the neighbouring dwelling, some 20m away. This is not considered to be unreasonable.

Issue 14

The reduced setback raises concerns with fire safety between properties and on the boundary of the reserve.

Response 14

The assessment of bushfire safety and building separation is dealt with at building stage. Planning scheme consideration of bushfire matters is limited to subdivision or consideration of vulnerable or hazardous uses. The uses of single dwelling and visitor accommodation do not fall within these categories.

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.

9.5 12 Thrower Street, West Launceston - Residential - Construction of a Dwelling and Visitor Accommodation - Construction of a Holiday Unit ...(Cont'd)

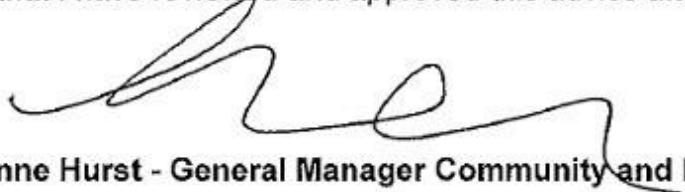
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 12 Thrower Street, West Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 12 Thrower Street, West Launceston (*electronically distributed*)
 3. TasWater SPAN - 12 Thrower Street, West Launceston (*electronically distributed*)
 4. Respresentations - 12 Thrower Street, West Launceston (*electronically distributed*)
-

COUNCIL AGENDA

Thursday 10 December 2020

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling

FILE NO: DA0635/2020

AUTHOR: Duncan Payton (Town Planner)

DIRECTOR: 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:	Marion Francis Hudson
Property:	33 Delamere Crescent, Trevallyn
Zoning:	General Residential
Receipt Date:	29/09/2020
Validity Date:	3/11/2020
Further Information Request:	N/A
Further Information Received:	N/A
Deemed Approval:	15/12/2020
Representations:	Five

PREVIOUS COUNCIL CONSIDERATION:

Council - 23 July 2020 - Agenda Item 9.3 - 33 Delamere Crescent, Trevallyn - Subdivision One Lot into Two Lots, Demolish Existing Outbuilding - DA0270/2020

STANDARDS REQUIRING COUNCIL DISCRETION:

10.4.13 Location of car parking
10.4.3 Site coverage and private open space for all dwellings
E6.6.2 Design and layout of parking areas

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0635/2020 - Residential - construction of a single dwelling at 33A Delamere Crescent, Trevallyn, subject to the following conditions:

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

1. ENDORSED PLANS AND DOCUMENTS

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

- a. Cover page, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A00, dated 29/09/2020.
- b. Overall site plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A01, dated 29/09/2020.
- c. Part site plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A02, dated 29/09/2020.
- d. Lower floor plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A03, dated 29/09/2020.
- e. First floor plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A04, dated 29/09/2020.
- f. Roof plan, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A05, dated 29/09/2020.
- g. Elevations, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A06, dated 29/09/2020.
- h. Elevations, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A07, dated 29/09/2020.
- i. Section, prepared by Plans to Build, project no. 20081, proposed new residence at 33 Delamere Crescent, Trevallyn, revision 1, page A08, dated 29/09/2020.

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:

Monday to Friday - 7.00am and 6.00pm

Saturday - 9.00am to 6.00pm

Sundays and Public Holidays - 10.00am to 6.00pm

4. 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.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

5. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

6. SOIL AND WATER MANAGEMENT PLAN

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

7. AMENITY

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

8. 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.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0635/2020. 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.

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>>

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

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 construct a four bedroom dwelling over two levels at the newly created lot behind the existing dwelling at 33 Delamere Crescent, Trevallyn. The dwelling has a footprint of some 215m², including the first floor deck (29m²) and has a double garage, rumpus and guest bedroom at the lower level and three bedrooms, kitchen, laundry, bathrooms and open plan lounge, dining and sitting on the upper level.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is an internal lot of some 740m², approximately 90m² of which forms the access way from Delamere Crescent. It is located on the western side of the road and climbs approximately 10m between the Delamere Crescent access and the south-western corner of the lot.

The site is zoned General Residential and is surrounded by a mix of lot sizes developed for single dwellings. There is a diverse mix of dwelling styles, most seeking to take advantage of views.

The character of the area is residential.

3. PLANNING SCHEME REQUIREMENTS**3.1 Zone Purpose****10.0 General Residential Zone****10.1.1 Zone Purpose Statements**

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

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

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

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

<p>site impacts. 10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character. 10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.</p>
<p>Consistent The proposal to develop a single dwelling on the newly created internal lot at 33 Delamere Crescent is consistent with the purpose of the zone to provide for a range of dwelling types at suburban densities.</p>

10.4 Development Standards

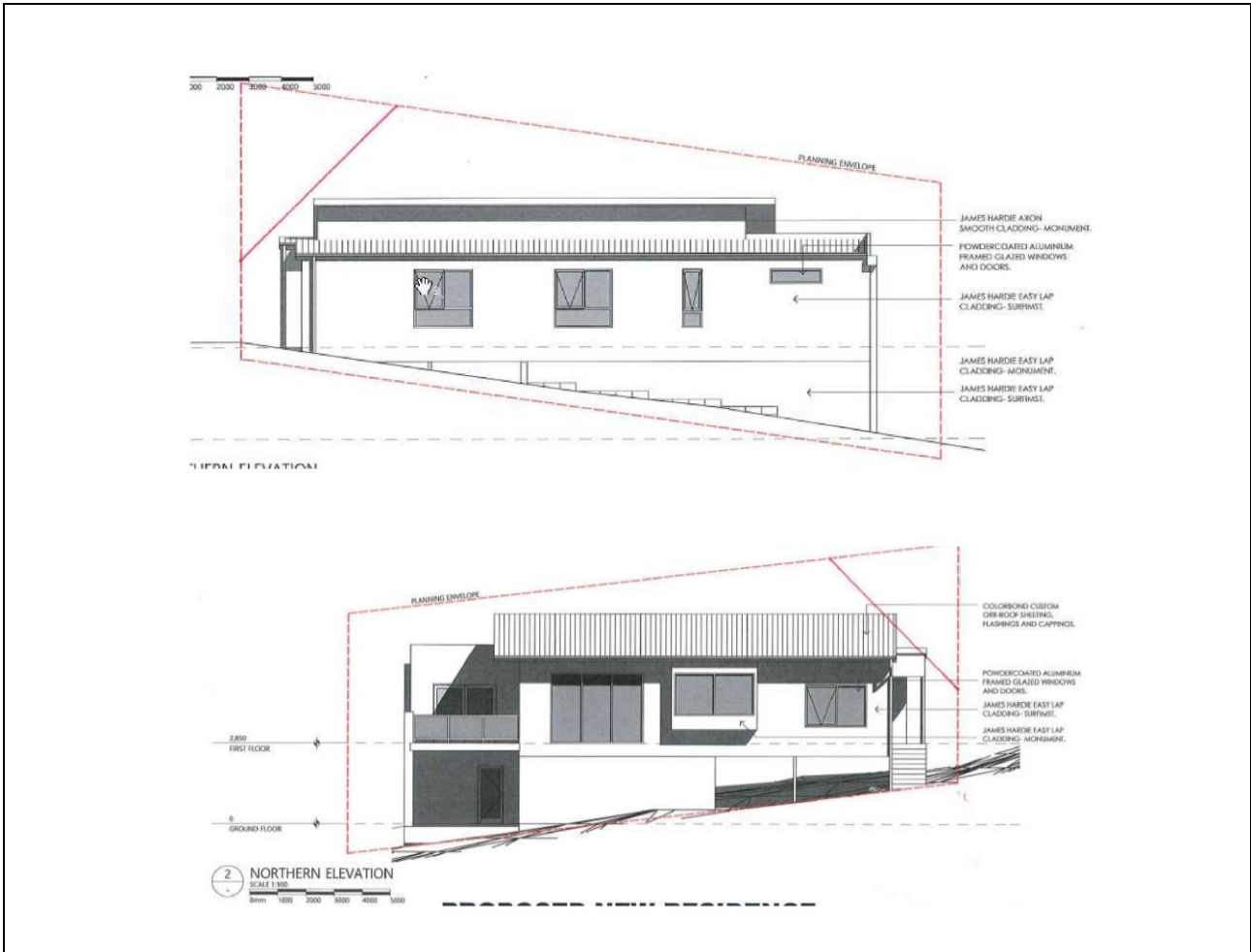
10.4.2 Setbacks and building envelope for all dwellings

<p>Objective: To control the siting and scale of dwellings to: (a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and (b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and (c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>
<p>Complies The proposed dwelling is setback 6.65m from the primary frontage, as depicted in diagram 10.4.2D of the scheme.</p>

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.
<p>Complies The proposed double garage is setback 10.45m from the frontage.</p>
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).
<p>Complies</p>
<p>The proposal plans, A05 and A06, demonstrate that the proposed dwelling, other than minor protrusions extending not more than 600mm beyond the envelope, is contained within the prescribed building envelope as depicted in diagram 10.4.2D of the scheme.</p> <p>It is noted that the proponent's plans, as exhibited, incorrectly depicted the rear setback of the building envelope in northern and southern elevations in plans A05 and A06. The solid red line in the extracts below shows the correction of the envelope and the acceptable minor protrusion.</p>

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)



10.4.3 Site coverage and private open space for all dwellings

Objective:

To provide:

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

Consistent

The proposal satisfies the applicable acceptable solutions or performance criteria.

A1 Dwellings must have:

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

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

<p>Complies The proposed dwelling has a floor area, including deck, of some 215.5m², which represents approximately 34.2% of the 630m² lot (ie. 740m² less the 90m² access strip). Some 44% of the lot remains free from impervious surfaces.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is at least: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least three hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.
<p>Relies on Performance Criteria The proposed dwelling has a 29m² deck off the lounge room. However, the deck is 7.5m x 3.87m and does not satisfy the requirement for a minimum dimension of 4m and thus relies upon performance criteria.</p>
<p>P2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is: <ul style="list-style-type: none"> (i) conveniently located in relation to a living area of the dwelling; and (ii) orientated to take advantage of sunlight.
<p>Complies The proposal includes a substantial deck area, orientated to take advantage of sunlight and to act as an extension of the living room for outdoor recreation. In addition, over 40% of the site remains free from impervious surfaces and is available for outdoor recreation.</p>

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

10.4.4 Sunlight and overshadowing for all dwellings

Objective: To provide:
(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and (b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).
Complies The lounge, dining and sitting rooms have windows orientated less than 30 degrees west of north.

10.4.5 Width of openings for garages and carports for all dwellings

Objective: To reduce the potential for garage or carport openings to dominate the primary frontage.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).
Complies The garage door is 5.5m wide.

10.4.6 Privacy for all dwellings

Objective: To provide reasonable opportunity for privacy for dwellings.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:
(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

<p>carport is at least 6m:</p> <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
<p>Complies The proposal includes a deck with a floor level more than 1m above the natural ground level. The deck is located at the front of the dwelling and is setback some 4.7m from the side boundary.</p>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and (ii) is to have a setback of at least 4m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.
<p>Complies All windows in the dwelling are setback more than 3m from a side boundary and 4m from the rear boundary.</p>

10.4.12 Earthworks and retaining walls

<p>Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.</p>
<p>Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

(e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.

Complies
The proposal includes a cut of some 820mm to accommodate the double garage. This cut is not within 900mm of a boundary.

10.4.13 Location of car parking

Objective:
To:
(a) provide convenient car parking for residents and visitors;
(b) protect residents from vehicular noise within sites; and
(c) minimise visual impact on the streetscape.

Consistent
The proposal satisfies the applicable acceptable solutions or performance criteria.

A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage.
A2.2 Turning areas for vehicles must not be located within the primary front setback.

Relies on Performance Criteria
The proposal includes turning area, for vehicles manoeuvring into or out of the garage, within the primary front setback and relies upon performance criteria.

P2 The location of car parking and turning areas must be safe, convenient and minimise the visual impact on the streetscape having regard to:
(a) the visual impact of the car parking location viewed from the road;
(b) access for users of the site;
(c) pedestrian and vehicular traffic safety;
(d) the nature and characteristics of the street;
(e) the need for the location;
(f) any landscaping of the car parking or turning area location; and
(g) construction methods and pavement types.

Complies
The proposed turning area is safe and convenient for the occupiers of the proposed dwelling. As the site is an internal lot, the turning area in the frontage is located behind the existing dwelling on the front lot and will not impact upon the streetscape.

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

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

(f) provide for the implementation of parking precinct plans.
Consistent The proposal provides sufficient parking access and manoeuvring areas to meet the purpose of the code.

E6.5 Use Standards

E6.5.1 Car parking numbers

Objective: To ensure that an appropriate level of car parking is provided to meet the needs of the use.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 The number of car parking spaces must: (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.
Complies The table requires the provision of two car parking spaces for a single dwelling in the General Residential zone. Two car parking spaces are provided in the double garage within the footprint of the proposed dwelling.

E6.6 Development Standards

E6.6.1 Construction of parking areas

Objective: To ensure that parking areas are constructed to an appropriate standard.
Consistent The proposal satisfies the applicable acceptable solutions or performance criteria.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) have a gradient of 10% or less; (b) be formed and paved; (c) be drained to the public stormwater system, or contain stormwater on the site; (d) except for a single dwelling, and all uses in the Rural Resource, Environmental Management and Open Space zones, be provided with an impervious all weather seal; and (e) except for a single dwelling, be line marked or provided with other clear physical means to delineate parking spaces.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

Complies
 The proposal plan demonstrates that the gradient of the driveway will be 10%. The driveway will be sealed and drained to the public stormwater system.

E6.6.2 Design and layout of parking areas

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

Consistent
 The proposal satisfies the applicable acceptable solutions or performance criteria.

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

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

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

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

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

Relies on Performance Criteria
 Table E6.2 requires a minimum access way with of 3m and a 2m wide passing bay every 30m. The proposal demonstrates that the access way is 3m wide, however the driveway length is some 34m and as a passing bay is not provided, performance criteria are relied upon.

P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:

- (a) the characteristics of the site;
- (b) the proposed slope, dimensions and layout;
- (c) vehicle and pedestrian traffic safety;
- (d) the nature and use of the development;
- (e) the expected number and type of vehicles;
- (f) the nature of traffic in the surrounding area; and
- (g) the provisions of Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking and AS2890.2 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

Complies
 The car parking provided in the double garage is level and easily accessible from the proposed turning area. The access way is straight and maintains clear lines of sight. Given that the access way is to service a single dwelling and base on industry expectations of between 6-10 average annual daily vehicle movements, it is considered unlikely that vehicles using the access way would encounter another vehicle travelling in the opposite direction. Should this occur, it would be immediately clear and easily resolved. It is considered that the access way, manoeuvring area and car parking is convenient, safe and efficient.

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	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 7 November to 23 November 2020. Five representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

It is noted that there are only three discretions to be considered:

- 10.4.13 Location of car parking
- 10.4.3 Site coverage and private open space for all dwellings
- E6.6.2 Design and layout of parking areas

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

<p>Issue 1 Loss of amenity as a result of the height, scale and bulk of the proposed two storey building. A single storey building would be better.</p>
<p><i>Response 1</i> The proposed dwelling fits within the prescribed building envelope and satisfies the acceptable solution at 10.4.3 A3 and there is no capacity to require any alteration to the height, scale or bulk of the building as proposed.</p>
<p>Issue 2 Loss of amenity as a result of loss of view.</p>
<p><i>Response 2</i> Whilst the view can be considered to form part of a person's residential amenity, the impact is a result of the siting and height of the dwelling, both of which are in compliance with the applicable acceptable solutions and not subject to discretion.</p>
<p>Issue 3 Loss of amenity through loss of privacy. The proposed building will overlook the rear yards of adjoining lots and have view-lines into the adjoining dwellings.</p>
<p><i>Response 3</i> Whilst such overlooking is possible, the proposal satisfies the acceptable solutions and this is not subject to discretion. It is noted that 13 Delungra Crescent currently overlooks the entire site of the proposed dwelling. Such overlooking by higher properties to lower properties is an inescapable reality throughout many of the Launceston hillsides. The impact of this is deemed to be satisfied through the State mandated scheme provisions introduced through Planning Directive 4.1.</p>
<p>Issue 4 Loss of amenity through location of private open space on upper floor deck.</p>
<p><i>Response 4</i> As noted, the dwelling, including the upper floor deck area, is contained within the prescribed building envelope and satisfies the applicable acceptable solutions, including setbacks for privacy.</p>
<p>Issue 5 Insufficient private open space as the deck does not meet the minimum 4m dimension in the acceptable solution. Request that plans be altered such that private open space does not rely upon the elevated deck.</p>
<p><i>Response 5</i> Consideration of the applicable performance criteria, earlier in this report, concludes that whilst the proposed deck will provide convenient open space as an extension of the dwelling, there is ample garden and yard space for outdoor recreation. This assessment concludes that between the deck and the ground level garden and yard, the reasonable needs of the residents will be satisfied. The deck is included as open space and there is no capacity to require it not to be relied upon.</p>
<p>Issue 6 The length of the driveway, without a passing bay is excessive and such a passing bay should be required.</p>

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

Response 6

The acceptable solution requires a passing bay every 30m. The driveway is some 34m and as it does not provide a passing bay, it relies upon the performance criteria. It is relevant that this lot was only recently created. It is an internal lot, with a 3m wide access way, within which is the 34m driveway. There is no capacity to provide a passing bay. When the lot was created, it was considered that the likely development of the lot would be for a single dwelling and that, as such, the use of the driveway would be around the expected 6-10 movements per day. Being a straight driveway, with unobstructed views and limited use, the lack of a passing bay will not adversely affect its safety. The request that a passing bay be required is not supported.

Issue 7

The proposal includes turning and manoeuvring space in the frontage of the site and relies on the performance criteria. The block is too small to accommodate this development without turning in the frontage and the proposal should be refused.

Response 7

The proposed location of the turning and manoeuvring in front of the dwelling will have no impact on the safe and convenient operation of the garage or be visible in the streetscape. The lot is an internal lot, with a dwelling existing on the lot in front. Therefore, the turning area in front of the proposed dwelling, will be shielded by the existing dwelling on the front lot. No change to the turning and manoeuvring is warranted.

Issue 8

No screening trees are proposed along the shared boundary with 35 Delamere Crescent. Request for such trees to be required to be planted and to have a minimum height of 3m when planted.

Response 8

The subject site is not in a scenic protection area. Whilst it is likely that the residents will plant gardens and possibly trees, there is no requirement for the planting of such screening trees and no capacity for it to be required.

Issue 9

The proposed dwelling is out of character with the surrounding development and will visually dominate the locality and is not consistent with the historical and cultural significance of Trevallyn.

Response 9

The site is not heritage listed and is not within a scenic protection area. There are no heritage listed buildings or sites within 200m. The broad area is characterised by single dwellings constructed in a range of styles, generally representing their era of construction. The proposal is for a modern dwelling on an internal lot. To the extent that it will be visible from public areas, it will be seen as a dwelling surrounded by dwellings and as such is not considered to be incompatible or out of character with the area.

Issue 10

There is an existing pipe from 33 Delamere Crescent emitting water to 35 Delamere Crescent during rain events.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single Dwelling ...(Cont'd)

Response 10

Whilst this is not a planning matter, it is something that can be addressed either as a compliance issue or during the construction of the proposed dwelling, if approved.

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.

9.6 33A Delamere Crescent, Trevallyn - Residential - Construction of a Single 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 - 33 Delamere Crescent, Trevallyn (*electronically distributed*)
 2. Plans to be Endorsed - 33 Delamere Crescent, Trevallyn (*electronically distributed*)
 3. Representations - 33 Delamere Crescent, Trevallyn (*electronically distributed*)
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Friday 27 November 2020

- Officiated at the opening of the St Michael's *Smart Housing* Accommodation
- Officiated at the opening of *Junction Hometown 2020*
- Officiated at the launch of *Make it in Tasmania*

Saturday 28 November 2020

- Attended the *I am Woman* Exhibition
- Attended the *Citizen's Advocacy* Launceston Christmas barbeque
- Attended the *St Cecilia End of Year* concert

Sunday 29 November 2020

- Attended the City of Launceston *Vox Harmony* choir performance

Tuesday 1 December 2020

- Attended the *2020 General Manager's Cocktail Party* at the Country Club Casino

Thursday 3 December 2020

- Attended the celebration of the *Global Incubator* at Macquarie House

Friday 4 December 2020

- Attended the *Summer Season* exhibition launch at Royal Park QVMAG

Wednesday 9 December 2020

- Attended Launceston College's production of *Flashdance: the Musical*
-

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.)

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

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 Tender Review Committee Meeting - 26 November and 3 December 2020****FILE NO:** SF0100/CD.060/2020/CD.058/2020/CD.044/2020**AUTHOR:** Anthea Rooney (Council and Committees Officer)**GENERAL MANAGER:** Louise Foster (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 the tender submitted by:

1. Komatsu Australia for the Purchase of New Landfill Bulldozer for Launceston Waste Centre, Contract Number CD.060/2020 for a changeover value of \$489,500.00 (exclusive of GST).
2. AWC Pty Ltd for the Golconda Road (Bacala Road to Denison Gorge Road), Contract Number CD.058/2020 for \$1,670,544.38 (exclusive of GST).
3. Contract Electrical Pty Ltd (utilising the services of a known sub-contractor) for the Launceston Leisure and Aquatic Centre - Solar PV Installation, Contract No CD.056/2020 be accepted for a cost to Council of \$124,648.17 (exclusive of GST).
4. Crossroads Civil Contracting Pty Ltd for the Quarantine Road - Kerb and Pavement Rehabilitation, Contract No CD.051/2020 be accepted for a cost to Council of \$467,549.00 (exclusive of GST).

That Council notes the decision of the Tender Review Committee to include the listed operators on the Panel of Providers - Graphic Design:

1. Louise Thrush, Boris Petrach, Clever Creative and Plural Agency for the Panel of Providers - Graphic Design Contract Number CD.044.2020.
-
-

**13.1 Tender Review Committee Meeting - 26 November and 3 December 2020
...(Cont'd)**

REPORT:

The Tender Review Committee Meeting, held on 26 November 2020, determined the following:

A. That the sums submitted by:

- (i) Komatsu Australia for the Purchase of New Landfill Bulldozer for Launceston Waste Centre, Contract Number CD.060/2020 for a changeover value of \$489,500.00 (exclusive of GST).
- (ii) AWC Pty Ltd for the Golconda Road (Bacala Road to Denison Gorge Road), Contract Number CD.058/2020 for \$1,670,544.38 (exclusive of GST).

be accepted.

B. That the following operators be included on the Panel of Providers - Graphic Design - CD.044/2020:

- (i) Louise Thrush;
- (ii) Boris Petrach;
- (iii) Clever Creative; and
- (iv) Plural Agency.

2. The Tender Review Committee Meeting, held on 3 December 2020, determined the following:

A. That the sums submitted by:

- (i) Contract Electrical Pty Ltd (utilising the services of a known sub-contractor) for the Launceston Leisure and Aquatic Centre - Solar PV Installation, Contract No CD.056/2020 be accepted for a cost to Council of \$124,648.17 (exclusive of GST).
- (ii) Crossroads Civil Contracting Pty Ltd for the Quarantine road - Kerb and Pavement Rehabilitation, Contract No CD.051/2020 be accepted for a cost to Council of \$467,549.00 (exclusive of GST).

be accepted.

**13.1 Tender Review Committee Meeting - 26 November and 3 December 2020
...(Cont'd)**

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

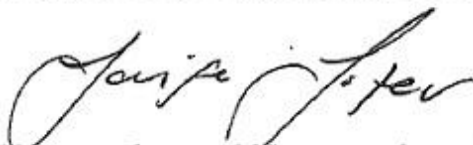
BUDGET & FINANCIAL ASPECTS:

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.



Louise Foster - General Manager Organisational Services Network

14 COUNCIL WORKSHOPS

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

14.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Council and Committees Officer)

GENERAL MANAGER: Louise Foster (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 3 December 2020 were:

Cityprom Review Presentation

Councillors received a presentation from Cityprom following the recent review.

Budget Parameters and Draft Annual Plan 2021/2022

Councillors considered and provided feedback on the Draft Capital and Major Operations Projects and the Draft Annual Plan for 2021/2022.

Tamar NRM Funding Commitment

Councillors discussed the proposed three year funding commitment for Tamar NRM.

Mona Foma 2021

Councillors were briefed on the 2021 Mona Foma program.

Launceston City Heart - Stage 2 - St John and Paterson Streets

Councillors contributed to the development of the functional brief for the proposed works.

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.

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

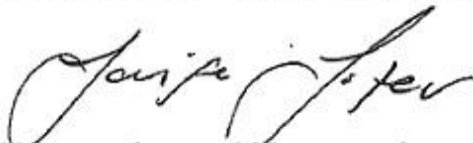
BUDGET & FINANCIAL ASPECTS:

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 - General Manager Organisational Services Network

15 NOTICES OF MOTION

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

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

16 COMMUNITY AND PLACE NETWORK ITEMS**16.1 Relbia Feasibility Study Report - Community Consultation****FILE NO:** SF6874**AUTHOR:** Claire Fawdry (Senior Town Planner Policy and Projects)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider the Relbia Feasibility Study Report - Consultation Draft for public consultation.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 August 2020 - Relbia Feasibility Study

RECOMMENDATION:

That Council:

1. endorses the Relbia Feasibility Study Report - Consultation Draft (ECM Document Set ID 4453891), Relbia Feasibility Study Report - Appendices (ECM Document Set ID 4453893) and Relbia Feasibility Study Report - Summary Brochure (ECM Document Set ID 4456443) for public consultation.
 2. directs the Council's Officers to undertake community consultation for a period of eight weeks commencing 18 December 2020 to 12 February 2021.
-

REPORT:**1. Background**

Relbia is a strategically important location for the City of Launceston. It is within close proximity to the City centre and the airport, the nearby activity centres of Youngtown and Kings Meadows and the future Waverley/St Leonards growth corridor. In some respects, Relbia is in an ideal location to enable the city to consolidate its existing urban areas.

Relbia is also identified in the Regional Land Use Strategy of Northern Tasmania (NRLUS) and the Greater Launceston Plan (GLP) as being a *Strategic Reserve Investigation Area*. That is, land which is identified for initial strategic evaluation to assess its potential contribution to the future and longer-term development of the greater Launceston urban area, generally beyond 2036.

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

The GLP recommends that the City of Launceston undertake a comprehensive strategic review of Relbia to investigate opportunities for restructure to facilitate a diversified residential area with high levels of amenity and a village centre.

2. Introduction

In 2019, Mesh Liveable Urban Communities (Mesh) were engaged by the City of Launceston. The objective being to provide the Council appropriate information and analysis on which to base future decision making for potential rezoning, sequencing and cost associated with infrastructure planning and delivery.

The Council wants to ensure that the form of any future development is environmentally sustainable and consistent with identified best practice. More importantly, retain Relbia's unique qualities and character.

The study involved undertaking an evidence based analysis of whether Relbia and parts of adjoining suburbs, have the necessary conditions to support redevelopment for urban purposes either now or into the future.

3. Community Workshop

Three community workshops were held with residents from within the study area. Residents were asked what they loved about living in Relbia and what change they would like to see in the future. The common themes were that residents appreciated things such as the rural setting; the nature, wildlife and scenic character; larger lots and privacy; and the proximity to non-residential land uses.

It became apparent that the majority of residents were not supportive of broad scale residential subdivision, yet there was an appreciation that Relbia had the potential to accommodate some level of growth.

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

Three scenarios of possible future growth were identified following the workshops, as follows:

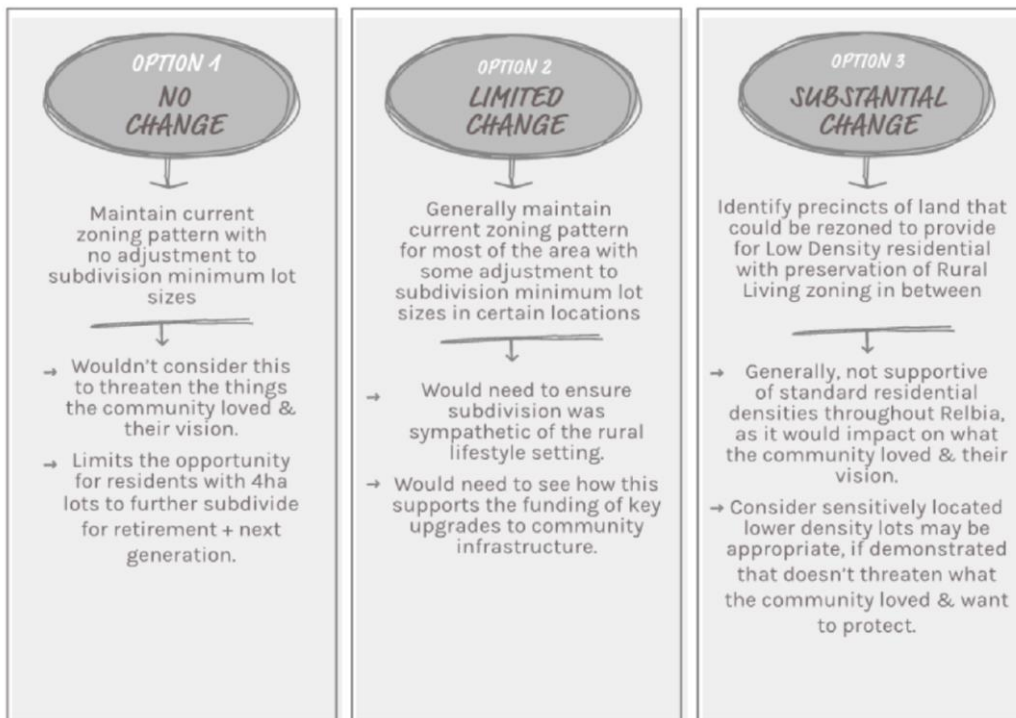


Figure 1: Scenarios for Future Growth (source: Mesh, 2020)

4. Evidence Based Analysis

4.1 Methodology

The Relbia study area was divided into three precincts and sub-precincts based on an analysis of the various site conditions, as shown in Figure 2. A combined site analysis was undertaken in order to separate the study area into the three precincts. The site analysis considered the following:

- movement network, open space network and activity centres network;
- topography and watercourses;
- landslip hazard;
- vegetation;
- lot sizes and existing dwellings;
- non-residential land uses;
- buffers and easements;
- existing zoning;
- sewer and water connectivity.

16.1 Relbia Feasibility Study Report - Community Consultation ...(Cont'd)

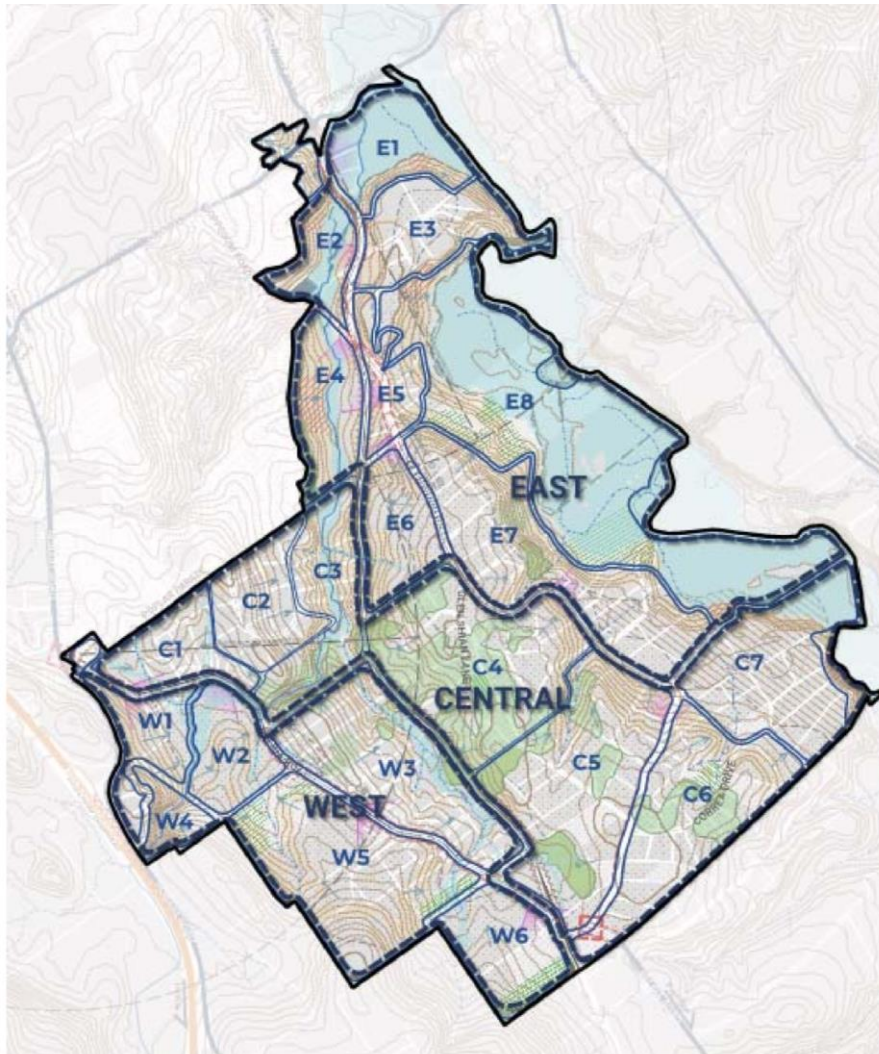


Figure 2: Sub-precincts Plan (source: Mesh, 2020)

The west precinct is defined as the land to the east and west of Relbia Road, south of Jinglers Creek. The land can be generally characterised as rolling hills with moderate tree cover and dispersed irrigated cropping fields. The central precinct is defined as the land in the core part of Relbia. The land can be generally characterised as rolling hills with moderate to very high tree cover. The east precinct is defined as the land in the eastern part of Relbia. The land can be generally characterised as the interface between the central precinct and the floodplain of the North Esk River.

The investigation then used a matrix approach to score the precincts against a set of constraints to development such as visual prominence, natural hazards and topography, interaction with non-residential uses, and so on. Those areas that scored higher were more likely to be supported to accommodate smaller lot sizes.

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

A Road Safety Audit and a Traffic Impact Assessment by Pitt & Sherry also informed the investigation. These investigations found that the current road network has significant deficiencies for the current traffic numbers and that a significant increase in development in Relbia would necessitate major infrastructure upgrades.

4.2 Findings

Even though Relbia has been identified as having some potential for future residential growth, the key finding of the analysis suggest that:

1. Relbia does not have the necessary conditions to support broad scale redevelopment for high density development;
2. the semi-rural character of Relbia is desirable; and
3. it is likely that broad scale subdivision in Relbia would compromise its character and it would lose its positive point of difference when compared to adjoining suburbs.

Having regard to these key findings, the three precincts and the sub-precincts were analysed to define a potential lot yield. The recommended limited change scenario has the potential to provide:

- an additional 157 dwellings (currently 259 existing)
- an additional 354 residents (currently 678 existing)
- an additional 789 vehicle trips per day (currently 2711 existing)
- a small public park or playground
- low/medium impact on character

There are a number of constraints that prevent the entire study area being subdivided at a high density, including:

- topography and watercourses;
- vegetation;
- existing fragmented, irregular pattern of development;
- non-residential land uses; and
- existing zoning.

5. Recommendation

The report recommends a *Limited Change Scenario* to future residential subdivision in the study area suggesting that the current Rural Living Zone be retained with some Rural Resource zoned blocks recommended to be rezoned to Rural Living. Relbia is, therefore, proposed to remain as a Rural Living, lifestyle based housing area, with lots ranging from between 1ha to 4ha.

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

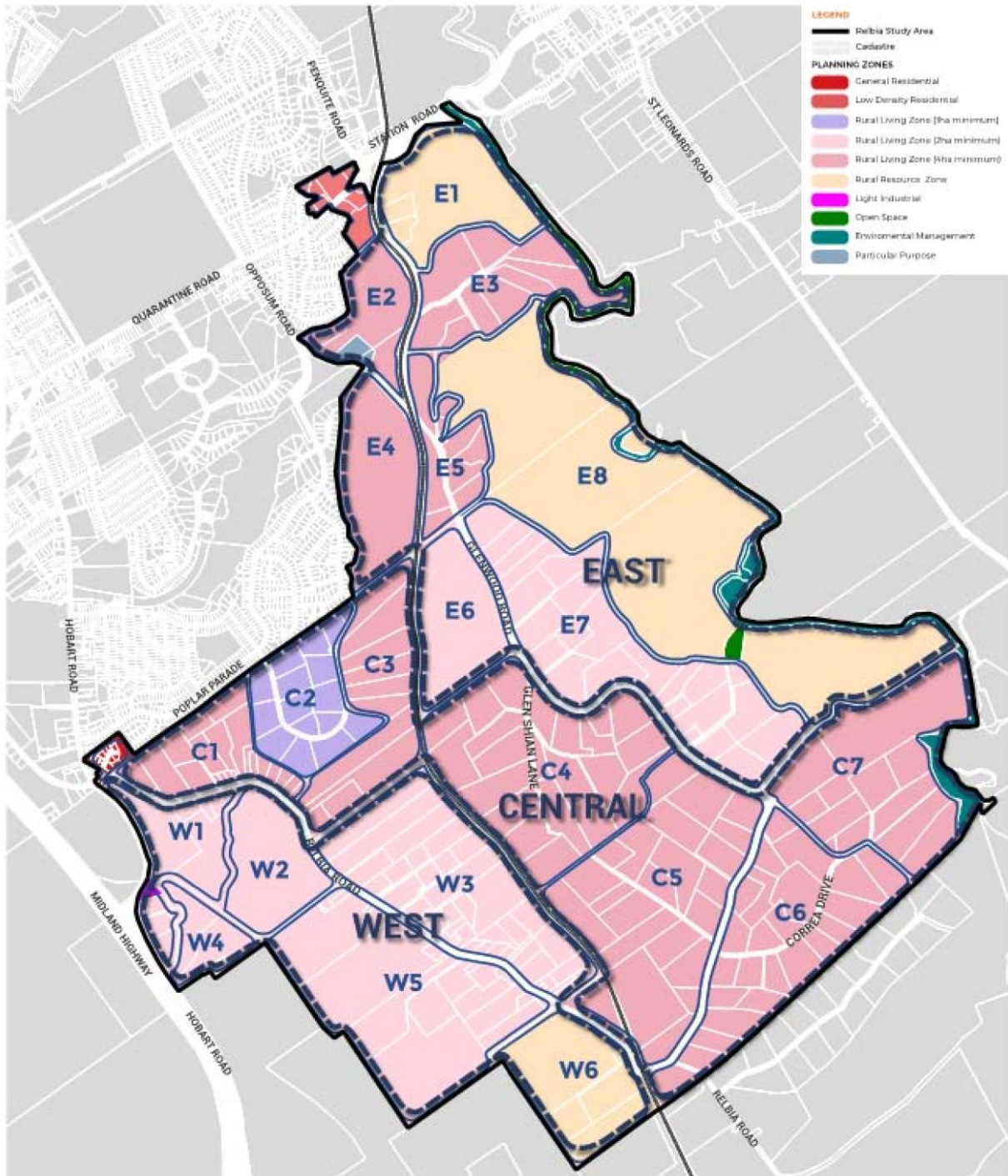


Figure 3: Limited Change Scenario - Draft Zoning (source: Mesh, 2020)
 (Refer to Attachment 4 for greater clarity)

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

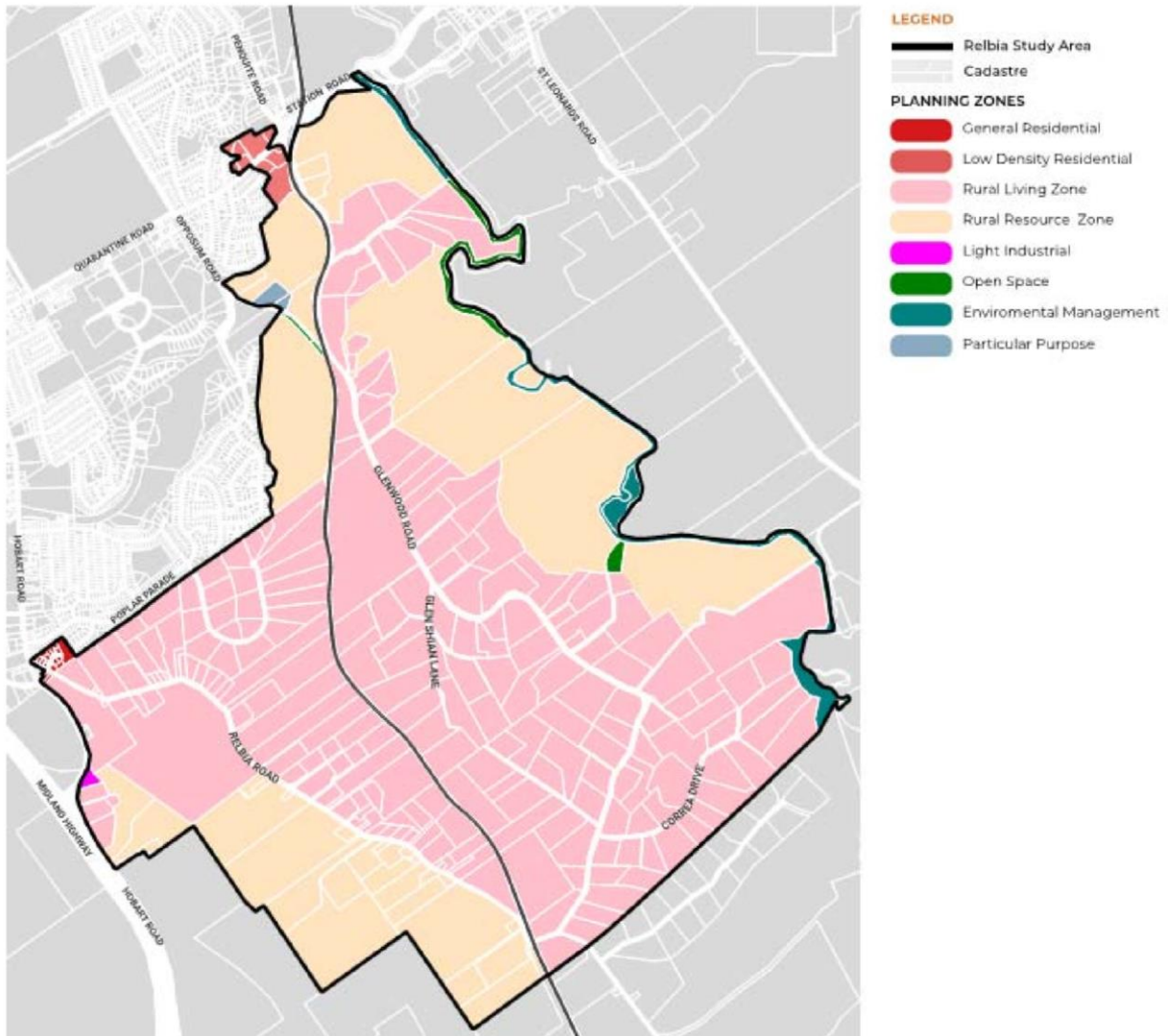


Figure 4: Current Zoning Map (source: Mesh 2020)

The *Limited Change Scenario* will allow some landowners in Relbia the ability to subdivide their land where there are not significant structural or landscape constraints.

6. Process

If Council decides to endorse the Feasibility Report, then a community consultation process will commence. This will provide the opportunity for the community to review the Feasibility Report and provide feedback. The responses will then be collated and brought back to Council for consideration.

16.1 Relbia Feasibility Study Report - Community Consultation ...(Cont'd)

6.1 Consultation

The consultation process will be run online for eight weeks between 18 December 2020 and 12 February 2021. The process will include the following:

- Letter, summary brochure and survey posted to homeowners in the study area;
- Your Voice Your Launceston page:
 - Feasibility Report and Summary Report
 - Survey
- Facebook page media posts (average weekly reach is 60-80,000 people);
- Dedicated email address for feedback - RelbiaReview@launceston.tas.gov.au.

Individuals will be responded to at the conclusion of the consultation period.

7. Conclusion

The Feasibility Study has determined that the study area has the capacity to accommodate limited change due to the structural constraints facing the study area. It is suggested that a significant increase in density is likely to have an adverse impact on the public infrastructure capacity of the area as well as the character of Relbia. The Limited Change Scenario proposed will allow for some subdivision potential without compromising on the aspects of Relbia that the community value.

ECONOMIC IMPACT:

Not relevant to this report.

ENVIRONMENTAL IMPACT:

Not relevant to this report.

SOCIAL IMPACT:

Not relevant to this report.

16.1 Relbia Feasibility Study Report - Community Consultation ... (Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

Strategic Priority 6: We protect our environment by caring for our unique natural assets and amenity and sensitively managing future development opportunities.

10-Year Goal: To enhance the unique natural character, values and amenity of our City by minimising the impacts of our organisations and our community's activities in the environment.

Focus Areas:

1. To reduce our and the community's impact on the natural environment.
2. To contribute to air and river quality improvements in Launceston.
3. To manage the risks of climate-related events, particularly in the area of stormwater management and riverine flooding.

Regional Land Use Strategy of Northern Tasmania

Greater Launceston Plan

Launceston Interim Planning Scheme 2015

Land Use Planning and Approvals Act 1993

Local Government Act 1993 (Tas)

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

ATTACHMENTS:

1. Relbia Feasibility Study Report - Summary Brochure (*electronically distributed*)
 2. Relbia Feasibility Study Report - Consultation Draft - (*electronically distributed*)
 3. Relbia Feasibility Study Report - Appendices - (*electronically distributed*)
 4. Figure 3 - Limited Change Scenario - Draft Zoning (source: Mesh, 2020) (included in the report, enlarged for clarity) - (*electronically distributed*)
-

16.2 2020-2024 Access Framework for Action**FILE NO:** SF0024**AUTHOR:** Tracey Mallett (Manager Liveable Communities)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider the *2020-2024 Access Framework for Action*.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 18 June 2020 - Discussion on Draft Access Framework

Workshop - 26 March 2020 - Draft *Framework for Action*

Workshop - 31 October 2019 - Access Plan 2020-2024 Review

RECOMMENDATION:

That Council adopts the *Access Framework for Action 2020-2024* (ECM Document Set ID 4459765).

REPORT:

The *2020-2024 Access Framework for Action* (the Framework) demonstrates the Council's commitment to ensuring the City of Launceston is an accessible and inclusive City for all residents. In the City of Launceston, 4,190 people, or 6.4% of the population identify as needing help in their day to day lives due to disability and 6,108 people, or 11.4% of the population, act in the role of carer to a person with a disability, long term illness or old age. These figures were from the last census in 2016 so, potentially are at greater numbers in 2020.

Led by the Council's Access Advisory Committee, development of the Framework involved undertaking a different approach from previous plans. It is a collection of stories, actions and promises the City of Launceston will undertake to ensure the best possible life outcomes for all residents with a disability and those caring for someone with a disability. Throughout the Framework, there will be an opportunity to meet six locals who each experience barriers to accessibility. They share their stories about how they live in Launceston, what they would like to achieve and how the Council's Framework might help them achieve that.

16.2 2020-2024 Access Framework for Action ...(Cont'd)

Although these people each represent a particular disability, the story is different for every person with a disability. In Launceston, it is fortunate to have many agencies who represent the needs of particular disabilities and they should be listened to in order for their needs to inform the story.

To further develop an inclusive and accessible community, five commitments have been laid out to help achieve the desired outcome. These will articulate the Council's strategies, actions and goals to build on what is already happening. These commitments are also aligned to State Government plans.

There is significant legislation that supports the rights and provides strategic direction for people with a disability. Relevant to this document, the following were considered:

- *Accessible Island: Tasmania's Disability Framework for Action (DFA)* is Tasmania's framework for improving the lives of people with disability.
- The National Disability Strategy (2010-2020) is a National Plan to improve the life for every Australian with a disability, their families and carers.
- The *Disability Discrimination Act (DDA) (2010)* sets out to ensure that people with a disability are not treated less favourably, or not given the same opportunities as others in a similar situation.
- The *Charter of Human Rights and Responsibilities Act (the Charter)* sets out the basic rights, freedoms and responsibilities of all Tasmanians. As public authorities, the charter requires local councils to consider human rights when they make, interpret and apply laws, develop policies and provide day-to-day services. The City of Launceston also adopts the principles of the *Tasmanian Disability Services Act 2011*.

The City of Launceston is committed to community engagement and has undertaken significant consultation with residents, agencies and other government bodies in the development of this Framework. The Access Advisory Committee then workshopped the gaps and opportunities, current initiatives and priority strategies required to make a difference.

The Council will work with the community and other key stakeholders to meet the vision of an inclusive municipality where people of all abilities are encouraged and enabled to lead satisfying, fulfilling and contributory lives.

Upon adoption of this Framework, annual action plans will be developed and implemented.

ECONOMIC IMPACT:

Development of the annual action plan may require budget planning to implement some of the actions.

16.2 2020-2024 Access Framework for Action ...(Cont'd)

ENVIRONMENTAL IMPACT:

Although this Framework will have minimal impact on the environment, it will lead to recommended actions to improve the built environment to ensure greater accessibility.

SOCIAL IMPACT:

The Access Framework for Action will enable the Council to work with the community and other key stakeholders to meet the vision of an inclusive municipality where people of all abilities are encouraged and enabled to lead satisfying, fulfilling and contributory lives.

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.

Strategic Priority 5: We serve and care for our community by providing equitable and efficient services that reflects needs and expectations of our community.

10-Year Goal: To offer access to services and spaces for all community members and to work in partnership with stakeholders to address the needs of vulnerable communities.

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

16.2 2020-2024 Access Framework For Action ...(Cont'd)

ATTACHMENT:

1. Access Framework for Action 2020-2024 (ECM Document Set ID 4459765)
(electronically distributed)
-

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 Lease and Licence of Land at Lindsay Street, Invermay

FILE NO: SF6578

AUTHOR: Duncan Campbell (Team Leader Legal Services)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

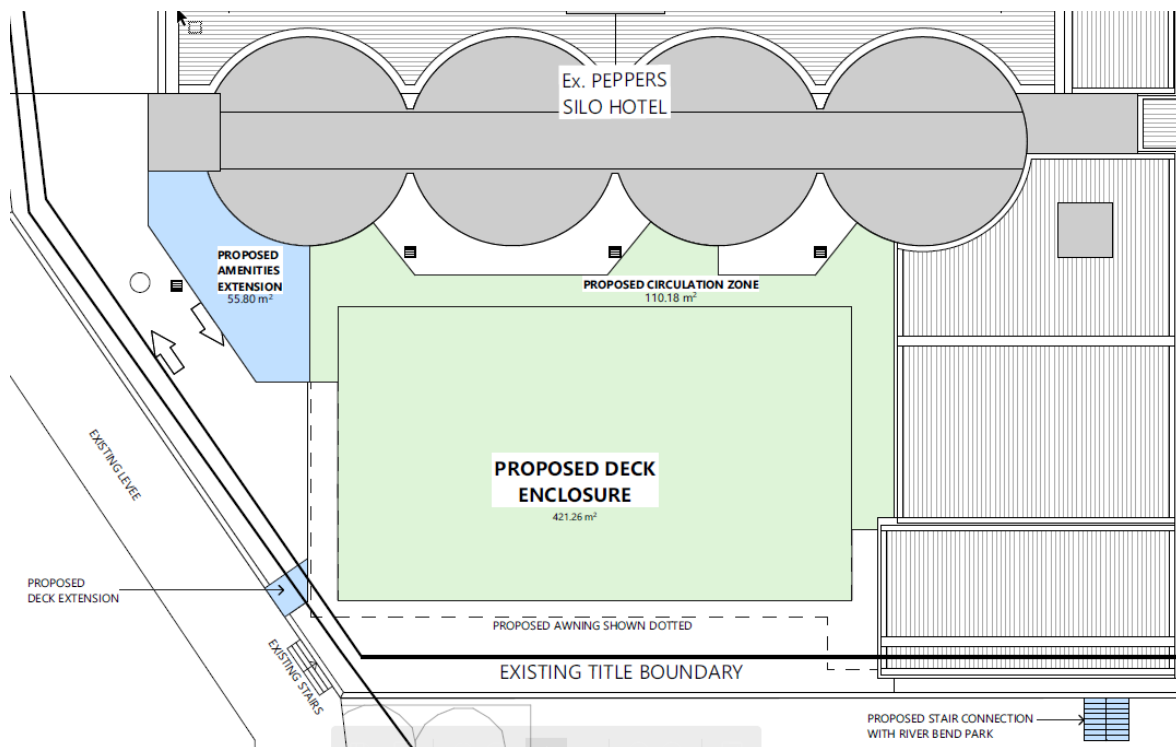
To consider the leasing and licencing of land at Lindsay Street, Invermay.

Recommendation 2. requires an absolute majority of Council.

RECOMMENDATION:

That Council

- notes the valuation advice concerning the relevant interests in land contained within Certificate of Title 169882 Folio 1 and Certificate of Title 169882 Folio 1 (Attachment 1 - ECM Document Set ID 4457562), a representation of which appears in the plan below:



18.1 Lease and Licence of Land at Lindsay Street, Invermay ...(Cont'd)

2. determines, pursuant to section 177 of the *Local Government Act 1993* (Tas) and by absolute majority, to lease the land and or airspace necessary to allow the construction and use of the proposed deck extension as identified above and at page two of the valuation advice.
 3. determines, pursuant to section 20 of the *Local Government Act 1993* (Tas), to licence the land and or airspace necessary to allow the construction and use of the stair connection as identified above and at page two of the valuation advice.
 4. notes that the lease and licence mentioned at Recommendations 2. and 3. respectively will be in accordance with the relevant valuation advice for a period of up to ten years, with the exact parameters of the land and all remaining terms and conditions to be determined by the Chief Executive Officer.
 5. notes, for the avoidance of doubt, that the term Chief Executive Officer is a term of reference for the General Manger as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).
-

REPORT:

Council has received an application for a planning permit to construct a function centre at 85-89 Lindsay Street, Invermay (DA0623/2020). The development proposes to use two pieces of land that are owned by the Council and are contained within Certificate of Title 169882 Folio 1 and Certificate of Title 169882 Folio 1. A representation of the relevant land has been extracted from plans provided as part of DA0623/2020 and is provided at Recommendation 1.

The proponent intends to use the land that is subject to Recommendation 2. to allow the extension of the current deck at the site as part of the development. The land is not listed on the Council's public land register, and otherwise does not meet the definition of public land in section 177A of the *Local Government Act 1993* (Tas). Accordingly, the disposal will occur pursuant to section 177 of the *Local Government Act 1993* (Tas), which requires, relevantly, that a valuation is obtained before a disposal occurs.

The land mentioned at Recommendation 3. is intended to be used by the proponent to construct and use a staircase for access to the site. The land is part of a grassed area adjacent to the playground at Riverbend Park. The licence will not provide exclusive possession of the relevant land, meaning that the licence holder cannot exclude members of the public from using the relevant land or steps constructed upon it.

18.1 Lease and Licence of Land at Lindsay Street, Invermay ...(Cont'd)

The exact parameters of the land and or airspace to be leased and licenced in accordance with the Recommendations will be determined by the Chief Executive Officer in line with relevant survey data, with appropriate adjustment made to the rent required. Any change in rent will be calculated by reference to the valuation advice in Recommendation 1 on a square metre basis.

The lease and licence under consideration in this item will only be entered if the relevant DA0623/2020 is approved.

ECONOMIC IMPACT:

The recommendations support the development of a function centre which will have a positive impact through increased construction activity and attraction of more visitors to Launceston.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area -

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

BUDGET & FINANCIAL ASPECTS:

The lease and licence will be charged at the valuation amount.

18.1 Lease and Licence of Land at Lindsay Street, Invermay ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

ATTACHMENTS:

1. Valuation Advice in Respect of Interests in Land at Lindsay Street, Invermay.
-

Attachment 1 - Valuation Advice in Respect of Interests in Land at Lindsay Street, Invermay



MARKET RENTAL REPORT

Property Address: Land at Riverbend Park, Lindsay Street, Invermay TAS 7248

Our Reference: LG20/1459

Date of Valuation: 2nd November 2020



Aerial Photograph



Location Map

Title:

The land which forms the subject of this ground rental valuation advice is contained within the following contiguous Certificates of Title:

- Volume 169882 Folio 1
- Volume 169012 Folio 1

Ownership:

The above titles are both in the ownership of Launceston City Council.

Purpose of Valuation:

The purpose of this valuation advice is to assess the current market rental value of two small areas of land contained within the above title reference/s, which adjoin land containing the Peppers Silo Hotel owned by Silo Hotel Pty Ltd.

The areas of land are required for access by the Hotel, and it is intended that they will be leased to the Hotel or offered on a licensed basis for a term of years for their own (non-exclusive) occupation.

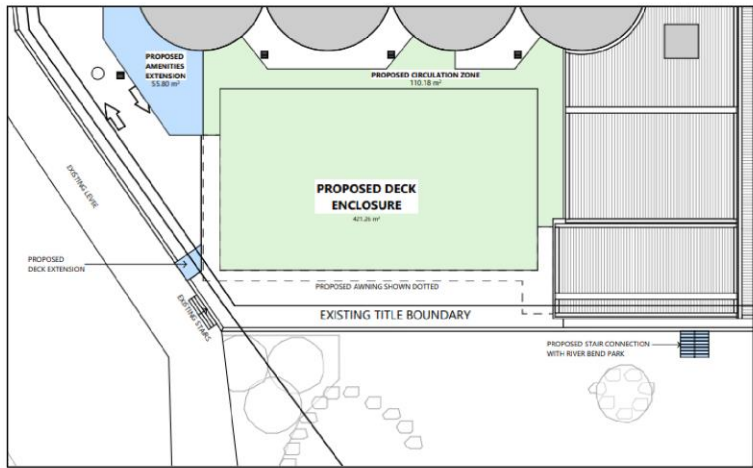
City of Launceston Council Land at Riverbend Park Invermay	LG Valuation Services Pty Ltd LG20/1459
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Subject Land Area:

The two areas of land that are the subject of this market rental assessment are delineated in the following extract from the sketch plans provided by the Council.

Area 1 comprises a Proposed Deck Extension (coloured light blue on the plan below) which is situated adjacent to the south west corner of the Proposed Deck Enclosure delineated on the plan (traverses CT 1698882/1 and CT 169012/1).

Area 2 comprises a Proposed Stair Connection (coloured light blue on the plan) which is situated in proximity to the south east corner of the Proposed Deck Enclosure on the plan (contained in CT 169012/1).



We have not been provided with dimensions for the subject land area/s, and accordingly we have estimated the respective areas from the plans provided and from our on-site observations.

City of Launceston Council Land at Riverbend Park Invermay	LG Valuation Services Pty Ltd LG20/1459
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Our estimate of land area/s for the purposes of this report is set out below -

- Area 1: +/- 5 sqm
- Area 2: +/- 6 sqm

A full copy of the sketch plan prepared by ARTAS Architects is appended to this report.

We reserve the right to review our assessment of value should a formal survey of the respective land areas indicate areas that differ significantly from the assessed land area/s as outlined above.

Photographs:



Overview of land – Area 1



Overview of land – Area 2

Location:

The subject land is situated in a prime position within the Riverbend Park leisure precinct, which is located at the confluence of the Tamar and North Esk Rivers in the mixed use inner suburb of Invermay, in proximity to Launceston’s city centre.

Surrounding development includes the Peppers Silo Hotel development, the National Automobile Museum of Tasmania, a major Bunnings hardware outlet, and other retail warehouse style properties.

Planning:

The subject land is currently zoned “19.0 Open Space” under the prevailing Launceston Interim Planning Scheme 2015.

Valuation Considerations:

In considering applicable market rental parameters for the subject land, we have had regard to market evidence of ground leases for similar land holdings which are considered broadly comparable to the subject land.

Ground leasehold rental information is commercially sensitive and details of transactions have been provided to LG Valuation Services on a commercial in confidence basis, and accordingly are not reproduced within this report however are retained on our files for future reference if required.

City of Launceston Council Land at Riverbend Park Invermay	LG Valuation Services Pty Ltd LG20/1459
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We consider that the key factors influencing the applicable market rental for the subject land include, but are not necessarily limited to the following:

- Location within a developing mixed use cultural and leisure precinct in proximity to the confluence of the Tamar and North Esk Rivers and within walking distance of Launceston’s CBD;
- Limited street profile being located to the south of the Peppers Silo Hotel complex Street some 100 metres from Lindsay Street;
- Inner suburban location within proximity to the established commercial and light industrial precincts of Invermay and residential suburbs of northern Launceston;
- Restrictive zoning of the land as Open Space;
- Leasing market conditions are relatively weak at the present time, and have the potential to deteriorate further given concerns around the ongoing coronavirus pandemic and its potential impact on trading conditions across all property classifications in the short and medium term future.

Having regard to the above factors and the available market rental evidence, we are of the opinion that the market rental for the subject land would fall within the range \$6.00 to \$13.00 per square metre (psm). This range is considered to be reflective of the particular characteristics and attributes of the subject land as outlined above, taken together with the relative size of the areas to be leased against the size of the respective land holdings/title areas.

The above range and our rental assessment for the subject land below, reflects our opinion of the rental value of the land on a market basis and does not take into account the particular needs and/or requirements of a tenant with a special interest in the land; for example, an adjoining property owner who may be prepared to pay a premium above market levels to secure an ongoing leasehold interest in the land.

In these circumstances, it may be possible to achieve a higher amount of rent subject to a privately negotiated settlement between the parties.

Our market rental valuation calculations are set out below.

Land Description	Land Area	Value Range	\$/sqm Land	Total Value
Land - Riverbend Park Area 1	5 m2	Low	6.00	\$30
	5 m2	High	8.00	\$40
Core Land Value			7.00	\$35
Land - Riverbend Park Area 2	6 m2	Low	12.00	\$72
	6 m2	High	14.00	\$84
Core Land Value			13.00	\$78
Adjust for:	N/a			
Total Value				\$113
Rounded for Valuation Purposes				\$115

City of Launceston Council Land at Riverbend Park Invermay

LG Valuation Services Pty Ltd LG20/1459
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Market Rental Valuation Conclusion:

The market rental value of the property is assessed at:

\$115.00 pa

(One Hundred & Fifteen Dollars per annum)

Apportioned between Areas 1 & 2 as follows:

- Area 1: \$36 pa
- Area 2: \$79 pa

The above market rental assessment is net or exclusive of any GST which may be payable.

Date of Valuation: 2nd November 2020

Signed:

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

1st December 2020

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

City of Launceston Council Land at Riverbend Park Invermay	LG Valuation Services Pty Ltd LG20/1459
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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.

Whilst the current observable market trajectory has been seemingly steady to this point, caution is necessary given that most property classes have benefited from a prolonged cyclical upswing in levels of value. In terms of cyclical positioning, the market is now generally viewed as being at or near the 'top of cycle'. There are additional economic challenges emerging in the market which have the potential to create significant downward pressure on market values. These challenges include the availability of property finance, headwinds facing the broader property market, low inflation and a current environment characterised by increasing unemployment and concerning government budgetary positions and economic forecasts.

Currency of Valuation:

This valuation is current as at the Date of Valuation only.

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 Riverbend Park Invermay

LG Valuation Services Pty Ltd LG20/1459
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Environmental Issues:

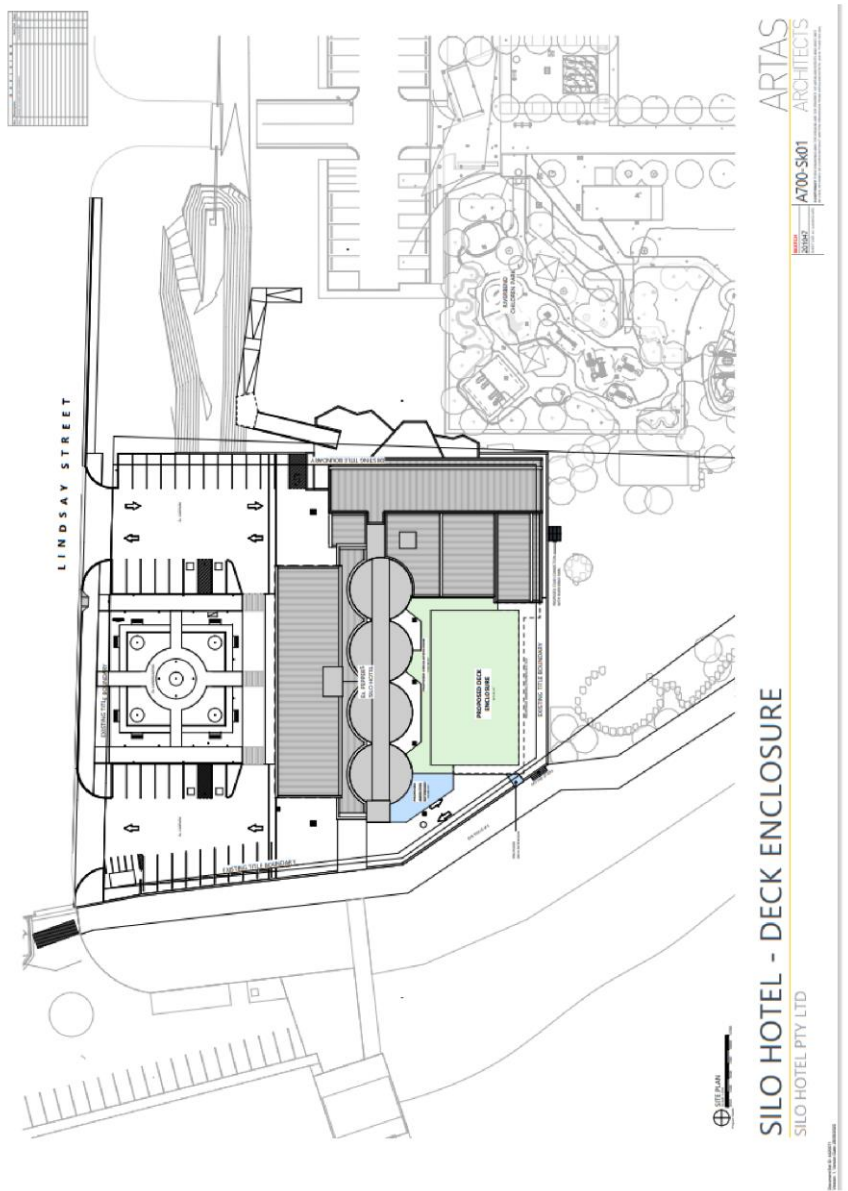
This valuation has been assessed on the assumption that the property is free from elevated levels of contaminants and is not impacted by any environmental issues that may affect the marketability and/or value of the property. It should be noted that such environmental matters are outside our area of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

Should any environmental issues subsequently become apparent that may impact on the marketability and/or value of the property then this valuation is not to be relied upon and the report should be returned to the valuer for review and potential revision.

City of Launceston Council
Land at Riverbend Park Invermay

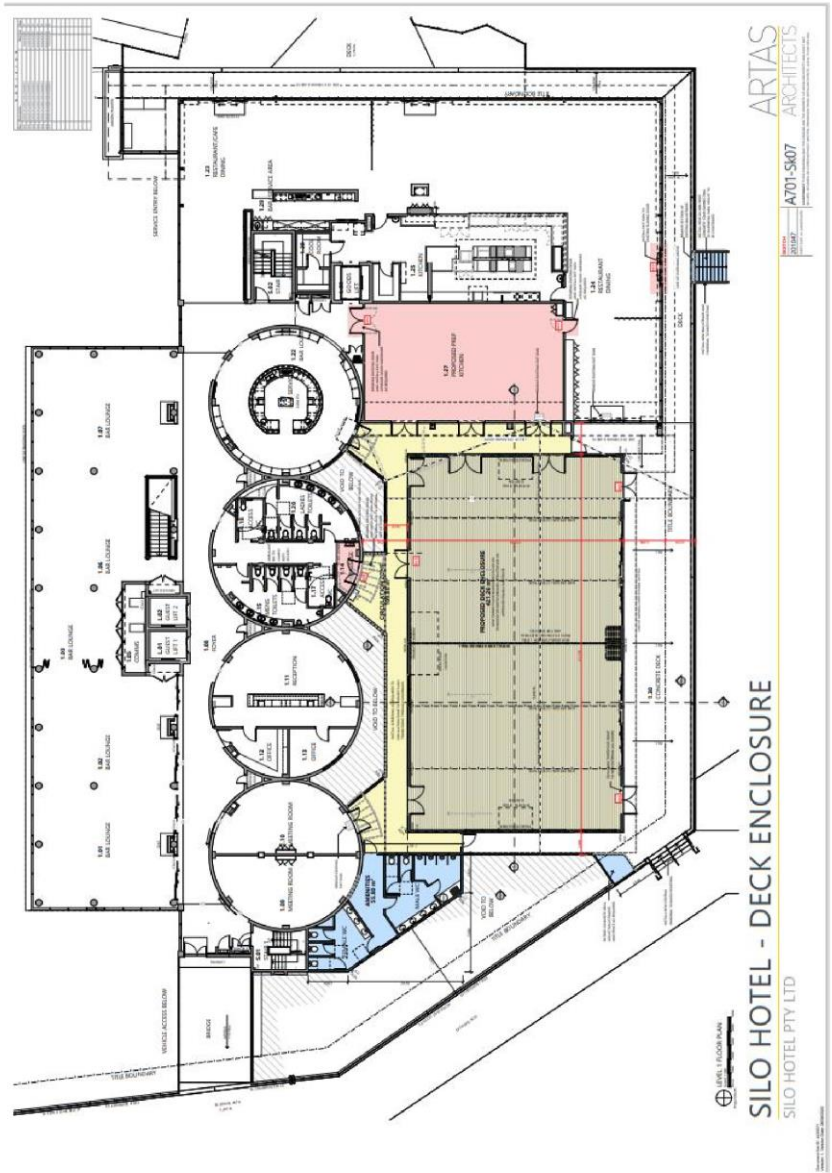
LG Valuation Services Pty Ltd
LG20/1459

Appendix 1:



City of Launceston Council
Land at Riverbend Park Invermay

LG Valuation Services Pty Ltd
LG20/1459



18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown

FILE NO: 26390

AUTHOR: Robert Bujnowski (Property and Legal Officer)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider objections received in relation to the sale of public land intended at 276 Opossum Road, Youngtown.

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 September 2020 - Agenda Item 18.2 - Disposal of Interest in Public Land - 276 Opossum Road, Youngtown

RECOMMENDATION:

That Council:

- notes its decision on 17 September 2020 that it intended to sell two strips of public land at the Glenwood Trail to the adjoining owner of 276 Opossum Road, Youngtown for the amount of \$600 in accordance with an independent valuation report for that land and that such a decision was advertised onsite and in *The Examiner* newspaper on 7 and 10 October 2020, with a representation of the relevant land appearing below:



**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

2. considers each of the 10 objections marked Attachment 1 (ECM Document Set ID 4456809) that were received during the notice period which opposed the sale of public land to the owner of 276 Opossum Road, Youngtown.
3. endorses the assessment of each of those objections as contained in this report.
4. requests the Chief Executive Officer to sell the public land in accordance with the decision of Council on 17 September 2020 and the consequently published and displayed notices, but only when the relevant restrictions on taking action applying by reason of Section 178(7) of the *Local Government Act 1993* (Tas) are no longer applicable.
5. notes, for the avoidance of doubt, 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).

REPORT:

On 17 September 2020, Council passed a resolution to sell two strips of public land that form part of the Glenwood Trail which comprise of a 100m² part of certificate of title CT50017/2 and a 140m² part of CT50017/3 to the owner of the adjacent land at 276 Opossum Road, Youngtown (the Purchaser). A map of the relevant public land to be sold is presented below:



18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

Following Council's resolution, the Council's Officers advertised the decision pursuant to section 178 of the *Local Government Act 1993* (Tas) by:

- (a) publishing its intention in *The Examiner* newspaper on Wednesday, 7 October and Saturday, 10 October 2020; and
- (b) placing notices on the land at the boundaries that abut Opossum Road, Youngtown.

The Council received 10 objections against the intended sale of public land during the 21 day notice period.

The Council is legislatively required, by section 178 of the *Local Government Act 1993* (Tas), to consider any objection before deciding whether or not to proceed with its decision.

The question of whether the Council can implement its intention to sell this public land can be answered by applying the public interest test contained in section 178A (3) of the *Local Government Act 1993* (Tas). The public interest test contains the following two grounds for establishing whether the sale would be contrary to the public interest:

- (a) that the community will suffer an undue hardship due to the loss of access to or use of the public land; or
- (b) that there is no similar facility available to users of the facility.

A summary of each of the objections are listed below. Each aspect of the objections are addressed under the individual sub-headings. The Council's Officer responses to the objections are also provided.

Names of individuals have been removed to protect their privacy.

1. OBJECTION 1

1.1 Fair Market Value

Objection:

That the sale amount of \$600 is not fair market value as the owner may make a financial gain later. Also, if the land's status has changed it should be advertised and sold to the highest bidder.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

Officer Response:

The status of the Glenwood Trail is remaining the same with only two narrow portions of it sized 100m² and 140m² being sold to the Purchaser. The Council's Officers obtained an independent valuation report from a registered valuer for these two narrow strips of public land. The valuation report is based on the current market value of rural-resource zoned land, and not on rural-residential zoning that may be applied for in the future. The proposed sale amount of \$600 is in accordance with valuation advice provided to the Council and the amounts are based on the fair market value of rural resource land of this size.

The prospect of the Purchaser making a financial gain in the future is not a consideration that the valuer will ordinarily take into account when preparing a valuation report.

Given the small strips of public land are located on either side of the Purchaser's existing driveway, there is no justification for making these two narrow strips of land available for sale to anyone other than the Purchaser.

1.2 Landslip Hazard**Objection:**

That a landslip hazard exists in the area and that as a result the surrounding land cannot be built on.

Officer Response:

It is acknowledged that a landslip hazard area exists within the Purchaser's property adjoining the Glenwood Trail. However, the strips of public land proposed to be sold are not located in a landslip hazard area. Any concern regarding landslip hazard would become relevant if the Purchaser submits a development application at a later date but is not relevant to the current sale. As such, this ground of objection is not relevant to the decision currently before Council.

2. OBJECTION 2**2.1 Landslip Hazard****Objection:**

That 276 Opossum Road is affected by a landslip hazard area.

Officer Response:

Response provided at 1.2 above.

18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

2.2 Flooding

Objection:

That the area is prone to flooding on numerous occasions each year.

Officer Response:

The Glenwood Trail does not exist within a flood area according to Council's flood modelling and mapping. Any future development application by the Purchaser will be assessed in view of any applicable flood risk. This ground of objection is not relevant to the current proposal.

2.3 Train Line

Objection:

That a train line exists within close proximity to the public land proposed to be sold.

Officer Response:

It is acknowledged that a train line does exist approximately 85m from the relevant strips of public land being sold. No further details were provided by the objector as to why the existence of a train line in proximity to the land may be a cause for concern. Based on the assumption that the objection relates to noise from the train line affecting any future residents at 276 Opossum Road, such noise concerns are not relevant to the current sale of public land.

2.4 High Tension Electricity Cables

Objection:

That the public land being sold is located within close proximity to high-tension overhead electricity cables, and that such cables pose health and safety hazards to human beings who live in close proximity to such cables.

Officer Response:

A 50m wide Transmission Line Easement exists over the public land proposed to be sold. This easement places restrictions upon what activities may take place on that land such as erecting structures and buildings, storing materials, and undertaking excavation work within the easement. It is acknowledged that the health and safety of residents is an important planning consideration. However, the two strips of public land being sold are to be used as a driveway and are not for residential land. Any future development application will be assessed in light of such an easement as well as any risk relating to the high tension electricity cables. However, this ground of objection is not relevant to the current proposal.

18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

2.5 Existing Walkway and Safety

Objection:

That users of Glenwood Trail may no longer be able to cross over the driveway at 276 Opossum Road due to the proposed sale, and may need to travel around that driveway, and that this could present safety issues to those users as a result of having to momentarily share part of a highway with motorists on Opossum Road.

Officer Response:

The Purchaser has indicated his intention to maintain public access over the land. The Glenwood Trail will remain open as normal despite the sale of two strips of land as proposed. The Glenwood Trail is subject to an existing Right-of-Carriageway easement in favour of Council over the 6m wide access point from 276 Opossum Road which cuts through the Glenwood Trail. As a condition of the proposed sale, the Council will require that such an easement is extended over the two strips of land proposed to be sold on either side of the existing access point. This condition will help to ensure that the public is able to maintain its use of the Glenwood Trail into the future.

2.6 Original Zoning of Land as Rural Resource

Objection:

That the objector, as a local resident, had purchased their property nearby on the basis that the original subdividers of Opossum Road (the Downie family) had intentionally carved-out 276 Opossum Road to remain as rural land.

Officer Response:

The zoning status within a municipality is not permanently fixed and may be subject to change over time due to a variety of factors. The Council will assess any application for rezoning based on its merits. The Purchaser has not submitted such an application at this stage.

3. OBJECTION 3

3.1 Tacit Approval

Objection:

That Council's current decision may be seen as tacit approval for a future rezoning and subdivision application by the Purchaser.

18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

Officer Response:

All rezoning and subdivision applications are assessed on their individual merits having regard to the particular site and all the surrounding circumstances and the relevant planning scheme. The Purchaser has been made aware that the Council's decision to sell the two strips of public land do not constitute a tacit approval by Council for any subsequent development applications. The 18m wide driveway requirement to facilitate a future subdivision is a preliminary planning requirement that the owner must meet. Any subsequent development application submitted by the Purchaser will be assessed irrespective of Council's decision to sell these two strips of public land to that Purchaser.

3.2 Lack of Communication

Objection:

Concern was raised over the perceived lack of communication from Council to property owners located in the vicinity of the Glenwood Trail.

Officer Response:

The Council has complied with its statutory requirements as contained in section 178(4) of the Local Government Act 1993 (Tas) (the Act) which requires the Council to publish its intention on two occasions in the local newspaper and to place notices at the boundaries abutting a highway on the relevant public land. There are no further notification requirements in section 178. Accordingly, the Council has met the required standard of communication pursuant to the Act.

3.3 Future application notifications

Objection:

Concern was raised as to whether the Council would provide adjoining landowners with notification if and when the Purchaser submits any future rezoning and development application to the Council.

Officer Response:

If the Purchaser submits any future rezoning and development application to the Council, the Council will notify all interested parties of any such application pursuant to the Land Use Planning and Approvals Act 1993 (Tas).

3.4 Various Land Related Concerns

Objection:

That the Purchaser must consider various matters which include regional land strategies, relevant state policies, land usage, landslip, power and drainage easements, rail reserve, riparian reserves amongst many others.

18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

Officer Response:

The considerations raised may be relevant if the Purchaser submits a subsequent rezoning and development application to the Council but are not relevant to the decision currently before Council.

3.5 Process

Objection:

That this proposed sale should only be considered as part of any subsequent rezoning/subdivision application made by the Purchaser.

Officer Response:

The Purchaser seeks to meet the initial 18m wide driveway requirement before going to the expense of preparing a detailed development application for the purpose of rezoning and subdivision. Upon the Council receiving any subsequent rezoning/subdivision application, the Council will be required to provide notice of such an application in accordance with the relevant legislation.

3.6 Public Walkway

Objection:

That there is a public walkway on the land that is to be sold.

Officer Response:

Response provided at 2.5 above.

3.7 Property Values

Objection:

That a subdivision at 276 Opossum road could potentially devalue the value of the objector's property.

Officer Response:

The impact on neighbouring property prices is not relevant to the sale of public land or the issuing of a planning permit in accordance with the planning scheme.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

4. OBJECTION 4**4.1 Increase Traffic Flow****Objection:**

That additional dwellings at 276 Opossum Road would result in a significant increase in traffic. And that such traffic would be detrimental to the users of the Glenwood Trail.

Officer Response:

The current sale of public land is not determinative of whether additional dwellings may be permitted to be constructed on the site in the future. If a subsequent development application is put forward to the Council, traffic impacts will be considered by the Council as part of that development application.

4.2 Safety of Regular Users of Glenwood Trail**Objection:**

That an increase in traffic along Opossum Road would result in safety issues for users of the Glenwood Trail.

Officer Response:

Response provided at 2.5 above.

5. OBJECTION 5**5.1 Objector Originally Decided to Purchase Home Based on Zoning Status****Objection:**

That the objector had purchased their nearby property on the basis that 276 Opossum Road would remain as rural land.

Officer Response:

Response provided at 2.6 above.

5.2 Perceived Loss of Use of Glenwood Trail**Objection:**

That local residents would lose access to the Glenwood Trail resulting in a loss of amenity.

Officer Response:

Response provided at 2.5 above.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

5.3 Suitability of Land for Rezoning / Subdivision

Objection:

That the land is not suitable for rezoning.

Officer Response:

No application for rezoning or subdivision has been submitted at this stage. The Council will assess any such application on its merits. The suitability of the site for the purposes of rezoning or subdivision will include consideration of any potential hazards that may exist including landslip, flooding as well as the impact on the site's surroundings.

6. OBJECTION 6**6.1 Devaluing of Surrounding Property**

Objection:

That the proposed sale would devalue the objector's property.

Officer Response:

Response provided at 3.7 above.

6.2 Removal of Walkway

Objection:

Concern was raised over the removal of the current walkway.

Officer Response:

Response provided at 2.5 above.

7. OBJECTION 7**7.1 Amenity and Recreational Access**

Objection:

Concern was raised that the sale of the proposed land would result in a loss of amenity.

Officer Response:

Response provided at 2.5 above.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

7.2 Property Value

Objection:

That the proposed sale could impact upon the objector's property value.

Officer Response:

Response provided at 3.7 above.

7.3 No Approach Made by Property Owner

Objection:

That the Purchaser had not approached surrounding neighbours in order to gauge reaction to the purchase.

Officer Response:

There is no legislative requirement for the Purchaser to directly approach individual landowners in the surrounding area for the purpose of gauging their reaction to a future rezoning or subdivision application.

7.4 Landslip

Objection:

That the relevant area is adjacent to a landslip area.

Officer Response:

Response provided at 1.2.

7.5 Noise Concerns due to Construction

Objection:

Concern was raised regarding the potential noise pollution associated with future construction at the site.

Officer Response:

The proposed sale of two strips of public land does not involve any existing development application involving construction. However, if a future development application is submitted by the Purchaser and if the Council does grant a permit, any contractors performing construction works on that site will be required to ensure that they do not create a nuisance to surrounding properties.

18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown ...(Cont'd)

7.6 Potential Damage to Neighbours from Construction

Objection:

That any construction at 276 Opossum Road would pose a risk of causing damage to surrounding residential homes. Specifically, that construction in close proximity to high tension power lines on that site may adversely affect the electricity supply to surrounding neighbours.

Officer Response:

A 50m wide transmission line easement exists over the public land proposed to be sold. This easement places restrictions upon what activities may take place on that land such as erecting structures and buildings, storing materials, and undertaking excavation work within the easement. Additionally, the current proposal does not deal with any application for construction. Rather, the current application deals with the sale of two strips of public land that will remain subject to an easement in favour of the City of Launceston. Any future application for a subdivision will be assessed by the Council with regard to impact on surrounding infrastructure and in accordance with any applicable Australian Standards.

7.7 Train Line

Objection:

That the existing train line's location could cause issues with increased traffic and amenity interference.

Officer Response:

If a future development application is submitted, the Council will assess that application with regard to its impact on surrounding infrastructure, amenities, and in accordance with any applicable traffic assessment. The Council will also assess any application for rezoning based on such considerations. The Purchaser has not submitted such an application at this stage.

7.8 Period for Objections is Limited

Objection:

That the 21-day period for objections was limited.

Officer Response:

The process for public notification is determined by the Local Government Act 1993 (Tas). Section 178 requires that public must be provided with 21 days within which to make an objection to the sale of public from the date of notice being provided. The Council specified a 21-day notice period in the notices placed on site at the Glenwood Trail and in the local newspaper on two occasions as required by section 178. Accordingly, the Council has met its legislative requirement with regards to providing a sufficient period for objections.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

8. OBJECTION 8**8.1 Loss of Glenwood Trail**

Objection:

That the recreational asset known as the Glenwood Trail would be lost.

Officer Response:

Response provided at 2.5 above.

9. OBJECTION 9**9.1 Landslip area**

Objection:

That the future subdivision would be in a landslip area.

Officer Response:

Conclusion provided in 1.2 above.

9.2 Property Subject to Flooding

Objection:

That the property is subject to flooding.

Officer Response:

Response provided at 2.2 above.

9.3 Power Lines

Objection:

That the site poses health risks due to the existing high-tension electricity cables.

Officer Response:

Response provided at 2.4 above.

9.4 Train Track

Objection:

That a train track that exists near the outer edge of the property.

Officer Response:

Response provided at 2.3 above.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

9.5 Walking Trail

Objection:

That the Glenwood Trail would be adversely affected.

Officer Response:

Response provided at 2.5 above.

9.6 Property Value

Objection:

That the proposed sale would devalue the objector's property.

Officer Response:

Response provided at 3.7 above.

9.7 Traffic Congestion

Objection:

That the proposed sale would create traffic congestion in the local area.

Officer Response:

Response provided at 4.1 above.

9.8 Disruption of Wildlife

Objection:

That any future development may cause disruption to wildlife on the property.

Officer Response:

The Council will assess any subsequent development or re-zoning application from the Purchaser based on its impact upon surrounding protected wildlife and vegetation. The Purchaser has not submitted any such applications at this stage.

10. OBJECTION 10**10.1 Traffic congestion**

Objection:

That a future development would result in a significant increase in traffic in the area.

Officer Response:

Response provided at 4.1.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

10.2 Safety of users on the Glenwood Trail

Objection:

That a future development would impact upon the safety of users of the Glenwood Trail.

Officer Response:

Response provided at 2.5.

10.3 Flooding area

Objection:

That Jingers Creek regularly floods and submerges a large amount of the land.

Officer Response:

Conclusion provided in 2.2 above.

10.4 Landslip

Objection:

Concern was raised that the property is affected by a landslip hazard area.

Officer Response:

Conclusion provided in 1.2 above.

10.5 Impact upon Wedged-tailed Eagle

Objection:

That any future development may impact upon protected species, specifically, the wedge-tailed eagle on the farmland.

Officer Response:

The Council will assess any subsequent development application by the Purchaser in view of any environmental harm that may be associated with development activities and in accordance with the relevant planning scheme. The Purchaser has not submitted any such application at this stage.

10.6 Whether Future Property Prices Impacted

Objection:

That the proposal may impact upon existing property prices.

Officer Response:

Response provided at 3.7.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

10.7 Increase in Traffic**Objection:**

That additional dwellings could result in a significant increase in traffic.

Officer Response:

Response provided at 4.1.

10.8 Building Setback Standards - Views - Privacy**Objection:**

A concern was raised as to whether a future development will meet setback standards, whether existing properties on Richings Drive will lose their current clear and expansive views of farming lands and whether a future development will 'fit in' with the objector's neighbourhood.

Officer Response:

The Council will assess any future development application in the context of its impact upon privacy, surrounding properties, and in accordance with the relevant planning scheme. The Purchaser has not submitted such an application at this stage.

10.9 Whether Overshadowing**Objection:**

A concern was raised as to whether a future development will cause overshadowing on the objector's windows/backyard/swimming pool/solar panels.

Officer Response:

The Council will assess any future development application in the context of the relevant planning scheme. The Purchaser has not submitted such an application at this stage.

10.10 Whether Windows will Overlook Objector's Property**Objection:**

A concern was raised as to whether a future development will contain windows that overlook the objector's property.

Officer Response:

The Council will assess any future development application in the context of the relevant planning scheme. The Purchaser has not submitted such an application at this stage.

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(Cont'd)**

10.11 Proposed Dwelling Set Back**Objection:**

A concern was raised as to how far any proposed dwelling is set back from the objector's property.

Officer Response:

The Council will assess any future development application in the context of the relevant planning scheme. The Purchaser has not submitted such an application at this stage.

10.12 Whether Tree Removal Required**Objection:**

A concern was raised as to whether there are any trees or bushes that are proposed to be removed or replanted from the property, and whether a permit is required for such removal?

Officer Response:

No tree removal is required as part of the sale of the two strips of public land. The Council will assess any proposed tree removal contained in any future development application in the context of its tree management policy and the relevant planning scheme. The Purchaser has not submitted such an application at this stage.

10.13 Impact Upon Drainage**Objection:**

A concern was raised as to whether the development may affect the drainage in the area.

Officer Response:

The Council will assess any future development application in the context of drainage requirements contained within the relevant legislation and planning scheme. The Purchaser has not submitted such an application at this stage.

Officer's Conclusion:

The current sale of public land only relates to the two strips of land on either side of the Purchaser's existing driveway. The Purchaser has not submitted any further application for rezoning or subdivision at this stage.

The Council will assess any subsequent application based upon the relevant planning scheme and provide the public with the relevant notifications and opportunity to lodge a representation pursuant to the *Land Use Planning and Approvals Act 1993* (Tas).

**18.2 Disposal of Interest in Public Land - 276 Opossum Road, Youngtown
...(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 Strategic Plan 2014-2024
Priority Area 6 - A city building its future
Ten-year goal - To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions
Key Directions -
2. To develop and take a strategic approach to development sites to maximise public benefits of development

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

ATTACHMENTS:

1. 276 Opossum Road, Youngtown - Combined Objections (*electronically distributed*)
-

18.3 Proposal of Park and Reserve Names to be Official Names

FILE NO: SF0621/SF2450/SF0817/SF0870/SF0830/SF0918/SF2178/SF2752/SF2719/12983/SF0865/SF2732/SF0913/SF0706/15798/98210/SF2518/SF4095

AUTHOR: Sonia Smith (Team Leader Infrastructure Development)

GENERAL MANAGER: Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider submitting the names of parks and reserves within the Launceston municipality to the State Government's Place Names Advisory Panel for formal endorsement of the names.

RECOMMENDATION:

That Council:

1. pursuant to section 9 of the *Place Names Act 2020*, proposes the following park and reserve names to the Place Names Advisory Panel to enable these names to be registered as official place names:
 - a. Carr Villa Flora Reserve
 - b. Carr Villa Memorial Park
 - c. St Andrews Gardens
 - d. Heritage Forest
 - e. Machens Reserve
 - f. Mt Stuart Park
 - g. Fraser Street Reserve
 - h. Cornwall Crescent Park
 - i. Warwick Place Park
 - j. Punchbowl Reserve
 - k. Kings Meadows Park
 - l. West Launceston Community Park
 - m. Waverley Lake Park
 - n. Ravenswood Community Park
 - o. Woods Reserve
 - p. Stephen Street Park
 2. undertakes to remove any variants of these names from the Council's mapping products which may be accessible to the public.
-
-

18.3 Proposal of Park and Reserve Names to be Official Names ...(Cont'd)

REPORT:

Correspondence has been received from the Department of Primary Industries, Parks, Water and Environment (DPIPWE) advising a list of parks and reserves within the Launceston municipality from the Features of Interest dataset, which, while viewable on LISTmap do not have an entry in Placenames Tasmania. In some instances these names, or a variation of the name, appears on Google maps.

The Council has been asked to advise if the supplied names are recognised by the Council and if so to approve the name to be submitted to the Place Names Advisory Panel to be made official. Where the names are not recognised advice is sought if these names should be removed from mapping products.

A review of the names has been undertaken which has involved searching asset data, in-house mapping products and property records where these exist. Onsite signage has also been reviewed using both physical inspection of some sites and desktop studies using Google Streetview where appropriate. This has identified several inconsistencies in the names of the parks and reserves.

The list of park and reserve names in the recommendation represents those names which have been verified as matching asset records, in situ signage and are in general usage.

The prevalence of open source data, particularly with online mapping, allows for members of the public to enter place names into applications, such as Google maps, which can result in duplication and name variants in addition to misspellings. Removal of entries that do not reflect official names is required to maintain integrity of the dataset.

The list of names provided by DPIPWE includes several names that will require further investigation and will be the subject of a separate report to Council.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

18.3 Proposal of Park and Reserve Names to be Official Names ...(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.



Shane Eberhardt - General Manager Infrastructure and Assets Network

ATTACHMENTS:

1. Overview Map (*electronically distributed*)
 2. Map 1 (*electronically distributed*)
 3. Map 2 (*electronically distributed*)
 4. Map 3 (*electronically distributed*)
 5. Map 4 (*electronically distributed*)
 6. Map 5 (*electronically distributed*)
-

18.4 Accelerated Capital Works Program**FILE NO:** SF7114**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider funding an accelerated capital works program.

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

RECOMMENDATION:

That Council:

1. notes that the first target of the \$40m Accelerated Capital Works Program to deliver \$20m to market by 30 December 2020 has been achieved.
 2. endorses adjustment to the second \$20m that was required to go to market by April 2021 to December 2021.
-

REPORT:

In May 2020, in response to the COVID-19 pandemic, Council approved the \$40m Accelerated Capital Works Program (ACWP) aimed at delivering \$20m to market by 30 December 2020 and a further \$20m by 30 April 2021 to provide confidence to the local building and construction market.

By end of December 2020, approximately \$21.4m in project value will have been awarded, with the more significant projects being:

- Launceston Aquatic Renewable Energy
 - Launceston Waste Centre Cell Liner (R3/R6)
 - Invermay Road Rehabilitation
 - Golconda Road Safety Improvements
 - Quarantine Road Rehabilitation
 - Paterson Street West Car Park Facilities
 - Youngtown Oval Facilities Upgrade
-

18.4 Accelerated Capital Works Program ...(Cont'd)

From the formation of this ACWP, it was evident that inherent constraints of the construction industry may impact the deliverability of the intended program. The construction industry has a certain capacity to deliver and it is likely that the magnitude of work currently available (noting the stimulus package released by the City of Launceston is just one of several released by all levels of government) is potentially overwhelming the market.

This observation is based on:

- The engineering consulting industry is at capacity which has been communicated to us directly from consultants, the number and quality of returns from requests for quotes and timeframes being unable to be met. Consultants' capacity provides a general lead indicator to construction activity.
- Consultants are necessary to support delivery of the ACWP.
- Contractor submissions received through the tender process are not as numerous as we would normally expect; this is another indication that the market is suffering like other sectors as a result of the COVID-19 pandemic. Contractors have also withdrawn from the tender process early and not submitted a return tender. Schedules received through the tender procurement process have also started to encroach into the 2021/2022 financial year. This suggests our projects are competing with other contractor resource requirements.
- Contractors engaged under our period supply contracts are performing well, however, delivery timeframes are pushing out (predominantly roads construction activities) which is another indicator that the civil construction industry is reaching capacity.
- Another lead indicator for construction activity is the number of development applications being assessed. Applications received this calendar year (2020) has increased by approximately 25% on previous calendar years.

The support from Council in the early stages of the COVID-19 pandemic, through the release of the ACWP, was warmly received by local professional services consultants. It provided consultancies guaranteed workloads when there was much uncertainty. However, it is now clear that local consultants are not facing this uncertainty. Prominent engineering consultants have expressed that it would be beneficial to elongate this program into the next financial year to facilitate a more consistent and manageable future workload.

This ACWP has been successful in supporting the local construction industry but it is also important that the Council achieves best value, and based on the strained capacity of the market to deliver, it is proposed to adjust the adopted targets.

The formation of the ACWP and setting a clear organisational priority to develop projects for delivery to market will have long lasting value to the organisation. It has enabled the Council to set (and deliver) an ambitious design program that will provide greater certainty around future budgetary requirements and if required, quickly release this construction work to the market in the event that a down turn in construction activity is realised.

18.4 Accelerated Capital Works Program ...(Cont'd)

The proposal to shift the second target of \$20m to market from April 2021 to December 2021 provides flexibility to quickly respond to any market shifts. The December 2021 target will be continually reviewed and further adjustments will be requested if considered necessary.

ECONOMIC IMPACT:

This program is designed to provide confidence to the local construction market in the short term.

ENVIRONMENTAL IMPACT:

All projects will be designed and delivered in alignment with ecological sustainable development principles.

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:

1. To provide for the health, safety and welfare of the community.
3. To ensure decisions are made on the basis of accurate and relevant information.
5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

The adjustment to the targets will be reflected in Statutory Estimates.

18.4 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.



Shane Eberhardt - General Manager Infrastructure and Assets Network

19 ORGANISATIONAL SERVICES NETWORK ITEMS**19.1 Long Term Financial Plan 2020-2030****FILE NO:** SF4812/SF5947**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider adoption of Council's Long Term Financial Plan 2020-2030.

PREVIOUS COUNCIL CONSIDERATION:

Council - 11 July 2019 - Agenda Item Number 19.2 - Long Term Financial Plan 2019-2029

Workshop - 30 July 2020 Long Term Financial Plan

Workshop - 22 October 2020 Long Term Financial Plan

RECOMMENDATION:

That, pursuant to section 70 of the *Local Government Act 1993* (Tas), Council adopts the Long Term Financial Plan 2020-2030 (ECM Document Set ID 4430260).

REPORT:

This is the City of Launceston's (CoL) revised Long Term Financial Plan (LTFP) for 2020-2030. This LTFP has been revised to recognise the impact that the COVID-19 pandemic has had on the economy and the financial measures necessary to restore the Council's financial position over the medium term.

Section 70 of the *Local Government Act 1993* (Tas) requires:

- (1) *A council is to prepare a long-term financial management plan for the municipal area.*
 - (2) *A long-term financial management plan is to be in respect of at least a 10-year period.*
-

19.1 Long Term Financial Plan 2020-2030 ...(Cont'd)

- (3) *A long-term financial management plan for a municipal area is to:*
- (a) be consistent with the strategic plan for the municipal area; and*
 - (b) refer to the long-term strategic asset management plan for the municipal area; and*
 - (c) contain at least the matters that are specified in an order made under section 70F as required to be included in a long-term financial management plan.*

As detailed above, the adoption of a LTFP is a legislative requirement mandated by the *Local Government Act 1993* (Tas). The CoL, however, has taken the view that the LTFP should be used as a decision making tool to inform future planning and provide a model that clearly shows the budget assumptions taken to achieve long-term sustainability. The LTFP will be reviewed annually to ensure changing economic factors are updated showing the clear financial path forward for the Council.

The CoL has an operating budget in excess of \$116m annually and aims to achieve a small underlying surplus each year. Despite being in a solid financial position due to sound operating results in recent years, the CoL continues to find itself being challenged by the cost of operating several regional assets without equitable funding, changes in the accounting treatment of assets, restructuring of dividends and being responsible for managing the ongoing operations and maintenance of various Federal and State funded projects.

The LTFP estimates the future operating revenues and expenses associated with operating requirements, capital expenditure and asset management renewal, in support of the deliverables in the organisational Strategic Plan. It also provides a mechanism for the CoL to deliver asset renewal requirements as determined in the Strategic Asset Management Plan (SAMP), by making provision for the estimated costs associated with our management of the assets that are considered in that plan. The LTFP can be used in support of strategic decision making, as it allows for detailed scenario analysis to be undertaken. The SAMP provides the mechanism for the LTFP to be able to model the capital and ongoing operational cost associated with asset management, at a whole of organisation level.

The LTFP outlines various assumptions made and indices used in formulating the financial model. Benchmarking with other similar sized and situated Councils both in Tasmania and interstate has been included, to provide comparative and relative information on the CoL performance and KPIs. A suite of various financial management improvement initiatives have been identified and prioritised in the LTFP for future versions.

19.1 Long Term Financial Plan 2020-2030 ...(Cont'd)

A range of scenario analyses have been completed to assist with understanding the potential implications of future decisions and external factors, and a suite of tools developed to assist with identifying the financial implications of organisational decisions moving forward. Having the ability to quickly and accurately analyse a multitude of scenarios in the financial model, through the whole of organisation lens, allows for better informed decision making at both Councillor and officer level.

The LTFP will be reviewed and brought to Council annually for adoption as part of the Corporate Planning cycle. This process will involve consultation with, and seeking feedback from, Councillors. The LTFP and SAMP will continue to form a key part of the CoL's annual budgeting and planning process.

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:

5. To maintain a financially sustainable organisation.

BUDGET & FINANCIAL ASPECTS:

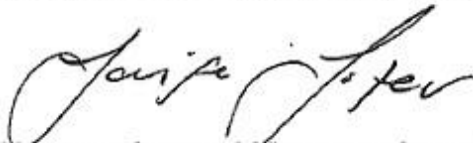
The LTFP will inform the Council's operational and capital budgets.

19.1 Long Term Financial Plan 2020-2030 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

ATTACHMENTS:

1. Long Term Financial Plan (LTFP) 2020-2030 (ECM Document Set ID 4430260)
(distributed electronically)
-

19.2 Delegation from Council to Chief Executive Officer - *Burial and Cremation Act 2019 (Tas)***FILE NO:** SF0113**AUTHOR:** Wezley Frankcombe (Governance and Legal Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider a delegation from Council to the Chief Executive Officer of all powers under the *Burial and Cremation Act 2019 (Tas)*.

RECOMMENDATION:

That Council:

1. pursuant to section 22(1) of the *Local Government Act 1993 (Tas)*, delegates all of its functions and powers under the *Burial and Cremation Act 2019 (Tas)* to the position of Chief Executive Officer.
 2. pursuant to section 64(1)(b) of the *Local Government Act 1993 (Tas)*, authorises the Chief Executive Officer to delegate the functions and powers to an employee or employees of the Council.
 3. notes, for the avoidance of doubt, *Chief Executive Officer* is a term of reference used for the *General Manager* as appointed under section 61 of the *Local Government Act 1993 (Tas)*.
 4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

REPORT:

The recent update and introduction of the *Burial and Cremation Act 2019 (Tas)* (the Act) provides for powers to the crematorium manager. While there is not an express requirement for Council to delegate the powers under the Act, it is in the interest of good governance that Council powers are delegated to the Chief Executive Officer.

The majority of powers under the Act are considered to be day to day operations. The delegations proposed by the Recommendation will ensure these procedural matters can be dealt with efficiently at officer level.

19.2 Delegation from Council to Chief Executive Officer - *Burial and Cremation Act 2019 (Tas) ... (Cont'd)*

Despite this delegation, Council can continue to exercise the relative powers.

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.

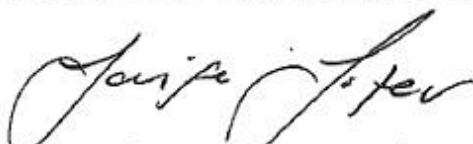
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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 - General Manager Organisational Services Network

19.3 Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)***FILE NO:** SF0113**AUTHOR:** Duncan Campbell (Team Leader Legal Services)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

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

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 14 November 2019 - Agenda Item 19.3 - Delegation From Council to Council Officers - *Local Government (Highways) Act 1982 (Tas)*

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

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

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

RECOMMENDATION:

That Council:

1. pursuant to section 124 of the *Local Government (Highways) Act 1982 (Tas)*, delegates the powers and functions contained in section 45 of the *Local Government (Highways) Act 1982 (Tas)* to the position of Team Leader City Services.
 2. notes that the holder of a position delegated a power or function by these Recommendations may seek the assistance of such other of the Council's employees, agents or contractors as are necessary, to exercise the power or perform the function so delegated, provided always that the decision to exercise the power or perform the function is made by the delegate.
 3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Local Government (Highways) Act (1982)*.
-

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

4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931* (Tas), authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
-

REPORT:

On 14 November 2019, Council delegated many of its powers and functions under the *Local Government (Highways) Act 1982* (Tas) (the Act) to the holders of a number of positions within the Council.

It has been identified that section 45 of the Act was not delegated to the position of Team Leader City Services as it should have been.

Section 45 of the Act allows for the removal of abandoned vehicles and articles from a highway. The section also specifies the circumstances in which the vehicle or article can be disposed of and how the proceeds of any sale are to be dealt with.

The section 45 powers compliment other powers exercisable by the identified position, including those contained within section 43 of the *Traffic Act 1925* (Tas), which allows the removal of articles such as rubbish and goods from public streets.

The delegation of the powers contained within section 45 of the Act to the position of Team Leader City Services will ensure that abandoned vehicles and articles can be removed from highways and subsequently dealt with in an efficient manner.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

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

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area -

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

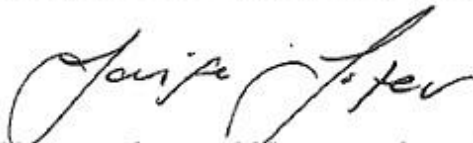
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk

FILE NO: SF0699/SF1081

AUTHOR: Tricia De Leon-Hillier (Lease and Licencing Officer)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

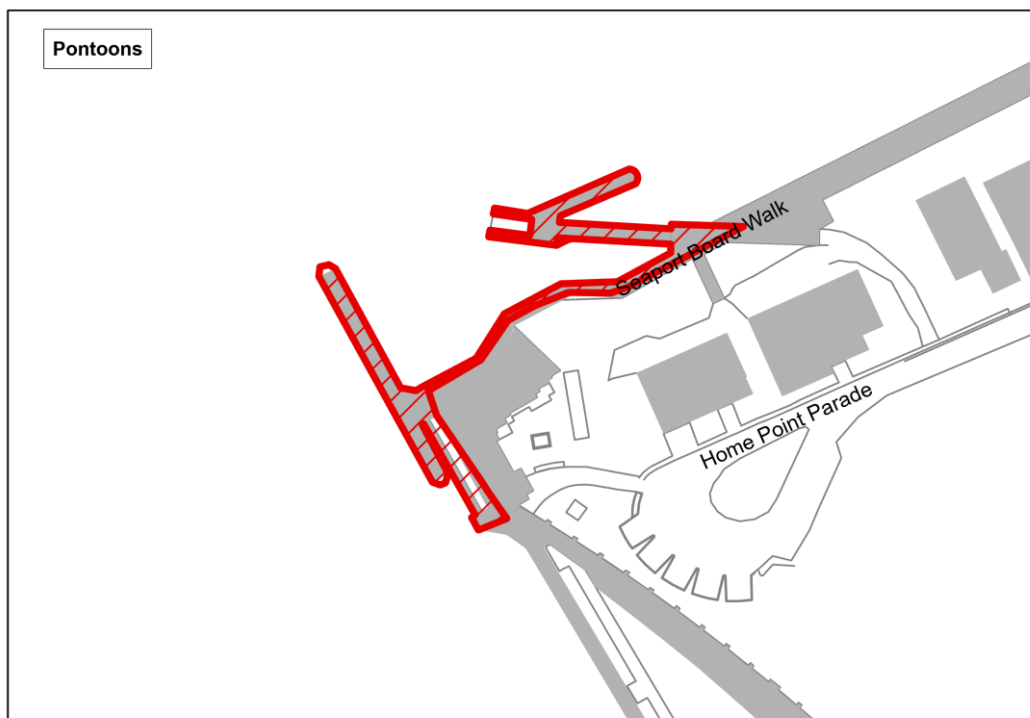
To consider entering into a new lease agreement over the two pontoons, boat ramp and boardwalk situated off Seaport at Home Point Parade for the purpose of providing access for the Council's tenants, Tamar River Cruises, 1st Tamar Sea Scouts and the Navy Cadets.

This decision requires an absolute majority of Council.

RECOMMENDATION:

That Council, by absolute majority, pursuant to section 175 of the *Local Government Act 1993* (Tas):

1. approves entering into a ten year lease agreement at Home Point Parade, Launceston (PID 1759078) with the Crown as appearing in the map below, with the exact dimensions of the land to be determined by the Chief Executive Officer:



**19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk
...(Cont'd)**

2. requests the Chief Executive Officer to enter into a formal lease under the following terms:
 - the term of the lease is for ten years commencing on 1 December 2020.
 - there are no further options.
 - the rental charge commencing at \$2,400 per annum and adjusted annually by CPI.
 - the Council remains as the asset owners of the two pontoons, boat ramp and board walk.
 - the Council will be responsible for building and contents insurance.
 - the Council will continuously maintain
 - any existing or new infrastructure; and
 - public liability insurance of at least \$20 million.
 - the Council will retain ownership of the improvements and fixtures at the premises for the term of the proposed new lease.
 - the lease will allow Council to sub-lease and sub-licence the relevant land to approved sub-tenants.
 - all remaining terms to be determined by the Chief Executive Officer.
 3. requests any right, option or discretion exercisable by Council under the lease may be exercised by the Chief Executive Officer.
 4. notes, for the avoidance of doubt, 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).
-

REPORT:

A new 80m long pontoon was moved to the 1st Tamar Sea Scouts and the Navy Cadets area at Home Point around 30 January 2001. This pontoon, which was funded by the Council and built by Stubbs Constructions, included a boat ramp. Over the years, with various changes in developments and upgrades in the area, the Council has continually maintained both the pontoons and the boat ramp as the Council's assets.

The Council had an original licence with Crown between 1 December 1996 up to 31 January 2009 over the pontoons. The current agreement, dated 9 April 2010, that commenced on 1 December 2009 for a ten year lease agreement has expired, which covered the two pontoons, boat ramp and board walk area. This is currently under holding over.

19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp and Boardwalk ...(Cont'd)

The Council's Officers have requested for a new agreement and Crown land services have indicated a new ten year lease has been approved. If Council agrees to such a lease it will secure our tenancy for the next ten years.

ECONOMIC IMPACT:

This proposal will have no impact on the local economy.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

There is a positive social impact with this proposal by allowing our own tenants to continue sub licence for the use of both pontoons as it provides an important recreational opportunity for Launceston.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

3. To provide an environment that is supportive to business and development within the municipality.
4. To promote tourism and the development of a quality tourism offering for Launceston.
5. To understand and support the establishment and growth of new and creative industries and businesses in Launceston.

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.
 4. To ensure our suite of strategic planning initiatives are coordinated and representative of our community's needs and aspirations.
-

**19.4 Crown Lease - Home Point Parade Pontoons, Boat Ramp And Boardwalk
...(Cont'd)**

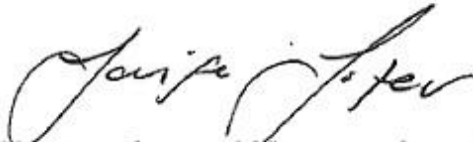
BUDGET & FINANCIAL ASPECTS:

An annual licence fee of \$2,400 is payable by the Council for its use of the land.

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 - General Manager Organisational Services Network

19.5 UNESCO Creative City of Gastronomy Bid**FILE NO:** SF0797**AUTHOR:** James McKee (Manager Innovation and Performance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider in principle support of the Launceston Creative Cities Steering Group's City of Gastronomy bid for Launceston.

RECOMMENDATION:

That Council:

1. provides in principle support for the City of Gastronomy application preparation to progress, noting that preparation includes seeking commitment from other funding partners; and
 2. agrees to consider formal endorsement of the City of Gastronomy bid, including consideration of Council funding, once other funding partners have been fully explored.
-

REPORT:

The Launceston Creative Cities Steering Group (of which the City of Launceston is a member) has been working towards the development of an application for Launceston's designation as a City of Gastronomy under UNESCO's Creative Cities program.

UNESCO's Creative Cities program requires each bid to be supported and endorsed by the relevant local government authority.

The aspiration to be designated as a City of Gastronomy is a response to the emergence of gastronomy as an accessible and unifying city and regional identity. It will formalise this identity for Launceston as one of the world's great regional food cities.

UNESCO takes a broad definition of gastronomy to include all stages of the food supply chain but with a focus on using our unique cultural and creative identity in the area of gastronomy to address issues of economic, social and environmental sustainability within the broader Launceston region.

19.5 UNESCO Creative City of Gastronomy Bid ...(Cont'd)

Whilst there are expected to be significant commercial spinoffs from Launceston's successful involvement in this program - the primary focus is on increasing the standard of living for all residents of greater Launceston in the area of gastronomy.

UNESCO opens the Creative Cities network to aspiring cities every second year. The next application round closes in June 2021, which is the deadline the group is currently working to.

Desired outcomes of Greater Launceston being a UNESCO Creative City of Gastronomy:

- to cement Launceston's identity as an internationally recognised region for the production and consumption of great food and drink.
- to grow the economy and provide jobs in food-related industries and activities.
- to ensure that a strong local food system provides adequate nutrition for all its residents.
- to safeguard a resilient food future in the face of environmental challenges.

Benefits for the City of Launceston and the greater Launceston Region:

- Launceston and the Tamar Valley become an internationally recognised centre of excellence for all things related to food and beverage.
- the continued development of a strong sense of our regional identity, based on creativity and innovation, that results in regional pride and confidence.
- cross-industry and cross-sector collaborations to solve place-based problems.
- brand benefits that will be felt by our industries: agriculture, food processing, wine and beverage production, tourism and agri-tourism, education and health.

Even though the UNESCO's Creative Cities program requires each bid to be supported and endorsed by the relevant local government authority, it is the Council's view that a regional approach should be adopted because of the expansive food and wine offerings that exist across Northern Tasmania. Accordingly, it is the Council's preference that each of the Northern Council's contribute their support and funding for the bid to ensure that there is a greater chance of future success for a Creative cities program. At this stage it is recommended that the Council offer its in-principle support for the program to enable it to progress, however, its formal support will be dependent upon the support of the other Northern Councils.

ECONOMIC IMPACT:

Not considered relevant to this report.

19.5 UNESCO Creative City Of Gastronomy Bid ...(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 2: We facilitate prosperity by seeking out and responding to opportunities for growth and renewal of our regional economy.

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

Focus Areas:

1. To actively market the City and region and pursue investment.
2. To facilitate direct investment in the local economy to support its growth.
3. To provide an environment that is supportive to business and development within the municipality.
4. To promote tourism and the development of a quality tourism offering for Launceston.
5. To understand and support the establishment and growth of new and creative industries and businesses in Launceston.

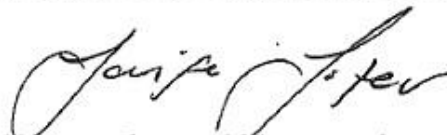
BUDGET & FINANCIAL ASPECTS:

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 - General Manager Organisational Services Network

ATTACHMENTS:

1. Proposal to the City of Launceston to Support the Application for Greater Launceston to be Designated a UNESCO Creative City of Gastronomy.
-

Attachment 1 - Proposal to the City of Launceston to Support the Application for Greater Launceston to be Designated a UNESCO Creative City of Gastronomy

Proposal

to

The City of Launceston

to

Support The Application for
Greater Launceston to be
designated a UNESCO Creative
City of Gastronomy

From the

Greater Launceston Creative
Cities Steering Group

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Introduction

1. This document is a proposal from the Greater Launceston Creative Cities Steering Group to the City of Launceston requesting the City's formal involvement with, and contribution to, an application for Launceston's designation as a City of Gastronomy under UNESCO's Creative Cities program.
2. UNESCO take a broad definition of gastronomy to include all stages of the food supply chain but with a focus on using our unique cultural and creative identity in the area of gastronomy to address issues of economic, social and environmental sustainability within the broader Launceston region through the United Nations Sustainable Development Goals.
3. Whilst there are expected to be significant commercial spinoffs from Launceston's successful involvement in this program – the primary focus is on increasing the standard of living for all residents of greater Launceston.
4. UNESCO open the Creative Cities network to aspiring cities every second year. The next application round closes in June 2021, which is the deadline we are currently working to.
5. This proposal is a request to the City of Launceston for formal endorsement of Greater Launceston's Creative Cities bid, a financial contribution to bid submission, and recognition that bid success will necessitate an allocation for the next three years as the project moves to sustainability.

UNESCO Creative Cities Program

1. The UNESCO Creative Cities program is an expanding network of almost 250 cities globally that focus a city's unique culture and creativity to develop sustainable urban environments through:
 - a. Diversifying the local economy;
 - b. Developing local jobs; and,
 - c. Enhancing the quality of life of residents through increasing social and cultural interaction.
2. The rationale for the program, from the point of view of UNESCO, is the focus on using greater Launceston's cultural industries (creatives) as a regional development strategy for the benefit of both local residents of the broader Launceston region and, the global residents of existing UNESCO Creative Cities that Launceston collaborates with during this UNESCO program. The program has both a local and a global focus.

3. This program will highlight, develop and enhance aspects of the local food system that are unique to the region as well as showcasing and exploiting all that Launceston does well with regard its food and related industries.
4. The Creative Cities program is delivered by member cities through projects conducted within each creative city (and region) and as collaborations between other Creative Cities nationally and globally.
5. Regional development in the Creative Cities program is defined to include the achievement of the United Nations Sustainable Development Goals (UNSDGs).
6. The Creative cities program is, fundamentally, a regional development program that involves participating cities enhancing its existing unique resources, systems, networks and relationships that focus on one of the following areas of sustainable advantage:
 - a. Music;
 - b. Literature;
 - c. Design;
 - d. Film;
 - e. Media arts;
 - f. Crafts and folk art, and
 - g. Gastronomy.
7. Greater Launceston's aspiration to be designated as a City of Gastronomy is a response to something that is happening here anyway – the emergence of gastronomy as an accessible and unifying regional identity that will give us hope and pride as we recover from COVID. It will formalize this identity for Launceston as one of the world's great regional food cities.
8. Other UNESCO Creative Cities from Australia are:
 1. Sydney – Creative City of Film
 2. Melbourne – Creative City of Literature
 3. Adelaide – Creative City of Literature
 4. Greater Geelong - Creative city of Design
 5. Bendigo – Creative City of Gastronomy
 6. Ballarat – Creative City of Craft and Folk Art

Desired Outcomes of Greater Launceston being a UNESCO Creative City of Gastronomy.

1. To cement Launceston's identity as an internationally recognised region for the production and consumption of great food and drink.
2. To grow the economy and provide jobs in food-related industries and activities.
3. To ensure that a strong local food system provides adequate nutrition for all its residents.
4. To safeguard a resilient food future in the face of environmental challenges.

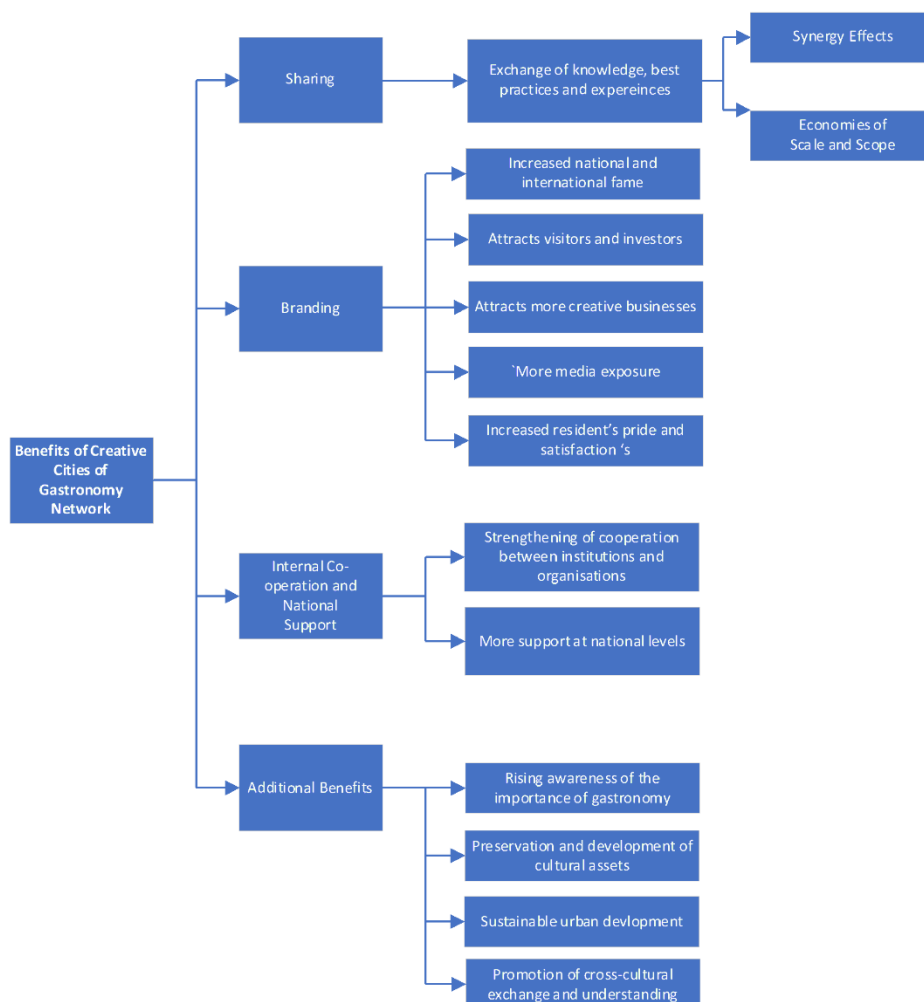
Benefits for the City of Launceston and the Broader Launceston Region

1. Launceston and the Tamar Valley becomes an internationally recognised centre of excellence for all things related to food and beverage.
2. The continued development of a strong sense of our regional identity, based on creativity and innovation, that results in regional pride and confidence.
3. Cross-industry and cross-sector collaborations to solve place-based problems.
4. Brand benefits that will be felt by our industries: agriculture, food processing, wine and beverage production, tourism and agri-tourism, education and health.

Overseas Experience of the Benefits derived from the Creative Cities Network.

1. The following diagram depicts a broad overview of the benefits to cities following designation as a UNESCO Creative City of Gastronomy.¹
2. This overview was derived from a study undertaken in 2016 of 18 UNESCO Creative Cities of Gastronomy. Since this time another 36 cities have been added to the network. The study indicates that for a city to maintain a competitive advantage both within national and between national borders, each city must move from a production or sales focus to that of a focus on creativity. The study goes on to point out low cost and standardized products are no longer sufficient to attract and retain customers and residents because factors primarily quality, symbolic value and culture are of increasing importance.
3. Creativity provides significant opportunities for city managers to develop branding, job creation and to enhance the city's image locally, nationally and internationally.
4. In the new, creative economy, creativity is a crucial factor for growth where cities are increasingly competing to attract a skilled workforce, investors and visitors in an attempt to enable their city to stand out from its competitors.

¹ *Benefits of Networks within Cultural and Creative Industries – The Case of the UNESCO Creative Cities with a Particular Focus on Gastronomy.* Constance Gathen, Mid Sweden University, Östersund, May 2016



5. Membership of the Creative Cities network helps them to do this by supporting them with:
- a. Additional knowledge (sharing);
 - b. A distinctive and attractive brand identity (branding);
 - c. A common, local vision to strengthen local collaboration with the private, public and community sectors; and,
 - d. A means by which a higher number of visitors and investors are attracted resulting in increased employment and expenditure for the city.

6. In 2016, Charles Landry² completed a report for UNESCO regarding the Creative Cities program that involved interviewing 103 of the 116 member cities. The following summarises the rationale for each city's involvement in the program. These included:
 - a. To gain recognition and to operate better on a wider stage;
 - b. To enhance image, international presence, economic prospects or tourism impacts;
 - c. To get insiders and outsiders to appreciate the city more;
 - d. To make contacts;
 - e. To create opportunities;
 - f. To share good project ideas; and,
 - g. To persuade local decision makers that creative fields are important by highlighting and legitimizing the status and importance of art forms and the creative economy.

7. In sum: "Transformational impact locally was what was wanted and beyond that we wanted to be part of a global network".

8. In the case of Montreal UNESCO Creative City of Design, membership of the creative cities network has delivered the following benefits:
 - a. Assistance and credibility, over a 10 year period, to hold 15 national and international forums and symposiums attracting an additional 75,000 visitors each year national and globally who stay for at least one week and usually longer to tour following the completion of each event;
 - b. The development of a social media network with 14,000 Facebook friends and 8,900 Twitter followers;
 - c. The direct development of 185 businesses in Montreal; and,
 - d. The increasing capacity and capability of local design business to the extent that 30 new design businesses secured contracts with local and provincial governments.
 - e. The most recent Design Conference held by the Montreal Creative City of Design attracted over 20,000 to Montreal.

9. Macao is a UNESCO Creative City of Gastronomy
 - a. The organizing committee attributes an average increase in restaurant numbers and similar businesses of over 2% per year (year on year) over the past 10 years to the city's Creative City designation
 - b. During the same period of time, the organizing committee also attribute an average annual employment increase of over 3% per year in restaurant and similar businesses to the city being a UNESCO Creative City of Gastronomy; and,
 - c. The gross value add has increased at an annual rate of 7.9% of the restaurant and related businesses sector over the same period due to the reputation, branding and overall market awareness of the City of Macao as a UNESCO Creative City of Gastronomy.

² *Maximising the Potential of the Creative Cities Network: Reflections and Advice*, Charles Landry, UNESCO 2016

10. A number of other UNESCO Creative Cities of Gastronomy (Tsuruoka, Japan; Ostersund, Sweden; Florianopolis, Brazil and Jeonju, South Korea) have identified benefits as a result of the opportunity created by being a Creative City of Gastronomy to emphasise and grow local and creative food producers rather than continue a reliance on global commodity-based food markets to meet local needs.
- a. In summary, and over the last 10 years, these Creative Cities have experienced a 54% increase in sales to local consumers. In general, employment has been generated because across the board, in small local food businesses, there are up to 13 people employed per 1\$M of food sales compared with up to only 3 people employed per 1\$M of food sales for large scale and broad acre food businesses.
 - b. Furthermore, income derived by smaller scale, local food businesses retained over 50% of revenue within the local area compared with large scale food businesses which retained between only 15% - 30% within the local area.
 - c. Through a focus on sales to local food businesses, prices received by these businesses increased by between 50% - 100% compared with prices prior to the greater focus on local food producers (and designation as a UNESCO Creative City of Gastronomy).
11. A study of the importance of local food producers undertaken recently by the South Melbourne Regional Development Organisation³, indicated that the USA, Canada and the UK are a long way in front of Australia when it comes to increasing the focus on local food producers. The Study went on to say that purchasing behaviors of both Coles and Woolworths supermarkets are increasingly bypassing food wholesalers and preferring to deal directly with producers of local, high quality food products as a direct strategy to procure and sell high value, high margin food products following a general trend in market demand for more local and less mass produced food products.

Experiences of Other Australian UNESCO Creative Cities

The Launceston UNESCO City of Gastronomy Steering Group has developed close working relationships with the City of Greater Bendigo (Creative City of Gastronomy) and the City of Greater Geelong (Creative City of Design) as it develops its application for designation as a UNESCO Creative city of Gastronomy. The following briefly describes the experience, with a particular focus on the benefits to the region and the city, of Bendigo's and Geelong's involvement in the UNESCO Creative Cities program

³ *Economic Benefits of 'Creative Food Economies': Evidence, Case Studies and Actions for South Melbourne.* Nock Rose and Kirsten Larsen, South Melbourne RDA, 2013

City Greater Bendigo – Creative city of Gastronomy (Trevor Budge and Anna Knight)

1. Bendigo is the most recent addition as a Creative City of Gastronomy having received its designation in November 2019.
2. Since then, the successful designation has provided a focus and rallying point for all components of Bendigo's food industry supply chain which, until now, has operated largely in 'silos', independent of each other. Greater Bendigo as a Creative City of Gastronomy is providing the catalyst for the active collaboration of all components of the city's food industry. The collaboration is happening across a number of organisations including those relating to agriculture, tourism, education, business development and the indigenous community.
3. The designation has acted to now enable the inclusion of Bendigo in all other food industry events, programs and projects throughout Victoria and New South Wales where previously Bendigo was not automatically included.
4. The designation has, even since November 2019, heightened the profile of the food industry in Bendigo from the point of view of Victorian intrastate visitors, particularly in this time impacted by COVID-19.
5. In recognition of its City of Gastronomy status, DFAT selected Greater Bendigo for a major drive into Malaysia to encourage both tourism from Malaysia into the Bendigo region and export of value added product from the Bendigo region into Malaysia. Promotional aspects included use of celebrity chef Adam Liaw, and an 8 page feature in Malaysian Airlines magazine at zero cost to Bendigo.
6. Since its designation as a City of Gastronomy, Bendigo is now included in many international events and programs hosted by a number of the other 36 Creative Cities of Gastronomy providing considerable exposure and profile for the city in a way and in areas considered almost impossible previously.
7. As an aside, representatives from the Greater City of Bendigo conveyed information from the Tuscon City of Gastronomy (Arizona, USA) who indicated that the national and international exposure and profile that Tuscon received since its designation had been valued to be in the vicinity of \$35M on an annual basis.
8. The City of Bendigo indicated that, like most other aspects of life, it appeared that the more a city put into its involvement locally, nationally and internationally as a creative city, the more value it receives from it.
9. Since November 2019, Bendigo indicated that other Creative Cities of Gastronomy globally have already been enquiring as to how Bendigo was addressing issues relating to food security, regional development, working with indigenous populations and leveraging its own

unique food industry. The City of Bendigo is taking an active role in responding to requests from other Cities of Gastronomy as well as posing questions of its own to other Gastronomy Cities. The rise of Zoom and virtual meetings has facilitated regular contact with collaborating Creative Cities, including 'mentor' cities.

10. The City of Gastronomy program is implemented out of the City of Greater Bendigo workforce. The program's activities are spread across a number of positions responsible to a senior manager, in this case Trevor Budge.
11. The Mayor of the Greater City of Bendigo is more than willing to discuss the city's active involvement as a city of Gastronomy with representatives of the City of Launceston.

City of Greater Geelong – Creative of Design (Tim Ellis and Christina Silvestroni)

1. The Greater City of Geelong received its designation as Creative City of Design in 2017 and focusses on the manufacturing, physical design and planning aspects of the city.
2. Geelong has experienced similar benefits to Bendigo but over a longer period of time and, to a greater extent.
3. Geelong described the network of Creative Cities of Design as a close, active and collegial group who have provided considerable support to Geelong as it worked out the best way to operate and obtain the benefits as a Creative City of Design.
4. Like Bendigo, Geelong has received significant benefit in terms of exposure nationally and internationally and, also in terms of obtaining solutions to problems associated with the city of Geelong from other global cities who have experienced and addressed similar problems.
5. Problems have included those associated with transitioning the city from an older industrial, commodity manufacturing age to a newer design/innovation/ differentiated product era.
6. Geelong has been able to attract a number of global design conferences to the city where it was able to showcase its design capability across a range of areas including built infrastructure, education, cultural interpretation and re-skilling an older workforce.
7. Also like Bendigo, Geelong indicated that the more the city puts into Creative City program activities at both national and international levels, the more it gets out of it. Geelong indicated that UNESCO Cities of Gastronomy and Cities of Design were two of the most active networks in the Creative Cities program.
8. The city of Greater Geelong is more than happy to assist the City of Launceston to submit a successful application for designation as a UNESCO Creative City of Gastronomy.

The Gastronomy Network

1. All existing Creative Cities of Gastronomy are either first or second world countries with a wide geographic spread (globally and spatially) including old cities and new ones.
2. Each existing Creative City of Gastronomy see food as part of the city's identity and as a key cultural asset.
3. Existing UNESCO Creative cities of Gastronomy include:
 1. Parma (Italy) – current lead city of the Gastronomy Network
 2. Panama City (Panama)
 3. Macao (China)
 4. Phuket (Thailand)
 5. Bergen (Norway)
 6. Tucson (USA)
 7. Bendigo (Australia)
 8. Tsuruoka (Japan)
 9. Ostersund (Sweden)
 10. Rasht (Iran)
 11. Hyderabad (India)
 12. Burgos (Spain)
 13. Belem (Brazil)
4. Launceston's bid has been socialized with Bendigo, Tsuruoka, Macao and Ostersund. Engagement to date has been very supportive and encouraging. The Gastronomy network has a mentoring offering available to aspiring and newly designated cities.

Creative Cities Program Projects

As a UNESCO Creative City of Gastronomy, Launceston will implement a number of key projects that utilise the Launceston region's unique food related resources in ways that deliver the combined outcomes set down by both UNESCO, the UNSDGs and our own regional priorities.

1. Typical projects from across the Network include:
 - a. Enhancing food as a unique, regional cultural asset;
 - b. Further developing existing food related events and programs;
 - c. Using gastronomy as a regional development tool/program;
 - d. Using food related programs to improve the relationship between rural and urban communities;
 - e. Establishment of unique food-related knowledge centres;
 - f. Creation of food precincts in urban environments;
 - g. Blue-sky creativity projects that cross different creative fields
 - h. Enhancing community education and training standards and programs using food;

- i. Developing a greater focus on indigenous food;
- j. Enhancing the health and reducing the vulnerability of parts of the community with regard to food (food security, food justice);
- k. Improving collaboration and linkages between day to day food related service providers and research (content and organisations);
- l. Projects that involve collaboration with other creative cities;
- m. Creation of a food industry development plan;
- n. Formalisation and connection of existing food related structures (eg through training certification, informal groups);
- o. Increasing the food capability and capacity of low income groups (access to low cost food, food kitchens, skills training);
- p. Creating a database of local cuisine (establishing minimum standards);
- q. Business development strategies (intenders and existing businesses);
- r. Developing food-related awards programs;
- s. Developing process to enable the growth of public/private partnerships in food businesses;
- t. Creating a cultural map of indigenous food skills, knowledge and capabilities;
- u. Creating food related media (eg films);
- v. Developing a program to work with third world countries (UNESCO is focusing this program on African countries);
- w. Better managing food waste;
- x. Presentation of the environment with regard to food (RegenAg – regenerative agriculture).

Project Identification and Assessment

Potential projects will be identified through an expression of interest process open to the public. In order to meet the requirements of the UNESCO Creative cities program, at least two of the selected projects will need to be undertaken in collaboration with a number of existing UNESCO Creative Cities.

Projects identified will be assessed using a number of criteria including:

- a. Demonstrated fit with the Mission and Objectives of UNESCO's Creative City Network program and the UN Sustainable Development Goals;
- b. Degree of uniqueness and differentiation from other UNESCO Creative City Network program gastronomy cities using the Resource Based View as a guiding framework;
- c. Demonstrated fit with Launceston and Tasmania's existing food and cultural heritage development strategies;
- d. Fit with the existing capacity and capability of the municipality;
- e. Willingness of potential project partners to embrace and effectively engage with collaborative structures;
- f. Timeframe for implementation;
- g. Scale of investment required and level of risk; and,
- h. Availability of resources including physical, human, intellectual and financial.

Progress Since 2019

Since the Launceston Creative City Steering Group last presented to the City of Launceston regarding this project, significant progress has been made to advance our application as a UNESCO Creative City of Gastronomy. This progress has included:

1. Maintaining a strong, active and engaged Steering Group;
2. Socialisation of the idea through media, stakeholder networks and personal engagements.
3. Securing some funding (\$35,000) through the University of Tasmania to engage a local consultant to assist in the preparation of the application;
4. Representatives from the Steering Group and the City of Launceston were accompanied by the consultant and attended the UNESCO Creative Cities Asia-Pacific Conference in October 2019;
5. The Steering Group has made close contacts with representatives of other, relevant UNESCO Creative Cities including:
 - a. Maria Helena de Senna Fernandes, Macao City of Gastronomy, China;
 - b. Yukako Saito, Tsuruoka, City of Gastronomy, Japan;
 - c. Christina Silvestroni, City of Greater Geelong, City of Design, Australia;
 - d. Trevor Budge and Anna Knight, City of Greater Bendigo, City of Gastronomy, Australia.
 - e. Rebecca Pearce, Adelaide, City of Music, Australia
 - f. Mark Roach, Auckland, City of Music, NZ
6. Relationships with other UNESCO Creative Cities globally is critical, not only as part of the assessment process by UNESCO, but also to enable collaboration across joint projects. Close working relationships with other Creative Cities also provides valuable information and support during the application development process. Furthermore, working relationships with other UNESCO Creative cities assists greatly in the promotion of the Launceston region in a global arena.
7. Engagement with the Department of Foreign Affairs and Trade. Federal interest and support is an important filter for aspiring Australian cities.
8. An audit of the Launceston Region's food related cultural assets has commenced with an extensive database already developed and documented. The database will be used, not only as part of the final application, but also as the basis from which successful projects will be identified and assessed.

9. The Greater Launceston Creative City of Gastronomy project was also successful in the recent Great Regional City Challenge (GRCC) and as a result of being voted into the top 5 most popular projects was granted \$10,000.
10. The GRCC funding will be matched by FermenTasmania and used to create a new 0.4 FTE position that will be shared between the Creative Cities bid and FermenTasmania. The process of appointment is underway with a possible start date in October 2020.
11. Construction of a communications platform for broad audience engagement with Launceston's bid including some early brand work for Launceston Gastronomy. This includes in-kind contributions from a professional website designer and a professional photographer.
12. Total in-kind contribution of the Steering Group and others from inception through to bid submission has been conservatively valued at over \$192,000.
13. Several project groups have been formed and are starting to develop projects for our Creative Cities action plan.
14. Creation of **Launceston Gastronomy**, which is the umbrella under which the Creative Cities bid will be submitted and once formalized could provide governance for Creative Cities . Should the Creative Cities bid not proceed or be unsuccessful, then Launceston Gastronomy has the capacity to continue effort to build city and regional advantage through creative food-related collaborations.

Where To From Here

1. Whilst considerable progress has already been made, the following ongoing tasks will continue leading up to bid submission:
 - a. Community engagement,
 - b. Promotion of the Creative Cities project,
 - c. Identification and assessment of individual projects,
 - d. Development of a final business case to move the project towards sustainability,
 - e. Finalisation of the application document,
2. We envisage having the website and associated digital platforms ready for launch in November. The Creative Cities bid and steering group will sit under the Launceston Gastronomy brand. The EIO process for projects will follow launch.
3. The forecast budget for the bid is included as Appendix 1. The vast majority of the resources contributed to the bid development are in-kind contributions of Steering Group members and broader community members, but we are seeking a funding contribution from the City of Launceston for the bid.

4. The forecast operation budget for the Greater Launceston Creative City Office is included as Appendix 2. We are exploring operational models and are happy to work with City of Launceston to arrive at an acceptable solution.
5. If City of Launceston endorse proceeding with the application, then we will seek funding from other regional councils and other organisations. Two of the many possible income scenarios are modelled in Appendix 3.
6. Roles and responsibilities of key organisations are outlined in Appendix 4.
7. A risk management plan is included as Appendix 5.

The Ask

The Greater Launceston Creative Cities Steering Group request the following from the City of Launceston:

1. Formal endorsement of the bid. UNESCO require that all submissions for entry to the Creative Cities Network be signed by the Mayor of the main local authority of the applicant city.
2. A resource contribution to bid submission of \$10,000. This will go toward staff time and operational aspects of the bid:
 - a. Socialisation of the Creative Cities bid and building the City and regional unity around food.
 - b. Communications and promotions
 - c. Development of projects for the bid
 - d. Finalisation of the application documentation
3. Provision budgetary allocation for the ongoing operational budget of the Launceston Creative Cities office. Scenario 1 in Appendix 3 is effectively a best-case scenario which would see us asking City of Launceston to contribute:
 - a. 2021-2022: \$55,790.70
 - b. 2022-2023: \$55,790.70
 - c. 2023-2024: \$37,193.80
 - d. 2024-2025: \$27,895,35

Appendix 1. Indicative Budget for 20/21 Development and Submission of Launceston's Creative Cities bid.

Income			
Source	Amount		Notes
UTAS funding	\$ 35,000.00		Consultancy services of Warren Moore
Great Regional City Challenge	\$ 10,000.00		0.2 FTE for 10 months based on \$60k pa salary
City of Launceston contribution	\$ 10,000.00		
Total	\$ 55,000.00		
In kind			
Creative Cities Steering Group			
UTAS	\$ 49,920.00		8 hours a week over two years @\$60 per hour
Ferment Tasmania	\$ 18,720.00		3 hours a week averaged over two years at \$60 per hour
Harvest Community Farmers Market	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
Andrew Pitt	\$ 24,960.00		4 hours a week averaged over two years at \$60 per hour.
Kim Seagram	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
RDA Tasmania	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
Tourism Northern Tasmania	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
City of Launceston	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
Design Tasmania	\$ 12,480.00		2 hours a week averaged over two years at \$60 per hour.
NTDC	\$ 6,240.00		2 hours a week averaged over one year at \$60 per hour.
Launceston Airport	\$ 2,160.00		3 hours a month over one year at \$60 per hour
Abbie Rose Design	\$ 6,000.00		Design and delivery of gastronomylaunceston website
Dave Groves Photography	\$ 10,000.00		Professional photography in support of the bid
Total in kind	\$ 192,880.00		
Total	\$ 247,880.00		
Expenses			
Steering Group work on bid development (in kind)	\$ 176,880.00		
Website (in kind)	\$ 6,000.00		
Photography (in kind)	\$ 10,000.00		
Consultancy services	\$ 35,000.00		
Communications plan	\$ 8,000.00		
Support for projects	\$ 2,000.00		
Admin support	\$ 10,000.00		
Total	\$ 247,880.00		

Appendix 2. Four year operational budget forecast for Greater Launceston's Creative Cities Office

	Year 1	Year 2	Year 3	Year 4	Total	Notes
Accounting Fees	\$ 2,000.00	\$ 2,050.00	\$ 2,101.25	\$ 2,153.78	\$ 8,305.03	BAS, Tax Return, etc.
Insurance	\$ 1,000.00	\$ 1,025.00	\$ 1,050.63	\$ 1,076.89	\$ 4,152.52	Workers Comp & Public Liability
Marketing	\$ 24,000.00	\$ 24,600.00	\$ 25,215.00	\$ 25,845.38	\$ 99,660.38	Note 2.
Office Expenses	\$ 2,400.00	\$ 2,460.00	\$ 2,521.50	\$ 2,584.54	\$ 9,966.04	Printing, general expenses, etc
Rent	\$ 11,960.00	\$ 12,259.00	\$ 12,565.48	\$ 12,879.61	\$ 49,664.09	Note 3.
Sponsorship Expense	\$ -	\$ -	\$ -	\$ -	\$ -	
Subscriptions & IT Registrations	\$ 5,000.00	\$ 5,125.00	\$ 5,253.13	\$ 5,384.45	\$ 20,762.58	Domain, mail, mailchimp, etc
Telephone (Mobile & Internet)	\$ 1,800.00	\$ 1,845.00	\$ 1,891.13	\$ 1,938.40	\$ 5,536.13	\$150 / month for project manager
Training	\$ 800.00	\$ 820.00	\$ 840.50	\$ 861.51	\$ 2,460.50	
Travel - National	\$ 5,000.00	\$ 5,125.00	\$ 5,253.13	\$ 5,384.45	\$ 15,378.13	Note 4.
Travel - International	\$ 10,000.00	\$ 10,250.00	\$ 10,506.25	\$ 10,768.91	\$ 30,756.25	Note 4.
Wages & Salaries	\$ 66,000.00	\$ 67,650.00	\$ 69,341.25	\$ 71,074.78	\$ 274,066.03	Note 5.
Superannuation	\$ 6,270.00	\$ 6,426.75	\$ 6,587.42	\$ 6,752.10	\$ 19,284.17	
TOTAL EXPENSES	\$ 129,960.00	\$ 133,209.00	\$ 136,539.23	\$ 139,952.71	\$ 520,707.66	
Target revenue	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 600,000.00	See Appendix 3.
NET PROFIT	\$ 20,040.00	\$ 16,791.00	\$ 13,460.78	\$ 10,047.29	\$ 60,339.07	Cover small projects, unforeseen expenses

Notes:

1. Expenditure indexed at 2.5% CPI year-to-year.
2. Marketing costs relate to website, social and other media, events, community engagement costs and the development of promotional collateral.
3. Rental costs cover having an office/desk at Enterprise costing \$230/week but please note this is not necessarily the preferred option.
4. Travel costs cover expenditure relating to participation in the Australian Creative Cities Network and meeting our obligations to attend the annual Creative Cities Conference and the Annual Gastronomy Conference (COVID-permitting)
5. The wages expenditure will cover the cost of a part time project officer (0.6 fte) together with a part time administration position (0.2 fte). The annual cost of the project officer position is \$54,000 and the part time administration position is budgeted to cost \$12,000.

Appendix 3: Funding scenarios

Scenario 1: All Northern Councils Contribute according to NTDC population-based formula								Note 3.	Note 4.
LGA	Population	% Pop	Year 1	Year 2	Year 3	Year 4	Total	\$/pax	\$/py
Break O'Day	6288	4.30%	\$ 5,158.47	\$ 5,158.47	\$ 3,438.98	\$ 2,579.23	\$ 16,335.15	\$ 2.60	\$ 0.65
City of Launceston	68007	46.49%	\$ 55,790.70	\$ 55,790.70	\$ 37,193.80	\$ 27,895.35	\$ 176,670.54	\$ 2.60	\$ 0.65
Dorset	6634	4.54%	\$ 5,442.31	\$ 5,442.31	\$ 3,628.21	\$ 2,721.16	\$ 17,234.00	\$ 2.60	\$ 0.65
Flinders Island	1010	0.69%	\$ 828.57	\$ 828.57	\$ 552.38	\$ 414.29	\$ 2,623.81	\$ 2.60	\$ 0.65
George Town	6986	4.78%	\$ 5,731.08	\$ 5,731.08	\$ 3,820.72	\$ 2,865.54	\$ 18,148.43	\$ 2.60	\$ 0.65
Meander Valley	19844	13.57%	\$ 16,279.36	\$ 16,279.36	\$ 10,852.91	\$ 8,139.68	\$ 51,551.31	\$ 2.60	\$ 0.65
Northern Midlands	13437	9.19%	\$ 11,023.27	\$ 11,023.27	\$ 7,348.85	\$ 5,511.64	\$ 34,907.03	\$ 2.60	\$ 0.65
West Tamar Council	24070	16.46%	\$ 19,746.23	\$ 19,746.23	\$ 13,164.16	\$ 9,873.12	\$ 62,529.74	\$ 2.60	\$ 0.65
Total from Councils	146276	100.00%	\$ 120,000.00	\$ 120,000.00	\$ 80,000.00	\$ 60,000.00	\$ 380,000.00	\$ 2.60	\$ 0.65
Other Income Needed			\$ 30,000.00	\$ 30,000.00	\$ 70,000.00	\$ 90,000.00	\$ 220,000.00		
Total			\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00		

Scenario 2: Dorset, Northern Midlands and Meander Valley do not contribute.									
LGA	Population	% Pop	Year 1	Year 2	Year 3	Year 4	Total	\$/pax	\$/py
Break O'Day	6288	5.91%	\$ 7,094.33	\$ 7,094.33	\$ 4,729.55	\$ 3,547.16	\$ 22,465.38	\$ 3.57	\$ 0.89
City of Launceston	68007	63.94%	\$ 76,727.75	\$ 76,727.75	\$ 51,151.83	\$ 38,363.87	\$ 242,971.20	\$ 3.57	\$ 0.89
Flinders Island	1010	0.95%	\$ 1,139.52	\$ 1,139.52	\$ 759.68	\$ 569.76	\$ 3,608.47	\$ 3.57	\$ 0.89
George Town	6986	6.57%	\$ 7,881.84	\$ 7,881.84	\$ 5,254.56	\$ 3,940.92	\$ 24,959.15	\$ 3.57	\$ 0.89
West Tamar Council	24070	22.63%	\$ 27,156.57	\$ 27,156.57	\$ 18,104.38	\$ 13,578.29	\$ 85,995.81	\$ 3.57	\$ 0.89
Total from Councils	106361		\$ 120,000.00	\$ 120,000.00	\$ 80,000.00	\$ 60,000.00	\$ 380,000.00	\$ 3.57	\$ 0.89
Other Income Needed			\$ 30,000.00	\$ 30,000.00	\$ 70,000.00	\$ 90,000.00	\$ 220,000.00		
Total			\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 600,000.00		

- Note 1. Target revenue has been set at \$150,000 p.a.
- Note 2. Revenue forecasts reflect our intention to source non-council funding from the start and reduce council contributions over time.
- Note 3. \$/pax is the Council's contribution per person over the first four years of Creative Cities.
- Note 4. \$/py is the Council's contribution per person per year averaged over the first four years of Creative Cities.

Appendix 4: Roles and Responsibilities

Organisation	Role	Level of Involvement
Steering Committee, under Launceston Gastronomy	Bid preparation	Active/frequent
	Project implementation	Active/frequent
	Program administration	Active/frequent
City of Launceston	Steering Group membership	Active/infrequent
	Bid preparation	Passive/infrequent
	Project implementation	Active/infrequent
Regional Councils	Bid preparation	Passive/infrequent
	Project implementation	Active/infrequent
Project Partners (UTAS, TFGA, DNT, Design Tas, Fermentas, Harvest and others)	Bid preparation	Passive/infrequent
	Project implementation	Active/frequent
UTAS	Bid preparation	Active/frequent
	Project implementation	Active/frequent
Design Tas	Bid preparation	Active/infrequent
NTDC	Bid preparation	Active/infrequent
	Project implementation	Active/infrequent
Dept Foreign Affairs and Trade	Bid preparation	Passive/infrequent
Tasmanian Government	Project implementation	Passive/infrequent

Expectations

1. To take a strategic approach to the potential opportunities associated with Greater Launceston being a UNESCO Creative City of Gastronomy
2. Be prepared to work collaboratively with project partners and program stakeholders

3. Be prepared to deliver on the commitments each project partner has made to both the bid and project implementation
4. Be willing to include the UNESCO Creative City of Gastronomy program within each organisation's strategic direction

Responsibilities

Steering Committee

1. Develop Launceston Gastronomy as the umbrella entity for the bid
2. Build social capital for the bid and regional identity around gastronomy.
3. Prepare the application document
4. Promote the bid to all relevant stakeholders
5. Prepare positioning, branding and promotional collateral
6. Build relationships with and support from existing Creative Cities with Australia and internationally.
7. Provide advice and guidance during the preparation of the bid

DFAT UNESCO Creative Cities program Australia

Provide advice, guidance and support during the preparation of the bid.

City of Launceston

1. Participate in the Steering Group and Launceston Gastronomy
2. Provide financial support for the preparation of the bid
3. Provide formal endorsement of the bid (supply letter with the bid) as per UNESCO's requirements.
4. Provide ongoing funding contribution to the operational budget of Launceston's Creative Cities program.
5. Provide some in-kind support where required (admin, meeting rooms, promotion, projects)
6. Include Creative City of Gastronomy strategy/programs within its own regional development strategies/programs after the bid is successful.

Other Regional Councils

1. Provide ongoing funding contribution to the operational budget of Launceston's Creative Cities program.
2. Provide some in kind support where required (admin, meeting rooms, promotion, projects)
3. Include Creative City of Gastronomy strategy/programs within their own regional development strategies/programs after the bid is successful.

Organisations Collaborating on Creative City Projects

1. Provide financial support for project implementation

2. Provide in-kind support for project implementation
3. Participate in Launceston Gastronomy

University of Tasmania

1. Provide financial and staff support for the preparation of the bid
2. Provide some in kind support where required (admin, meeting rooms, promotion, projects)
3. Include Creative City of Gastronomy strategy/programs within its own regional development strategies/programs after the bid is successful

Design Tasmania

Provide some in kind support where required (admin, meeting rooms, promotion, projects)

Northern Tasmania Development Corporation

1. Promotion of Creative Cities to members as a project of regional importance.
2. Provide financial support for project implementation.
3. Include Creative City of Gastronomy strategy/programs within its own regional development strategies/programs after the bid is successful.
4. Involvement in Creative Cities projects.

Tasmanian Government

Include Creative City of Gastronomy strategy/programs within its own regional development strategies/programs after the bid is successful

Appendix 5: Risk Management Plan

Risk	Impact	Management
No prior experience in preparing an application for assignment as a UNESCO Creative City	The bid may take longer resulting in missing the next closing date or, the bid may be unsuccessful	The Steering Committee will continue to utilize its existing network of Creative Cities from which to gain the skills and experience to submit a competitive bid to be a UNESCO creative City of Gastronomy.
Insufficient financial resources to complete an application	The bid may take longer resulting in missing the next closing date or, the bid may be unsuccessful	<ol style="list-style-type: none"> 1. The Steering Committee will continue to engage with key stakeholders to ensure it has sufficient resources to complete an application. 2. The Steering Committee may decide to delay the submission of the application until sufficient resources are secured. 3. The Steering Committee may decide to proceed with the implementation of relevant projects without designation as a UNESCO Creative City of Gastronomy.
Insufficient financial resources to operate the Creative Cities program following a successful application	The benefits to the Greater Launceston region from the Creative Cities program may be considerably reduced or unachievable	<ol style="list-style-type: none"> 1. The Steering Committee will continue to engage with key stakeholders to ensure it has sufficient resources to operate the Creative Cities program as planned. 2. The Steering Committee may decide to reduce or delay the level of program implementation to match its funding resources.

Risk	Impact	Management
Support from municipalities in the Greater Launceston region is yet to be determined	Lack of certainty about the funding ask for individual councils or organisations with the possibility that the operational funding targets will not reach a minimum viable total.	<ol style="list-style-type: none"> 1. The Steering Committee will continue to engage with key stakeholders to ensure it has sufficient resources to complete an application. 2. The Steering Committee may decide to delay the submission of the application until sufficient resources are secured. 3. The Steering Committee may decide to proceed with the implementation of relevant projects without designation as a UNESCO Creative City of Gastronomy.
Thorough quantitative analysis of the benefits of Creative City designation to project stakeholders, including local governments, is not readily available.	Unable to secure the support of regional stakeholders resulting in the benefits to the Greater Launceston region from the Creative Cities program being considerably reduced or unachievable	<ol style="list-style-type: none"> 1. The Steering Committee will continue to raise awareness of, and emphasise substantial qualitative evidence-base of the likely benefits Creative Cities designation.
Over the medium term, COVID-related travel restrictions limit both inward engagement into the region and outward engagement with Creative Cities network events and collaborations.	The benefits to the Greater Launceston region resulting from international and national exposure are limited or slower to achieve	<ol style="list-style-type: none"> 1. The Steering Committee may decide to re-schedule events involving international and national attendees until border restrictions are lifted 2. The Steering Committee may adopt technology to enable the 'virtual involvement' of national and international attendees. 3. Launceston will engage virtually with relevant Creative Cities network events.
Social distancing requirements reduce the number of Tasmanian attendees at Creative City events.	The benefits to the Greater Launceston region resulting from intrastate exposure are limited or slower to achieve.	<ol style="list-style-type: none"> 1. The nature and structure of events will be reviewed and re-planned to take into the account of the additional costs and reduced

Risk	Impact	Management
	Capacity for projects to self-fund may be reduced due to lower customer volumes.	<p>revenues associated with socially distanced events.</p> <ol style="list-style-type: none"> 2. The Steering Committee may decide to re-schedule events involving larger volume attendees until border restrictions are lifted
The Steering Committee is unable to secure sufficient funds to proceed with the preparation of its bid as planned.	The benefits to the Greater Launceston region from the Creative Cities program may be considerably reduced or unachievable.	<ol style="list-style-type: none"> 1. The Steering Committee will continue to engage with key stakeholders to ensure it has sufficient resources to complete an application. 2. The Steering Committee may decide to delay the submission of the application until sufficient resources are secured. 3. The Steering Committee may decide to proceed with the implementation of relevant projects without assignation as a UNESCO Creative City of Gastronomy.
The Steering Committee is unable to secure the formal endorsement of the City of Launceston for the bid to be designated as a UNESCO Creative City of Gastronomy.	The submission for designation as a UNESCO Creative City of Gastronomy will not proceed.	<ol style="list-style-type: none"> 1. The Steering Committee may continue to engage with the Launceston City Council until both parties are in a position to proceed with the project with the formal endorsement of the City even if this means the application is delayed. 2. The Steering Committee may decide to proceed with the implementation of relevant projects without assignation as a UNESCO Creative City of Gastronomy because the application does not have the endorsement of the Launceston city Council

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Risk	Impact	Management
The Steering Committee is unable to achieve the level of collaboration required to both propose and successfully implement projects as a UNESCO Creative city of Gastronomy according to its original schedule.	The benefits to the Greater Launceston region from the Creative Cities program may be considerably reduced or unachievable	<ol style="list-style-type: none"> 1. The Steering Committee will continue to engage with program participants, both within the region and within the Creative Cities Network, to ensure it has the sufficient levels of collaboration required to successfully implement program projects. 2. The Steering Committee may decide to delay the implementation of all or some projects until sufficient levels of collaboration are achieved. 3. The Steering Committee may decide to proceed with the implementation of a reduced schedule of projects. 4. The Steering Committee may identify new projects and project participants to replace those where the level of collaboration required has not been achieved.

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Appendix 6. Great Launceston Creative Cities Steering Group

Launceston Creative City Steering Group has been convened to develop the Creative Cities bid, which would be submitted mid-2021. It is composed of a range of leaders from the community, business, education and government sectors who are active in the city-region and many are contributing their time in kind:

- Kim Seagram (Stillwater, Black Cow, Ferment Tasmania)
 - Karina Damberg (Ferment Tasmania, NTDC, Red Brick Road Cider)
 - Dominic Geraghty (UTAS – Northern Transformation)
 - Sandy Murray (UTAS - Health)
 - Fiona Kerslake (UTAS – Tasmanian Institute of Agriculture)
 - Michael Cullen (Launceston Airport)
 - Kim Hewitt (Harvest Market)
 - Chris Griffin, Gillian Miles, Bree Philpott (Tourism Northern Tasmania)
 - James McKee (City of Launceston)
 - Peter Skillern, Kylie Donaghy (Tasmanian Farmers and Graziers Association)
 - Claire Beale (Design Tasmania)
 - Tony McCall
 - Kevin Turner (RDA Tasmania)
 - Robin Barnes (UTAS – University College)
 - Andrew Pitt is chair and convener of the group (Neil Pitt's Menswear, Launceston Chamber of Commerce)
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20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**20.1 Report on Council's 2020 Annual General Meeting****FILE NO:** SF0098**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To report on the Council's 2020 Annual General Meeting, held in compliance with section 72B of the *Local Government Act 1993* (Tas) on Thursday, 3 December 2019 at 5.30pm in the Council Chambers, Town Hall, Launceston.

RECOMMENDATION:

That Council:

1. in respect of the Annual General Meeting held on Thursday, 3 December 2020 at 5.30pm in the Council Chambers, Town Hall, Launceston, notes the following motions passed at that Meeting:
 - (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 5 December 2019 be confirmed as a true and correct record.
 - (ii)(a) That the City of Launceston Annual Report for the year ended 30 June 2020 be adopted with the following changes:
 - a. The figure for Specialist Product Disposals on page 33 is changed from 6311 to 6914.
 - b. Rate Coverage Ratios percentages of 61.4%, 57.9%, 56.8%, 56.8% and 59.7% are added in the Financial Ratios table on page 56.
 - c. The table on pages 94-95 labelled *Note 2.1 - Functions and Activities of Council (Cont)* is replaced with a new table for Note 6.1:

20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)

Notes to the Financial Statements

Note 6.1 - Movements in Equity
Current Year

	Balance 1 July \$'000	Net Surplus \$'000	Comprehensive Income \$'000	Transfers \$'000	Balance 30 June \$'000
Capital Reserves					
Government Grants	192,395	2,989	-	-	195,384
Other Contributions	21,363	34	-	-	21,397
	213,758	3,023	-	-	216,781
Revenue Reserves					
General	991,271	2,478	-	702	994,451
CBD	16	(97)	-	-	(81)
Flood Authority	1	482	-	(483)	-
Investment Water Corporation	2,724	-	-	-	2,724
Public Open Space	343	90	-	(35)	398
Self Insurance	3,297	187	-	-	3,484
Special Committees	23	8	-	-	31
Waste Centre Rehabilitation	10,359	4,467	-	-	14,826
Employee Benefits	1,098	-	442	-	1,540
	1,009,132	7,615	442	184	1,017,373
Asset Revaluation Reserves					
General	652,707	-	47,950	-	700,657
Investment Reserves					
TasWater	19,085	-	(63,238)	-	(44,153)
Trusts And Bequests					
Parks	31	-	-	-	31
Museum	2,323	189	-	(184)	2,328
	2,354	189	-	(184)	2,359
	1,897,036	10,827	(14,846)	-	1,893,017

Notes to the Financial Statements

Note 6.1 - Movements in Equity (Cont)
Comparative figures for prior year
Prior Year 2019

	Balance 1 July \$'000	Net Surplus \$'000	Comprehensive Income \$'000	Transfers \$'000	Balance 30 June \$'000
Capital Reserves					
Government Grants	178,452	13,943	-	-	192,395
Other Contributions	21,207	156	-	-	21,363
	199,659	14,099	-	-	213,758
Revenue Reserves					
General	983,634	4,179	-	3,476	991,289
CBD	17	(1)	-	-	16
Flood Authority	(114)	-	-	115	1
Investment Water Corporation	-	2,724	-	-	2,724
Public Open Space	319	24	-	-	343
Self Insurance	3,105	192	-	-	3,297
Special Committees	40	(17)	-	-	23
Waste Centre	13,950	-	-	(3,591)	10,359
Employee Benefits	3,534	(1,053)	(1,383)	-	1,098
	1,004,485	6,048	(1,383)	-	1,009,150
Asset Revaluation Reserves					
General	638,548	-	14,159	-	652,707
Investment Reserves					
TasWater	(15,479)	-	34,564	-	19,085
Trusts And Bequests					
Parks	31	-	-	-	31
Museum	2,163	160	-	-	2,323
	2,194	160	-	-	2,354
	1,829,407	20,307	47,340	-	1,897,054

- (b) Annual Reports for the following City of Launceston entities and Authorities for the year ended 30 June 2020 be adopted:
 - a. Queen Victoria Museum and Art Gallery; and
 - b. Launceston Flood Authority.

- (iii) That Council substantially modifies the CityHeart built multi-tiered hexagon public seating structure at the West end of the Brisbane St Mall with the aim being to design-out-crime and anti-social behaviour.

- (iv)(a) provides more vehicle loading zones as defined in the Road Rules 2009, available on Sundays in the Launceston CBD.
- (b) reviews the demand and opportunities of Sunday and public holiday on-street parking controls in the Launceston.

20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)

2. determines to consider the motions at Recommendations 1.(iii) and 1.(iv) above at the Council Meeting to be held on 28 January 2021.
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REPORT:

In compliance with section 72B(1) of the *Local Government Act 1993* (Tas) (the Act), the Annual General Meeting (AGM) of the City of Launceston was held in the Council Chambers, Town Hall, Launceston on Thursday, 3 December 2020.

Notices of the Meeting were published in *The Examiner* on Saturday, 14 November 2020 and Saturday, 21 November 2020.

No submissions in respect of the 2019-2020 Annual Report were received.

Two Questions on Notice were received. These questions were answered in the Agenda for the AGM.

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

Four Notices of Motion were received. Two Notices of Motion were passed, one lost and one was withdrawn.

The motions passed at the AGM were:

- (i) That the Minutes of the Annual General Meeting of the City of Launceston Council held on 5 December 2019 be confirmed as a true and correct record (moved Councillor A G Harris, seconded Councillor P S Spencer).
 - (ii)(a) That the City of Launceston Annual Report for the year ended 30 June 2020 be adopted with the following changes:
 - a. The figure for Specialist Product Disposals on page 33 is changed from 6311 to 6914.
 - b. Rate Coverage Ratios percentages of 61.4%, 57.9%, 56.8%, 56.8% and 59.7% are added in the Financial Ratios table on page 56.
 - c. The table on pages 94-95 labelled *Note 2.1 - Functions and Activities of Council (Cont)* is replaced with a new table for Note 6.1:
-

20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)

- (b) Annual Reports for the following City of Launceston entities and Authorities for the year ended 30 June 2020 be adopted:
 - a. Queen Victoria Museum and Art Gallery; and
 - b. Launceston Flood Authority.
(moved Councillor R I Soward, seconded Councillor A G Harris).
- (iii) That Council substantially modifies the CityHeart built multi-tiered hexagon public seating structure at the West end of the Brisbane St Mall with the aim being to design-out-crime and anti-social behaviour (moved Mr Robin Smith, seconded Mrs Jeanette Smith).
- (iv) That Council:
 - (a) provides more vehicle loading zones as defined in the Road Rules 2009, available on Sundays in the Launceston CBD.
 - (b) reviews the demand and opportunities of Sunday and public holiday on-street parking controls in the Launceston CBD (moved Mr Robin Smith, seconded Mrs Jeanette Smith).

Section 72B(6) of the *Local Government Act 1993* (Tas) requires that a motion passed at the Annual General Meeting is to be considered at the next meeting of Council. However, to allow a robust investigation, it is recommended that the motions noted above at (iii) and (iv) be considered at the Council Meeting of the 28 January 2021.

The following motions were not passed:

1. That Council declare the Brisbane Street Mall (from St John to Charles Streets) an area that cyclists should dismount (at all times) from their bicycles and install signage displaying the same. (Lost)
2. That Council installs chevron signs on the roundabout on the corner of Brisbane Street and Elphin Road (south of City Park). (Withdrawn)

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

20.1 Report on Council's 2020 Annual General Meeting ...(Cont'd)

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.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Michael Stretton - Chief Executive Officer

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 Road Widening - Golconda Road, Lilydale

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

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

21.3 Building Better Regions Fund

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

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

21.4 End of Closed Session

To be determined in Closed Council.

22 MEETING CLOSURE
