



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
THURSDAY 12 NOVEMBER 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: 12 November 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

There were no Mayoral Acknowledgements for this Meeting

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 29 October 2020 be confirmed as a true and correct record.

5 DEPUTATIONS

No Deputations have been identified as part of this Agenda

6 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions have been identified as part of this Agenda

7 COMMUNITY REPORTS

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

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

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

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

8.1.1 Public Questions on Notice - Ms Helen Tait - Council Meeting - 15 October 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, asked at the Council Meeting on 15 October 2020 by Ms Helen Tait, have been answered by Mr Michael Stretton (Chief Executive Officer) and Mr Richard Jamieson (Manager City Development).

Questions:

Ms Helen Tait - DA0427/2020 - 65A Bourke Street, Launceston

1. Regarding sunlight provisions - what is it in the administrative demand of the Planning Scheme that gives defining dominance to the application of the spurious test for allowing four hours of mid-winter sun? This stipulation oddly arises above the more meaningful test of reasonable or unreasonable impact on liveability, warmth, solar amenity, outlook, ambience, overwhelming height, interference with local character and conflict with established uses, etc. which are all in the Planning Scheme, but it seems the four hour one is the defining one?
2. Would you give consideration for a review of this dominating provision that is causing so much angst and distress amongst all of us? Might Councillors move to instigate an immediate review of the voracity of the power of that clause?
3. Is there any one on Council who would follow up with me on this issue?

Response:

Mr M Stretton (Chief Executive Officer) responded by saying that the Council, as are all Councils around Tasmania, is in the process of implementing the provisions of the Tasmanian Planning Scheme. We have developed local provisions which are awaiting confirmation from the Planning Commission in order for us to be able to advertise and seek public submissions on those provisions. The sunlight and shading provisions are common around the State and are therefore best addressed through the public consultation process as any changes are now required to be undertaken across the whole State. Mr Stretton also indicated that the Council would advise Ms Tait of the timing of the advertising process for the local provisions.

8.1.1 Public Questions on Notice - Ms Helen Tait - Council Meeting - 15 October 2020 ...(Cont'd)

Subsequent to the response provided at the Meeting, the additional information has been provided:

The planning scheme is a legal document that is written in a format provided to Councils approved by the Tasmanian Planning Commission. Most issues have an objective assessment and a subjective component. In the Inner Residential zone, there is an objective acceptable solution relating the allowable building envelope and a subjective performance criteria (Clause 11.4.3 P1) that outlines sunlight provisions. The effect of this is that buildings outside the acceptable solution envelope may be approved but only where the proposal does not cause:

overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00am and 5.00pm on June 21 or by increasing existing overshadowing where greater than above.

The clause is quantitative in that it determines that development that affords more than three hours of sunlight to habitable rooms and private open space of adjoining residential properties as acceptable, if also meeting the clause other considerations in the performance criteria must also be met such a privacy and visual impacts.

8.1.2 Public Questions on Notice - Ms Helen Tait - 3 November 2020**FILE NO:** SF6381**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following questions, submitted in writing to Council on 3 November 2020 by Ms Helen Tait, have been answered by Mrs Leanne Hurst (General Manager Community and Place Network).

Questions:

1. Are Councillors aware that there is wide spread concern about residential planning standards. For example:
 - (a) the Tasmanian Planning Commission's recommendation (9 December 2016) to the State Government that the Residential Provisions should be reviewed as a priority; and
 - (b) the Local Government Association of Tasmania's push for review of the residential standards, which, they say *have led to confusion and anxiety in our communities with overshadowing, loss of privacy, solar access, height, private open space and site coverage to name a few. A review will highlight these concerns across the State and give the community some expectation of change that can ensure their concerns are heard.*

Response:

Council and the Council's Officers are aware of the challenges presented by a planning system that attempts to balance opportunities for growth and development with appropriate checks and balances that consider the impacts of development. The Tasmanian Government initiated the Tasmanian Planning Scheme (TPS) as part of its planning reform agenda to provide for consistency of use and development standards across the local planning schemes. The transition to the TPS requires that each Council prepares local provisions and maps to apply to the State scheme and submit them to the Tasmanian Planning Commission for consideration prior to public advertising. There will be opportunity for submissions to be made during the advertising period.

8.1.2 Public Questions on Notice - Ms Helen Tait - 3 November 2020 ...(Cont'd)

2. What is the stance of the Launceston City Council on that concern?

Response:

The City of Launceston participates in, and contributes to, the discussion at the Local Government Association of Tasmania (LGAT) Meetings and contributes to LGAT submissions to the planning reform process. The Council's Officers also liaise regularly at the regional level and with the State Planning Policy Unit, with regard to matters of planning policy and implementation. Whilst planning policy and planning schemes are never perfect and need to be regularly reviewed, the Council's Officers are satisfied that the current TPS strikes a reasonable balance.

3. Who is the person on Council engaged with monitoring and reviewing the best, the worst and the tricky aspects of the current provisions in the interim State-wide Planning Scheme in the lead up to further consultation on the matter?

Response:

Responsibility for oversight of the land use planning functions of the City of Launceston sits with the City Development team within the Community and Place Network, led by the General Manager, Leanne Hurst.

ATTACHMENTS:

1. Public Questions on Notice - Ms Helen Tait - 3 November 2020

Attachment 1 - Public Questions on Notice - Ms Helen Tait - 3 November 2020

For the recent DA 0427 for 65A Bourke St for example: extending a high wall that would delete the outlook onto the heart of our cityscape, the heritage buildings, the church spires, the sky, the clouds, winter sunsets, the distant wooded hills and not least a whole mountain, could barely be considered, as the planning department advises you, a minimal impost on the resident's quality of living. Rather it would be a hugely unreasonable one.

That is before we even mention interfering with the function of the that resident's double hung window which provides the key ventilation control for the whole of the open plan kitchen/dining /living area. Or the increase of noise and odour from the proposed raised laundry and bathroom with machines and vents. And the cooking and night time entertainment carried on the prevailing wind right into the neighbour's (my) main living space.

Let alone the disturbance to underground water streams to already fragile building foundations from the 2m deep new foundation footings pillars that would be required for that DA.

In answer to a question from me around just one of these amenities ie sunlight provisions in the interim State-wide Planning Scheme Mr Stretton replied that I could be notified when the interim planning scheme was up for further consultation, and I presume review and further ratification, and that I and Councillors and staff could comment at that time.

My continuing questions on this matter (and firstly I apologise that I am unable in to put the questions to you in person as I usually work out of town on Thursdays).

1. Are Councillors aware that there is wide spread concern about residential planning standards. For example a) Tasmanian Planning Commission's recommendation (of 9 December 2016) to the State Government that the Residential Provisions should be reviewed as a priority. b) The local Government Association of Tasmania's push for review of the residential standards, which they say *'have led to confusion and anxiety in our communities with overshadowing, loss of privacy, solar access, height, private open space and site coverage to name a few. A review will highlight these concerns across the State and give the community some expectation of change that can ensure their concerns are heard.'*
2. What is the stance of the Launceston City Council on that concern?
3. Who is the person on council engaged with monitoring and reviewing the best, the worst and the tricky aspects of the current provisions in the interim State-wide Planning Scheme in the lead up to further consultation on the matter?

Helen Tait

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 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots

FILE NO: DA0320/2020

AUTHOR: John Ayers (Consultant 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:	Ireneinc Planning
Property:	2 Willis Street and 7 Willis Street, 78 Cimitiere Street and 80 Cimitiere Street, Launceston
Zoning:	Urban Mixed Use/ Commercial
Receipt Date:	19/06/2020
Validity Date:	29/06/2020
Further Information Request:	10/07/2020
Further Information Received:	01/09/2020
Deemed Approval (extension granted):	12/11/2020
Representations:	Five

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
15.4.1 P1 Building height	Non compliance Acceptable Solution
15.4.2 P1 Car parking	Not provided within the building
15.4.3 P1 Active ground floors	Insufficient glazing
E2.6.2 P1 Excavation	No Acceptable Solution

9.1 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots ...(Cont'd)

RECOMMENDATION:

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0320/2020 - Construction of a tertiary education facility and associated works at 2 Willis Street, 7 Willis Street, 78 Cimitiere Street and 80 Cimitiere Street, Launceston 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. Information - Cover Page and Drawing List, John Wardle Architects, Drawing No. DA.0000, UTAS Willis Street Building, Revision D, 07/08/2020.
 - b. Information Perspective Renders, John Wardle Architects, Drawing No. DA.0010, UTAS Willis Street Building, Revision C, 16/06/2020.
 - c. Information Perspective Renders, John Wardle Architects, Drawing No. DA.0011, UTAS Willis Street Building, Revision C, 16/06/2020.
 - d. Information Perspective Renders, John Wardle Architects, Drawing No. DA.0012, UTAS Willis Street Building, Revision C, 16/06/2020.
 - e. Site Plan - John Wardle Architects, Drawing No. DA.0100, UTAS Willis Street Building, Revision D, 07/08/2020.
 - f. Site Plan (L01) - John Wardle Architects, Drawing No. DA.0101, UTAS Willis Street Building, Revision D, 07/08/2020
 - g. Site Survey - John Wardle Architects, Drawing No. DA.0200, UTAS Willis Street Building, Revision B, 12/06/2020.
 - h. Existing Conditions, John Wardle Architects, Drawing No. DA.0201, UTAS Willis Street Building, Revision B, 12/06/2020.
 - i. Demolition - Demolition Plan, John Wardle Architects, Drawing No. DA.0300, UTAS Willis Street Building, Revision C, Page No. 09, 16/06/2020.
 - j. Level L01 Plan, John Wardle Architects, Drawing No. DA.0501, UTAS Willis Street Building, Revision D, 07/08/2020
 - k. LEVEL L01 Plan East - John Wardle Architects, Drawing No. DA.0502, UTAS Willis Street, Building Revision D, 07/08/2020.
 - l. Level L02, John Wardle Architects, Drawing No. DA.0503, UTAS Willis Street Building, Revision C, 16/06/2020.
 - m. Level L02 Plan East, John Wardle Architects, Drawing No. DA.0504, UTAS Willis Street Building, Revision B, 16/06/2020.
 - n. Level L03 Plan, John Wardle Architects, Drawing No. DA.0505, UTAS Willis Street Building, Revision B, 16/06/2020.
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9.1 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots ...(Cont'd)

- o. Roof Plan, John Wardle Architects, Drawing No. DA.0510, UTAS Willis Street Building, Revision C, 16/06/2020.
- p. GFA, John Wardle Architects, Drawing No. DA.0601, UTAS Willis Street Building, Revision C, 04/08/2020.
- q. Shadow Summer Solstice, John Wardle Architects, Drawing No. DA.0605, UTAS Willis Street Building, Revision C, 07/08/2020.
- r. Shadow Analysis - Winter Solstice John Wardle Architects, Drawing No. DA.0606, UTAS Willis Street Building, Revision C, 07/08/2020.
- s. Street Elevations, John Wardle Architects, Drawing No. DA.0700, UTAS Willis Street Building, Revision C, Page No. 18, 16/06/2020.
- t. Major Elevations, John Wardle Architects, Drawing No. DA.0701, UTAS Willis Street Building, Revision C, Page No. 19, 16/06/2020.
- u. Major Elevations, John Wardle Architects, Drawing No. DA.0702, UTAS Willis Street Building, Revision C, Page No. 20, 16/06/2020
- v. Sections, John Wardle Architects, Drawing No. DA.0801, UTAS Willis Street Building, Revision C, Page No. 21, 16/06/2020.
- w. External Finishes Legend, John Wardle Architects, UTAS Willis Street Building, DA 900, Revision B 12/6/2020.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. 2020/00877-LCC, 3/7/2020 and attached to the permit.

5. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

9.1 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots ...(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.

6. 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.

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

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

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

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

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

8. 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.

9.1 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots ...(Cont'd)

9. SOIL AND WATER MANAGEMENT PLAN

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

10. OCCUPATION OF ROAD RESERVE (INCLUDING PROVISION OF TRAFFIC MANAGEMENT PLAN)

Where it is necessary for works to occur within the road reserve or for the occupation of the road reserve, the express written permission of the General Manager Infrastructure and Assets Network is required. Application for the occupation of the road reserve must be made 14 days prior to date of the scheduled occupation or works and detailing (but not limited to):

- a. the nature, dates and duration of the occupation and/or works;
- b. the contractor's name;
- c. the traffic management works that are must employed to provide for the continued safe use of the road reserve by pedestrians and vehicles (noting that both Boland Street and Cimitiere Street are designated 'Heavy Vehicle' routes);
- d. alternative pedestrian routes to be provided where the existing footpath is unavailable for use due to the delivery of materials such as the precast concrete panels; and
- e. any temporary works required to maintain the serviceability of the road or footpath.

Inspections must be arranged for prior to the commencement of the occupation and at the completion of the works.

11. PROTECTION OF PIPELINES

The Council's 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.
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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*.

12. SECTION 71 AGREEMENT - PROJECTION OVER WILLIS STREET

The owner, under section 71 of the *Land Use Planning and Approvals Act 1993*, shall enter into an agreement with the Launceston City Council to the effect that the owner must:

- a. maintain the projection to ensure that structural integrity is maintained and ensure that the protrusion remains current with applicable safety standards.
- b. permit the Council or its agents, workmen or contractors to have access to the protrusion to determine whether or not this agreement has been complied with.
- c. comply with any notice issued by the Council under section 52 of the *Local Government (Highways) Act 1982* requiring the protrusion to be repaired/replaced, raised, cut back or removed in its entirety.
- d. indemnify and keep indemnified the Council against all actions, proceedings claims demands costs and expenses whatsoever in respect of or arising out of the awning including all claims for maintenance, replacement or repairs or alteration of the protrusion.

Such agreement shall be placed on the Certificate of Title in accordance with section 78 of the *Land Use Planning and Approvals Act 1993*. All reasonable costs associated with the preparation and registration of the agreement must be met by the applicant.

13. SUBMISSION AND APPROVAL OF PLANS

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

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

14. CONSTRUCTION OF WORKS

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

- a. Stormwater
 - i. provision of a new DN525 public stormwater main from the site to the existing combined pumping station located at the intersection of Boland and Willis Street with the obvert of the new connection entering the overflow weir manhole below the spill weir level (-0.09 m AHD),
 - ii. all necessary modifications to the existing pumping station to facilitate the additional volume and maintain the functionality of the station,
 - iii. provision of a private gross pollutant trap upstream of the DN525 main within the site of sufficient capacity and efficiency to prevent damage to the pumping station and minimise pollutants discharging to the North Esk River from the site.
 - iv. replacement/relocation of the existing stormwater pit in Lawrence Street to facilitate the proposed new access point
 - iv. removal of all redundant stormwater connections to public mains.
 - b. Roads
 - i. provision new vehicle access points in Lawrence Street, Boland Street, Willis Street and Cimitiere Street,
 - ii. provision of a right turn lane within Boland Street to facilitate service vehicle access to the site
 - iii. removal of all redundant vehicle crossings and driveway aprons and the reinstatement of all kerbs, footpaths and nature strips to match existing adjacent construction.
 - iv. provision of all necessary works to provide for safe designated crossing points across Cimitiere Street for pedestrians and cyclists to access between the site and City Park.
 - v. reinstatement of all trenches for new/upgraded services within the road reserve associated with Council, private or third party services.
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All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

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

15. CONSTRUCTION DOCUMENTATION

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

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

16. COMPLETION OF WORKS

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

17. AS CONSTRUCTED PLANS

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

18. STREET LANDSCAPING PLAN

Prior to the commencement of works, a street tree landscape plan must be prepared by a suitably qualified person and submitted to the Manager Parks and Sustainability. Once approved, it shall form part of this permit. The approved street landscaping plan must:

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- a. state the tree species to be installed and their location relative to any existing or proposed underground services.
- b. provide details of the planting methodology and all works necessary to prevent the tree roots from damaging underground assets, including root barriers and tree cells where required.
- c. be installed prior to the occupation of the building.

19. NO BURNING OF CONSTRUCTION WASTE

No burning of any waste materials generated by the construction process is to be undertaken on the land. Any such waste materials are to be removed to a licensed refuse disposal facility (eg. Launceston Waste Centre).

20. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- a. Prior to the commencement of construction and excavation activities a Construction Environmental Management Plan (Construction EMP) must be submitted to the Manager Health and Compliance, to the satisfaction of the Manager Health and Compliance.
 - b. The Construction EMP must be prepared by a suitably qualified and experienced practitioner and contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase, as specified in the Contamination Management Plan dated June 2020, prepared by Geo-Environmental Solutions.
 - c. The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:
 - i. prevention of impacts upon surface water and waterways;
 - ii. noise emissions;
 - iii. dust emissions;
 - iv. contaminated soil;
 - v. environmentally hazardous materials;
 - vi. pests;
 - vii. disposal of construction and excavation waste materials (noting burning waste on the land is not permitted);
 - viii. quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records.
 - d. Construction activities must be carried out in accordance with the Construction EMP and Contamination Management Plan report dated June 2020 prepared by Geo-Environmental Solutions, or subsequent review of the aforementioned plan.
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21. PLANT AND EQUIPMENT

All plant and equipment must be operated in accordance with the manufacturer's specifications and maintained in good condition to the extent necessary to prevent emissions from the plant and equipment causing environmental nuisance beyond the boundary of the land.

22. EMERGENCY RESPONSE PLAN

- a. Prior to the use commencing, a detailed and site-specific Emergency Response Plan (the Plan) must be prepared and submitted to the Manager Health and Compliance. The Plan must be prepared in consultation with, and endorsed by the State Emergency Service (SES) and the Tasmania Fire Service (TFS).
- b. The plan must, at a minimum, contain the following information:
 - i. identification of potential emergency situations including, but not necessarily limited to, fire and flood;
 - ii. identification of incidents, accidents, power failures and malfunctions with the potential to cause the accumulation of waste materials and emissions which do not comply with these conditions;
 - iii. management strategies to deal with, and minimise environmental impacts arising from, identified potential emergency situations, incidents, accidents, power failures and malfunctions.
- c. firefighting wastewater must not be discharged from the land, unless it is for the purpose of removal for disposal to a facility approved to receive such material or in accordance with any direction provided by the Manager Health and Compliance.
- d. the activity must be undertaken in accordance with the endorsed Plan, and any subsequent amendment to the Plan endorsed by the TFS and SES.

23. INVENTORY OF HAZARDOUS MATERIALS

An inventory must be kept of all environmentally hazardous materials stored and handled on the land. The inventory must specify the location of storage facilities and the maximum quantities of each environmentally hazardous material likely to be kept in storage and must include safety data sheets for those environmentally hazardous materials. The inventory is to be provided to a Council Officer and the Tasmania Fire Service upon request.

Notes

A. General

This permit was issued based on the proposal documents submitted DA0320/2020. 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.

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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 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.

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

REPORT:

1. THE PROPOSAL

The application is submitted by Planning Tas Pty Ltd trading as *Ireneinc Planning and Urban Design* on behalf of the University of Tasmania (UTAS).

The development is a part of the Northern Transformation Precinct Plan, and is part of the Launceston City Deal.

UTAS has purchased 78 Cimitiere Street and will be subject to the issue of title.

80 Cimitiere Street, Launceston is owned by the City of Launceston and will include works in the road reserve and the overhang of the façade along Willis Street.

At the time of making the application both Crystal Cleaning and the Council provided landowner's consent.

The proposed teaching facility will support the College of Health and Medicine and College of Science and Engineering.

The proposal augments the mix of urban uses and intensity of activity supporting the central activity centre. The proposed use creates activity outside normal business hours spreading activity across weekends, evenings and early mornings.

The design encourages engagement at the pedestrian level, creating an urban realm for the community. The proposed elevated walkway provides opportunity for interaction above ground level.

The building is largely a transparent structure with views from within and without, encouraging engagement, participation and connectivity. The Urban Design Framework for the site includes student accommodation and the proposed Willis Street building.

At this stage the application is for the Science building only, together with associated works.

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Future stages include student accommodation building and the link to the pedestrian bridge, approved to cross the North Esk River from the Inveresk site.

This first stage of the site's development will incorporate temporary parking and landscaping within the area which will in future be developed for student accommodation. The application includes indicative wayfinding (signage) proposals, but these will be subject to separate application once final location and dimensions are determined.

The proposal is as follows:

(a) Use

The application for use and development includes the construction of a three storey education building for the purposes of science, health and research at 2 Willis Street and 78-80 Cimitiere Street, Launceston. The site which is the southern extension of the Inveresk University Campus includes the development of an educational building housing science, health and research capacity within the use class - Educational and Occasional Care.

The building will include the following facilities - clinical rooms, exercise/physiology facilities, consultation rooms, research and teaching laboratories, simulation laboratories, teaching and shared work spaces, staff facilities and amenities, café and end of trip facilities.

The development will include parking to service the Willis Street building and the general University campus, passive recreation, and pedestrian access through the campus.

(b) Demolition

Demolition will include the following structures:

- 80 Cimitiere Street (National Automobile Museum of Tasmania) associated infrastructure including garden beds, portal roof and walkway.
 - Three buildings and associated infrastructure located on 78 Cimitiere Street, occupied by Crystal Cleaning.
 - Removal of existing parking infrastructure including lighting, fences and a shipping container.
 - Removal of eight trees on the site and one tree from Boland Street adjacent the crossover entrance.
-

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(c) The new Building

The building is proposed as three storey and 19.25m in height arranged in two wings aligning with the Willis Street frontage and the other with the central pedestrian walkway, designed to connect with the pedestrian walkway/bridge across the North Esk River.

The gross floor area of the building is 10,123m² consisting of a gabled roof form over the two wings creating a large internal communal and circulation space under an atrium. The aluminium roof form extrudes to form protection for the main entry and forecourt, with the material continuing in perforated form to create a wrap around element. The building rests on a concrete plinth with extensive glazing to the building and behind the perforated screens. Laboratory plant and mechanical equipment will be located on the roof.

(d) Site Landscaping

Landscaping includes a welcome terrace forming the entry point to the site on the corner of Willis and Cimitiere Street. A series of terraces and platforms across the site provide opportunities for passive recreation, sitting and outdoor study spaces, whilst the northern end of the site provides active recreational opportunities with an outdoor fitness garden located under the pedestrian bridge.

(e) Site Car Parking

The development of two parking areas and vehicular crossovers include:

- Parking associated with the proposed building, located on the north west corner of the site incorporating 21 car spaces including two accessible parking spaces.
- The temporary parking associated with the south east corner of the site will provide 49 parking spaces to service the general Inveresk campus. The parking is proposed as a stage 1 development on the land proposed for the future student accommodation. The application provides that any displaced parking as a result of the future development will be provided elsewhere within the vicinity.
- Two new crossovers are proposed for Willis and Boland Street located on Council property.
- One new crossover and access way within Lawrence Street will be located on Council property.

(f) Pedestrian Ramp

The proposal is for a pedestrian walkway running diagonally through the site creating an internal elevated street to which upper levels of the building have opportunities to provide activated frontages. Whilst not forming a part of this application, the remaining section of the walkway will extend outside the boundaries of this site to connect to the bridge structure over the North Esk River previously approved by Council.

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The boundaries of the three lots will be adhered.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The development involves two sites being 2 and 7 Willis Street and 78 and 80 Cimitiere Street (CT 144356/1, CT141649/10 and 141649/1). The site is within the Mixed Use and Commercial zones located on the eastern edge of the city centre. The site has an area of 13,142m² retaining frontage to Boland, Lawrence, Willis and Cimitiere Streets.

The site adjoins commercial development to the west, City Park to the south of the University campus and the North Esk River to the north and a mixture of residential and commercial development to the east. The site is presently developed as open parking and includes the Crystal Cleaning enterprise. Two residential, properties adjoin the east site boundary together with a café and retail shop. All services are available to the site.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

15.0 Urban Mixed Use Zone

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses and increased intensity of development including residential densities that support the role of activity centres.

15.1.1.3 To encourage residential, visitor accommodation and tourist operation uses as a means of increasing activity outside normal business hours.

15.1.1.4 To create:

(a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and

(b) appropriate provision for car parking, pedestrian access and traffic circulation.

Consistent

The zone provides for Education and Occasional Care as a discretionary use within the zone. The proposal augments the mix of urban uses and intensity of activity supporting the central activity centre. The proposed use creates activity outside normal business hours spreading activity across weekends, evenings and early mornings. The design encourages engagement at the pedestrian level, creating an urban realm for the community. The proposed elevated walkway provides opportunity for interaction above ground level.

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15.3 Use Standards

15.3.1 Hours of operation

Objective: To ensure that non-residential uses do not cause unreasonable loss of amenity to nearby sensitive uses.
A1 Commercial vehicles must only operate between 6.00am and 10.00pm.
Complies with A1 Commercial vehicles will, operate between 6am and 10pm.
15.3.2 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.
A1 Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.
Complies with A1 Mechanical equipment will be housed within the building design and located on the roof of the structure so as to prevent noise, odour, fumes or vibration at the boundary of sensitive uses located some 50m from the site on Lawrence Street.

15.3.3 Light spill and illumination

A1 The use must: (a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, and Low Density Residential zones; and (b) contain direct light from external light sources within the boundaries of the site.
Complies with A1 The development does not share a boundary with or adjoin a residential zone, but direct external light can be contained within the boundaries of the development site.

15.3.4 Noise level

Objective: To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.
A1 Noise generated by a use on the site must: (a) not exceed a time average A-weighted sound pressure level (L _{aeq}) of 5 dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environmental protection notice issued by the Director of the Environment Protection Authority.

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Complies with A1
 Consultants Marshall Day Acoustics have undertaken an analysis of the proposal and it is not expected that the noise associated with the use will exceed the standard. Notwithstanding this, the development will be conditioned to ensure compliance.

15.4 Development Standards

<p>15.4.1 Building height, setback and siting</p>
<p>Objective: To ensure that building bulk and form, and siting:</p> <ul style="list-style-type: none"> (a) is compatible with the streetscape and character of the surrounding area; (b) protects the amenity of adjoining lots; and (c) promotes and maintains high levels of public interaction and amenity.
<p>A1 Building height must be no greater than:</p> <ul style="list-style-type: none"> (a) 12m; or (b) 1m greater than the average of the building heights on the site or adjoining lots; whichever is higher.
<p>Relies on Performance Criteria The proposed building height is 19.25m exceeding the acceptable solution by 7.25m.</p>
<p>P1 Building height must 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 height of buildings on the site, adjoining lots and adjacent lots; (c) the bulk and form of existing and proposed buildings; (d) the apparent height when viewed from roads and public places; and (e) any overshadowing of adjoining lots or public places.
<p>Complies with P1 The proposal provides an analysis of the existing streetscape and character of the surrounding area having regard to each element of the performance criteria. The site is located on the outer edge of the central business district within an area undergoing gradual transition. This transition is noticeable at the city's edge with recent developments approved at heights up to 20m.</p> <ul style="list-style-type: none"> (a) The development site is at the foot of rising topography on river flats, the site having minimal fall. The pedestrian walkway provides a response to the raised levee walls surrounding the North Esk River to allow connection to the pedestrian bridge. The design proposes terracing and activated floors above ground level. (b)-(d) The site is ringed by four streets being Boland Street (north west), Willis Street (south west), Cimitiere Street (south east) and Lawrence Street. Willis Street can be described as a minor side street to which there are no buildings which have frontage, but rather the street is dominated by open car parking. The Gasworks building is six storeys exclusive of the stack. Buildings at the rear of the gasworks building are approximately 15-17m.

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<p>The recently approved DADA building has been approved at 23.73m. It is argued that the proposed building responds with compatible scale and that the glazed building design forecourt and entry are designed to activate Willis Street. The alignment along Willis Street introduces a more traditional sense of enclosure and street address.</p> <p>Boland Street is characterised by warehouse and industrial structures with frontage to the North Esk River, the structures being two-three storeys in height occupying the full width of the frontage. The proposal responds to the streetscape by emulating the bulk and scale of development along Boland Street but providing activation at the river's edge. At Lawrence Street the proposal presents a minor frontage, with a driveway entrance to the car park. The Willis Street building is approximately 50m from the northern boundary with Lawrence Street properties and will be partially occluded behind existing buildings in the foreground.</p> <p>From Cimitiere Street the building will be viewed against the backdrop of buildings of similar scale and greater (Gasworks site redevelopment) and those closer to the CBD. In this context the building is compatible with the scale of surrounding buildings. The UTAS building shares a scale with civic buildings and can be read within a landscaped setting on site and in relation to City Park.</p> <p>(e) The shadow diagrams provided with the proposal whilst indicating shadowing of properties in June in particular, this is not expected to impact use of these areas significantly, any overshadowing of adjoining lots or public places.</p>
<p>A2 Setback from a frontage:</p> <p>(a) must be built to the frontage at ground level; or</p> <p>(b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.</p>
<p>Complies with A2</p> <p>The setbacks proposed do not exceed the maximum of buildings on adjacent lots. The minimum setback of adjoining lots is 0m and a maximum setback (at City Park) of 68m. The setbacks of Boland, Willis and Cimitiere Streets respond to the buildings relationship to the street.</p>
<p>A3 Setback from a side boundary:</p> <p>(a) must be built to the side boundaries at ground level; or</p> <p>(b) be setback a distance that is not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.</p>

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<p>Complies with A3(b) The building will not be constructed to the side boundaries. The minimum side boundary setback applying to adjoining lots is 0m and the maximum of adjoining lots 17.4m (76 Cimitiere Street). The minimum side boundary setback is 10.7m, the maximum being 66.4m to the eastern boundary. The maximum setback is outside that of adjoining lots and, therefore, the eastern side setback (between 50-66.4m) must be addressed against the performance criteria.</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 building; (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 (i) the character of the surrounding area.
<p>Complies with P3 The larger proposed setback reduces the impact upon eastern adjoining lots. Increasing the side setbacks mitigates overshadowing and loss of privacy assisting with the transition in height between the cottages and the proposed building. Landscaping will also assist in buffering potential impacts. The increased setback mitigates the impact upon the amenity of adjoining lots.</p>

15.4.2 Location of car parking

<p>Objective: To ensure that car parking:</p> <ul style="list-style-type: none"> (a) does not detract from the streetscape; and (b) provides for vehicle and pedestrian safety.
<p>A1 Car parking must be located:</p> <ul style="list-style-type: none"> (a) within the building structure; or (b) behind the building.
<p>Relies on performance criteria given that car parking is not provided within or clearly behind the building.</p>
<p>P1 Car parking must be located to minimise its visibility from a road, mall, laneway or arcade, having regard to:</p> <ul style="list-style-type: none"> (a) the existing streetscape; (b) the location of the car parking; (c) vehicle and pedestrian traffic safety; (d) measures to screen parking; and (e) any landscaping proposed.

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Complies with P1
 Car parking is provided at two locations on the site in the north west corner and at the south east area of the site parallel with Lawrence Street. Visibility will be minimised with landscaping and the positioning of the car parking, which in the case of the north west position is located between the building and the boundary, which reduces visibility travelling north along Willis Street. Given the existing buildings, the parking will not be readily visible from Lawrence Street. Landscaping and setback of parking minimises its impact. The existing streetscape is punctuated with open-air car parking areas, in reference to which the proposal seeks to minimise the impact of the proposed car parking at the site

15.4.3 Active ground floors

<p>Objective: To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity.</p>
<p>A1 New buildings with non-residential uses on ground floors must:</p> <ul style="list-style-type: none"> (a) have clear glazing, display windows or glass doorways for a minimum of 80% of all ground floor facades to, roads, malls, laneways or arcades; (b) not have security grilles or screens that obscure the ground floor facades to roads, malls, laneways or arcades; (c) not have mechanical plant or equipment, such as air conditioning units or heat pumps located on the facade; and (d) not have blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.
<p>Relies on performance criteria The proposal includes blank walls exceeding 2m and does not meet the glazing requirements.</p>
<p>P1 New buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:</p> <ul style="list-style-type: none"> (a) an adequate level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades; (b) the potential for security grills or screens to reduce the amenity of the building or reduce levels of interaction with the public; (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so they are not recognisable or visible from ground level public view points; and (d) minimising the area of all blank walls, signage panels or blocked out windows on ground floor facades to roads, malls, laneways or arcades

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<p>Complies with P1</p> <p>(a) The northern façade is an internal access and not considered a road, mall, laneway or arcade. The eastern façade is internal and setback 50m from the nearest road. Notwithstanding this, the design with pedestrian walkway and the glazing of the upper levels is adequate to provide passive surveillance.</p> <p>(b) There are no security grills;</p> <p>(c) Mechanical plant is contained within the building or at roof level;</p> <p>(d) The external walls at ground level provide texture and articulation and solid walls are only provided as appropriate to the use. The raised pedestrian walkway however can be read as creating an upper ground level facilitating interaction with the upper glazed levels.</p>
<p>A3 The building must:</p> <p>(a) provide a direct access for pedestrians from the road or publicly accessible areas; and</p> <p>(b) be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.</p>
<p>Complies with A3</p> <p>Pedestrian access is provided at the corner of Willis and Cimitiere Streets which is oriented to both roads.</p>
<p>A4 The total width of the door or doors on a garage facing a frontage must be no wider than 6m.</p>
<p>Complies with A4</p> <p>The loading zone garage door is approximately 3m wide.</p>

Clauses 15.4.4 - 15.4.9 apply to Residential Use Classes and do not apply to the current proposal which does not include a residential component.

The provisions of the Commercial zone apply to 78 Cimitiere Street, which is to be developed for car parking and associated landscaping.

23.0 Commercial Zone

23.1 Zone Purpose Statements

23.1.1.1 To provide for large format 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 volumes and high passing visibility
23.1.1.3 To ensure uses support and do not threaten the established activity centre hierarchy
<p>Consistent</p> <p>The proposed use will not threaten the established activity centre hierarchy.</p>

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23.3.2 Emissions impacting sensitive uses

<p>Objective To ensure that emissions to air, land and water are not detrimental to the amenity of sensitive uses.</p>
<p>A1 Uses must be setback from the site of a sensitive use a distance of not less than 100m.</p>
<p>Relies on performance criteria The use is within 100m of sensitive uses to the east.</p>
<p>P1 The use must not adversely impact the amenity of nearby sensitive uses having regard to</p> <ul style="list-style-type: none"> (a) the nature of the proposed use; (b) the characteristics of the emissions; (c) the proximity and number of sensitive uses in the area; (d) the topography of the site (e) background levels; (f) any mitigation measures proposed; and (g) the characteristics of the surrounding area
<p>Complies with P1</p> <ul style="list-style-type: none"> (a) The use for access and car parking between the hours of 7.00am and 10.00pm Monday to Friday and 10.00am to 4:30pm at weekends. (b) Use of the area is not expected to have a significant impact upon the adjoining sensitive uses. (c) Known sensitive uses are located at 18 and 22 Lawrence Street, and on the opposite side of Lawrence Street, which are not expected to be affected by the use. (d) The site is flat and will not exacerbate noise generated by the use. (e) The area is currently subject to noise emissions from traffic in Boland Street, noting that the nearby site at 2 Willis Street is used as a car park. (f) Landscaping will buffer the adjoining sites and it is proposed that acoustic fencing be provided to reduce noise attenuation. (g) The surrounding area is a mix of commercial, hotel and residential use with resulting noise emissions associated with their use.

23.4 Development Standards

<p>Objective To ensure that development has an acceptable impact on the streetscape</p>
<p>Consistent</p>
<p>A2 Car parking must not be located within 3m of the frontage.</p>
<p>Complies with A2 The proposed car parking within the Lawrence-Cimitiere access will be in excess of 3m from the frontage.</p>

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23.4.4 Site Landscaping
Objective To ensure that new development improves the amenity of the site and the streetscape.
Consistent
A1 New buildings or extensions with a gross floor area greater than 100m ² or 50% of the existing gross floor area, must: (a) landscape an area within the front setback of not less than 50% of that area; and (b) provide a minimum of one tree capable of growing to height of no less than 10m planted every 1000m ² . Trees must be located within a minimum 3m diameter landscaped area.
Complies with A1 The development is to be landscaped.

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.
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E2.5 Use Standards

Objective: To ensure that potentially contaminated land is suitable for the intended use.
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.
Relies on performance criteria 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.

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Complies with P1

An environmental site assessment has been prepared for the development which concludes that the level of contamination does not present a risk to human health, subject to recommended mitigation measures. A contamination management plan is included with the assessment.

E2.6 Development Standards

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.

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 with P1

An environmental site assessment and contamination management plan has been prepared for the site by ESA which concludes that the contamination at the site will not present a risk to human health recommending that excavation be limited where possible to minimise the spread of contaminated materials.

E4.0 Road and Railway Assets Code

E4.1 The purpose of this provision is to:

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

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E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Relies on performance criteria Vehicle movements from the Cimitiere Street access will exceed 20% of the existing use.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>Complies with P3 Midson Traffic prepared a Traffic Impact Assessment relative to the development.</p> <ul style="list-style-type: none"> (a) The net traffic generation will be 393 vehicles per day with a peak of 82 vehicles per hour. The report concludes that the surrounding network can accommodate the additional movements. (b) The nature of traffic generated will be light vehicles. (c) The existing access is expected to continue to operate in a safe and efficient manner with the increase in movements. (d) Cimitiere Street is classified as an arterial road providing an important link for the City Heart precinct. (e) Cimitiere Street speed limit is 50km/h with traffic flows of approximately 11,000 vehicles per day. Suitable access conditions are therefore provided for the overall safety of the network. (f) No alternative access is possible for the site. (g) Not applicable. (h) The findings of the TIA are documented. (i) The Council will apply appropriate conditions to the permit.

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E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

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

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

Complies with A2

There are four relevant crossovers/ accesses three of which are proposed. The roads surrounding the site either provide entry or exit or are linked providing a separate entry (Lawrence Street) and exit (Cimitiere Street).

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

Objective:

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

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies with A1

Each relevant intersection achieves a sight distance of 80m complying with Table E4.6.4.

E5.0 Flood Prone Areas Code

E5.1 Purpose of the Flood Prone Areas Code

E5.5.1 The purpose of this provision is to:

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

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 flood.

A1 No acceptable solution

Relies on performance criteria

P1

Sensitive use must be located to minimise the risk of injury to or loss of human life or damage to property having regard to:

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<ul style="list-style-type: none"> (a) the need for the location; (b) the characteristics and scale of the use; (c) the characteristics of the inundation of the land that is subject to the risk; (d) the nature and frequency of the inundation; (e) any measures proposed to mitigate the risk; (f) the nature, degree, practicality and obligation for any management activities to mitigate the risk; and (g) the level of risk identified in any report prepared by a suitably qualified person.
<p>Complies with P1</p> <ul style="list-style-type: none"> (a) The site provides a significant link to the Inveresk northern precincts and the city. The site is ideally located to provide a link in the wider context to the commercial developments within Launceston and its CBD. The site is underutilised and its development as a part of the Northern Transformation project will assist in the revitalisation of the city. (b) The use as an educational facility means that students will spend less time at the site perhaps 2-4 hours on average. (c) and (d) A flood analysis report prepared by Pitt & Sherry includes the 2090 climate scenario and provides analysis and recommendation relative to risk management and mitigation. The report considers the frequency potential reviewing the flood frequency levels – 5% AEP, 2% AEP and 1% AEP. (e) and (f) Building resilience levels are proposed to address the 2090 climate change scenario, at 5.4m AHD and the positioning of critical infrastructure above that building resilience level, together with development of a Flood Emergency Management Plan and associated actions.

E5.6.1 Development subject to flooding.

<p>Objective</p> <p>To minimise the risk of injury to, or loss of human life, or damage to property or the environment, by avoiding areas subject to flooding where practicable, or mitigating the adverse impacts of inundation to an acceptable level.</p>
<p>A1 No acceptable solution</p>
<p>Relies on performance criteria</p> <p>P1</p> <p>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:</p> <ul style="list-style-type: none"> (a) the need for the location; (b) the nature and characteristics of the development; (c) the scale and intensity of development; (d) the characteristics of the inundation of the land that is subject to the risk; (e) the nature and frequency of the inundation;

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

Complies with P1

The site located within the city and proximate the CBD is suited for redevelopment for the purpose proposed as part of the Northern Transformation project. The site is linked to the Inveresk Campus and its connection via the development of the pedestrian bridge approved to cross the North Esk River.

- (a) The location for the development is required as part of the UTAS re-location to ensure that sufficient teaching and learning facilities can be provided together with sufficient student accommodation.
- (b) The development has been designed having regard to the flood risk establishing a resilience level of 5.4m AHD.
- (c) Whilst the development will increase the intensity of development and infrastructure on the site, the adoption of mitigation measures through the design and development process allow the risks to be managed.
- (d) The characteristics of the inundation have been considered as part of the Pitt & Sherry assessment, informed by the most recent analyses by BMT.
- (e) The frequency of inundation is low with most events to be contained by the levee system.
- (f) A concept servicing report has been prepared for the development.
- (g) The site will not be accessible during a flood event however, the Flood Emergency Management Plan will be developed for the site to address action and risk minimisation.
- (h) The development will incorporate the use of flood resilient materials below the building resilience level.
- (i) The development of the Flood Emergency Management Plan combined with the City of Launceston Flood Emergency Response Plan provides preparedness in the event of flood, and in combination assisting in risk management.
- (j) Infrastructure development on site is planned.
- (k) Recommendations provided by the flood risk assessment report are to be adopted and translated through the design.

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- (l) Management of the flood levee system will continue in terms of ongoing risk management.
- (m) There will be no works associated with this development in the watercourse.
- (n) Risks to other buildings as a result of this development are not foreseen.
- (o) The flood assessment report prepared by Pitt & Sherry provides recommendations to address risk management.

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.

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.

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

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;

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<p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(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;</p> <p>(f) an assessment of the actual car parking demand determined in light of the nature of the use and development;</p> <p>(g) the effect on streetscape; and</p> <p>(h) the recommendations of any traffic impact assessment prepared for the proposal; or</p> <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> <p>(a) the intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the locality; or</p> <p>P1.3 The number of car parking spaces complies with any relevant parking precinct plan.</p>
<p>Complies with P1.1</p> <p>(a) The proposal submissions allocate a total of 70 vehicle parks for the site with 21 specifically for the new building. Some of the car spaces are indicated as temporary given the further development planned for the site, and the proposal is to reallocate car parking across the campus. Existing parking consists of a mix of staff, voucher and time restricted parking controlled by City of Launceston and UTAS. The Inveresk Precinct Redevelopment Traffic Impact and Parking Assessment identified the following requirements associated with the Inveresk campus - one space per nine FTE students and one space per two FTE staff across the campus. This analysis included the Willis Street site.</p> <p>(b) Shared parking will be accessed across the sites whilst attending the science facility.</p> <p>(c) Surveys indicate that approx.9.5% of students utilise public transport travelling to the campus.</p> <p>(d) Not applicable.</p> <p>(e) There is a pool of on-street parking in the surrounding area, but this is not relied upon by the development.</p> <p>(f) Actual parking demand has been assessed and the principle of the provision of parking across the campus as a whole applied to the issue of availability.</p> <p>(g) Not applicable.</p> <p>(h) A traffic Impact assessment has been completed.</p>
<p>A2 The number of accessible car parking spaces for use by persons with a disability for uses that require 6 or more parking spaces must be in accordance with Part D3 of the National Construction Code 2014, as amended from time to time.</p>

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Complies with A2

Two accessible car parks have been provided to the Science building, and a further two within the temporary car park.

E6.5.2 Bicycle parking numbers

Objective:

To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

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.

Relies on performance criteria

The requirement is to provide 163 spaces, the proposal will provide 81.

P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the likely number and characteristics of users of the site and their opportunities and likely need to travel by bicycle;
- (b) the location of the site and the likely distance a cyclist needs to travel to reach the site; and
- (c) the availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

Complies with P1

- (a) The Inveresk Traffic and Parking Assessment recommends a rate of one bicycle space for each 10 FTE students and staff which will total 81.3 spaces which can be provided across the campus for student access.
- (b) Given the site's proximity to the CBD and the future footbridge connection to Inveresk, walking and public transport will play a role.
- (c) Additional bicycle parking will be provided across the campus.

E6.5.3 Taxi spaces

Objective:

To ensure that access for taxis is provided to meet the needs of the use.

A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.

Relies on performance criteria

P1 Taxi parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;
- (b) the availability and accessibility of taxi spaces on the road or in the vicinity; and
- (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.

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Complies with P1
 There are no designated taxi spaces provided for the development, but its four road frontages will provide more than adequate space to meet likely demand.

E6.5.4 Motorcycle parking

Objective:
 To ensure that motorcycle parking is 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 with A1
 Four motor cycle parking spaces are dedicated to the new Science building which satisfies the requirement based upon the provision of 70 car spaces.

E6.5.5 Loading bays

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

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

Complies with A1
 A loading bay is provided.

E6.6 Development Standards

E6.6.1 Construction of parking areas

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

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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Complies with A1
 The site gradient is less than 10%, the parking area will be formed and paved, stormwater piped to the reticulated system and an impervious all-weather seal applied and line marked.

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.

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 for A1.1

A1.2 Accessible parking is located as close as practical to the building entrance.

A1.3 Accessible spaces are designated and will be signed.

A1.4 All parking areas will comply with the relevant Australian Standards.

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.

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Complies with P1
 The car parking proposed for the development complies with the requirement of AS2890.1 for User class 1 and 1A applicable for employee, commuter and residential parking. The non-compliance relates to the width of the access which the TIA concludes is appropriate for the intended use and the number of car spaces.

E6.6.3 Pedestrian access

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

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
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and

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.

Relies on performance criteria
 P1 Safe pedestrian access must be provided within car parks, having regard to:

- (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.

Complies with P1
 Footpaths are not proposed within the parking areas on the basis that it is considered that there is sufficient visibility provided between car parking spaces to act as refuges as necessary.

E6.6.4 Loading bays

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

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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.
Complies with A1 The loading bay will meet the applicable Australian standards.
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.
Complies with A2 Vehicles will be able to enter and exit both parking areas in a forward direction.

E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate 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.
Relies on performance criteria P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to: (a) the location of the proposed use; (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) whether there are facilities on the site for other reasons that could be used by cyclists; and (g) the opportunity for sharing bicycle facilities on nearby sites.
Complies with P1 Showers and end of trip (EOT) facilities are provided for staff. Changing facilities within the building will be available for students and adequate bathroom facilities. Given the shorter stay of students, it is unlikely they will generate demand for shower and EOT facilities.

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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>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 with A1</p> <ul style="list-style-type: none"> (a) The EOT facilities located in the north west of the proposed building are accessible via the proposed access; (b) Located within 50m of the relevant entrance; (c) Are visible and will be signed; and (d) Lighting will comply with the relevant Australian Standards.
<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 with A2 Bicycle parking spaces will comply with the standards.</p>

E18.0 Signs Code

<p>E18.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) provide opportunities for appropriate business advertising and information essential to support and encourage business activity; (b) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality; and (c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

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The application proposes the following signs:

- Two blade signs within the Boland and Willis Street Road reserve identifying car park and loading dock entry.
- Two blade signs on the pedestrian path through the site indicating way finding.
- Two window signs located on the Boland Street façade and Cimitiere Street façade.
- Loading dock (wall) sign.
- Ground level wall signage at Cimitiere Street and Lawrence Street entries.

E18.5 Development Standards

E18.5.1 Unacceptable signage

Objective: To prevent unacceptable signage.
A1 Signage must not be for the following sign types: (a) an above awning sign; (b) bunting (flag and decorative elements); (c) a flashing lights sign; (d) a roof sign; (e) a sky sign; or (f) a third party sign.
Complies with A1 None of these sign types are proposed.

E18.5.2 Design and siting of signage

Objective: To: (a) provide for appropriate signage and to ensure the visual scale and impact of signage is managed; and (b) ensure that the design and siting of signs achieves the purpose of this code.
A1 A sign must: (a) be located within the applicable zone for the relevant sign type set out in Table 1 of E18.6; and (b) meet the requirements for the relevant sign type set out in Table 1 of E.18.6.
Relies on performance criteria All proposed signs comply with the exception of the loading dock sign which must be assessed against the performance criteria.
P1 A sign must: (a) be located within an applicable zone for the relevant sign type as set out in Table 1 of E18.6; and (b) be appropriate to the natural and built environment of the locality, having regard to: (i) domination of the streetscape or premises on which it is located; (ii) the size and dimensions of the sign; (iii) the amenity to surrounding properties;

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<ul style="list-style-type: none"> (iv) the repetition of messages or information; (v) the number and density of signs; and (vi) the obstruction of movement of vehicles and pedestrians.
<p>Complies with P1</p> <ul style="list-style-type: none"> (a) The relevant sign is permitted in the zone. (b) The sign will be positioned in the carpark to indicate the location of the loading dock. This is a wayfinding sign attached to the blank wall and will not impede movement or safety.
<p>A2 A sign must be a minimum distance of 2m from the boundary of any lot in the General Residential, Inner Residential, Low Density Residential, Rural Living, Environmental Living or Village zones.</p>
<p>Complies with A2</p> <p>No signs are located within 2m of the boundary of the above zones.</p>
<p>A3 A building or tenancy must have:</p> <ul style="list-style-type: none"> (a) a maximum of one of each sign type per building or tenancy, unless otherwise stated in Table 1 of E18.6; and (b) no more than three individual signs in total.
<p>Relies on performance criteria</p> <p>P3 Visual clutter must be reduced where multiple signs of the same type are proposed, having regard to:</p> <ul style="list-style-type: none"> (a) the number of signs; (b) replacement of existing signs with fewer, more effective signs; and (c) duplication of messages or information on the same frontage.
<p>Complies with P3</p> <p>The signs are located on the various facades to provide important wayfinding messages. The signs will not result in visual clutter.</p>
<p>A4 A sign must not be illuminated.</p>
<p>Relies on performance criteria</p> <p>P4 A sign must not result in unreasonable loss of amenity to neighbouring properties or cause undue distraction to drivers of motor vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the sign; (b) the intensity of the lighting; (c) the hours of operation of the sign; (d) whether the sign is visible from the road; and (e) the character of the surrounding area.
<p>Complies with P4</p> <p>The illuminated signs will be positioned above ground level and fitted with the internal window frame. The signs will have a low intensity luminaire, will not flash or change colour and will not be a distraction for motorists. Whilst operating 24-hours the light will be contained within the site avoiding spill and potential nuisance.</p>

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4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided with recommended conditions in relation to amended plans, detailed design, construction and provision of services.
Environmental Health	Conditional consent provided with recommended conditions in relation to hours of construction, soil and water management plan, and environmental site conditions.
Heritage/Urban Design	Referred
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 2020/00877-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 from 12 September to 28 September 2020. An extension pursuant to section 57(5) of *Land Use Planning and Approvals Act 1993* was also granted, resulting in formal advertising being extended by one day, until 29 September 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

<p>Issue 1 UTAS Relocation: concern at the decision to relocate from the Newnham campus to Inveresk (and Willis Street), and the attendant issues.</p>

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Response 1

In respect to the relocation of the Newnham campus, the present planning scheme provisions allow for the consideration of the current application as a matter of discretion. Those matters relevant to consideration of the application are the only basis upon which the Council can, acting as a planning authority, make its decision. Whilst it is noted that the representation does not agree with the strategic direction and the development at the Willis Street site, the matter is not one which of itself bears upon the present application in terms of planning assessment.

Issue 2

Choice of site - the Newnham campus relative to the Mowbray as a District Activity Centre is considered a more appropriate site for the UTAS redevelopment facilitating future consolidation of that centre and the services available to the university population.

Response 2

As with Response 1, the strategic selection of the Inveresk site for the UTAS redevelopment is not a matter which influences consideration of the current application. It must be considered on the merits and standards applicable to the planning scheme which allows consideration of the present application at discretion.

Issue 3

Climate change and flood risk: Concerns that the development of the Willis Street site is unsustainable given the flood and site stability risks.

Response 3

The application provides an assessment and analysis prepared by Pitt & Sherry which considers the risks and associated mitigation measures necessary in dealing with the 2090 climate change scenario. The BMT modelling provides the next layer of data in terms of the management of development within the Inveresk site and beyond and informs decision making as part of this process. It provides valuable information as part of the improvement of flood plain management. The flood analysis reviewed the flood risk profile for the Invermay/Inveresk floodplain including the Willis Street site proposing risk management options to manage the residual risk associated with the intended uses.

Issue 4

Traffic Management within Inveresk and Willis Street precincts and adjacent areas

Response 4

The issue of Traffic Management and the impact of the development upon the network including car parking associated with the Inveresk site and Willis Street is addressed as part of the application. The Traffic Impact assessment (TIA) determines that the application will have minimal impact upon traffic and parking which can be managed within existing service arrangements, noting also additional parking approved recently for development in the northern sector of the site. The Willis Street development provides parking on site to meet expected demand.

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<p>Issue 5 Car Parking needs of the Willis Street precinct</p>
<p><i>Response 5</i> The TIA determines that the development of car parking associated with the proposed use is not significant, and that existing parking within the precinct and the additional parking to be developed within the northern precinct will provide for the additional demand.</p>
<p>Issue 6 Social License: The Transformation project does not have a social license and as such cannot claim the support of the community.</p>
<p><i>Response 6</i> The planning scheme does not require social license as a precondition upon which a planning application is to be assessed. The process of public exhibition is provided under the Land Use Planning and Approvals Act 1993 and the community provided an opportunity to make representation.</p>
<p>Issue 7 Development of the site is not sustainable</p>
<p><i>Response 7</i> The application includes assessments as to flood risk, site contamination, and traffic management incorporated within the planning scheme standards and codes relevant to development within the zone, determining that risks are tolerable and that development may proceed subject to specific mitigation measures.</p>
<p>Issue 8 Notification and description The application has not been correctly notified and its description fails to cover all works associated with the proposal.</p>
<p><i>Response 8</i> Notification of the application complies with the requirements of the Land Use Planning and Approvals Act 1993, and the description of the development adequately explains the development.</p>

6. CONCLUSION

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

ECONOMIC IMPACT:

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

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ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

- 9.1 2 and 7 Willis Street, 78 and 80 Cimitiere Street, Launceston - Educational and Occasional Care, Vehicle Parking, Passive Recreation, Demolition and Subdivision - Construction of Tertiary Education Facility, Associated Works and Consolidation of Three Lots ...(Cont'd)**
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ATTACHMENTS:

1. Locality Map - 7 Willis Street and 78 Cimitiere Street, Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 7 Willis Street and 78 Cimitiere Street, Launceston (*electronically distributed*)
 3. TasWater SPAN - 7 Willis Street and 78 Cimitiere Street, Launceston (*electronically distributed*)
 4. Representations - 7 Willis Street and 78 Cimitiere Street, Launceston (*electronically distributed*)
 5. Supplementary supporting Document - 7 Willis Street and 78 Cimitiere Street, Launceston (*electronically distributed via the following link:*
<https://docs.launceston.tas.gov.au/owncloud/index.php/s/k8tevsCes3ZO3hy>
(*Document unavailable via Council's Meeting web-site*)
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9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park

FILE NO: DA0321/2020

AUTHOR: John Ayres (Consultant 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:	Ireneinc Planning and Urban Design
Property:	2-4 Invermay Road, Invermay
Zoning:	Particular Purpose 4 - Inveresk Site
Receipt Date:	19/06/2020
Validity Date:	29/06/2020
Further Information Request:	09/07/2020 and 28/07/2020
Further Information Received:	01/09/2020
Deemed Approval (extension granted):	12/11/2020
Representations:	Five

STANDARDS REQUIRING COUNCIL DISCRETION

Standard	Reason
35.4.1 P1 Building height	No Acceptable Solution
35.4.2 P1 Location of car parking	Car parking not provided within proposed building
35.4.3 P1 Active ground floors	Insufficient glazing
E2.6.2 P1 Excavation	No Acceptable Solution
E4.6.3 P1 New level crossings	No Acceptable Solution
E9.6.1 P1 Development in the vicinity of a watercourse or wetland	No Acceptable Solution
E13.6.1 P1 Demolition	No Acceptable Solution
E13.6.4 P1 Site coverage	No Acceptable Solution
E13.6.4 P1 Height and bulk of buildings	No Acceptable Solution

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E13.6.6 P1 Site of buildings and structure	No Acceptable Solution
E13.6.8 P1 Roof form and materials	No Acceptable Solution
E13.6.9 P1 Wall materials	No Acceptable Solution
E13.6.12 P1 Tree and vegetation removal	No Acceptable Solution
E16.7.2 P2 Flood impact	No Acceptable Solution

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 DA0321/2020 - Educational and occasional care and demolition - Construction of a tertiary education facility (learning and teaching) and associated works, including infrastructure and landscaping, demolition of buildings, removal of vegetation and car park at 2-4 Invermay Road, Invermay subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

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

- a. Title Sheet - Drawing List, John Wardle Architects, Drawing No. DA.0000, UTAS Inveresk Rivers Edge Inveresk, Revision C, Page No. 01, 18/06/2020.
 - b. Proposed Site Plan, John Wardle Architects, Drawing No. DA.0001, UTAS Rivers Edge Inveresk, Revision C, Page No. 02, 17/06/2020.
 - c. Existing Site Plan - John Wardle Architects, Drawing No. DA.0200, UTAS Rivers Edge Inveresk, Revision c, Page No. 03, 17/06/2020.
 - d. Demolition Plan - John Wardle Architects, Drawing No. DA.0300, UTAS Rivers Edge Inveresk, Revision C, Page No. 04, 17/06/2020.
 - e. Area Plans GFA, John Wardle Architects, Drawing No. DA.0600, UTAS Rivers Edge Inveresk, Revision B, Page No. 05, 12/06/2020.
 - f. Shadow Diagrams, John Wardle Architects, Drawing No. DA.0605, UTAS Rivers Edge Inveresk, Revision B, Page No. 06, 12/06/2020.
 - g. Contextual Elevations - John Wardle Architects, Drawing No. DA.0700, UTAS Rivers Edge Inveresk Revision B, Page No. 07, 12/06/2020.
 - h. Level 01, John Wardle Architects, Drawing No. DA.1001, UTAS Rivers Edge Inveresk, Revision C, Page No. 01, 17/06/2020.
 - i. Level 02 Plan, John Wardle Architects, Drawing No. DA.1003, UTAS Rivers Edge Inveresk, Revision B, Page No. 09, 12/06/2020.
 - j. Level 03 Plan, John Wardle Architects, Drawing No. DA.1003, UTAS Rivers Edge Inveresk, Revision B, Page No. 10, 12/06/2020.
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9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

- k. Level 04 Plan, John Wardle Architects, Drawing No. DA.1004, UTAS Rivers Edge, Revision B, Page No. 11, 12/06/2020.
- l. Level Roof, John Wardle Architects, Drawing No. DA.1101, UTAS Rivers Edge Inveresk, Revision B, Page No. 12, 12/06/2020.
- m. Level Upper Roof, John Wardle Architects, Drawing No. DA.1002, UTAS Rivers Edge Inveresk, Revision B, Page No. 13, 12/06/2020.
- n. Elevations John Wardle Architects, Drawing No. DA.3000, UTAS Rivers Edge Inveresk, Revision B, Page No. 14, 12/06/2020.
- o. General Arrangement Sections, John Wardle Architects, Drawing No. DA.3500, UTAS Rivers Edge Inveresk, Revision B, Page No. 15, 12/06/2020.
- p. External Finishes Legend, John Wardle Architects, Drawing No. DA.9000, UTAS Rivers Edge Inveresk, Revision B, Page No. 16, 12/06/2020.

2. LEGAL TITLE

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

3. HOURS OF CONSTRUCTION

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

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays

4. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council's *Notice of Heritage Decision* for THC Application No. 6294, 05/10/2020 and attached to the permit and specifically:

1. Where potentially significant archaeological features and /or deposits are revealed during excavation works:
 - (a) work in the vicinity must stop immediately and the discovery reported to the archaeological consultant.
 - (b) a report detailing the findings, in digital format, must be submitted to the Heritage Council within six months of the commencement of works involving ground disturbance.

5. CONSTRUCTION MANAGEMENT DOCUMENTATION

Prior to the commencement of site works for the development of the proposed building the developer shall submit to the Council a detailed Construction Management Plan.

The plan shall include all necessary diagrams and documents to detail of the proposed occupation of the agreed work site and any ancillary use of public land outside of the agreed work site, including the proposed starting date and duration of the occupation.

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The plan must detail the works to maintain a safe worksite and provide for the continued use by the public of those areas outside the agreed worksite or those areas subject to temporary occupation.

6. PROTECTION OF INVERMAY LEVEE

No works involving the excavation of materials or the placement of temporary structures, building materials or stockpiles is permitted within 5m of the Invermay Levee without the express written permission of the Chief Executive Officer of City of Launceston.

Where it is necessary to undertake works within 5m of the levee such works shall be subject to the conditions imposed by the Chief Executive Officer of the City of Launceston upon any advice received from the Launceston Flood Authority or other expert advice sought.

7. 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.

8. SOIL AND WATER MANAGEMENT PLAN

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

9. PROTECTION OF PIPELINES

The Council's 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:

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

- 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*.

10. SUBMISSION AND APPROVAL OF PLANS

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

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

11. CONSTRUCTION OF WORKS

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

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The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. Gravity connection to the existing gravity outfall to the North Esk River.
 - ii. The provision of a suitably sized offline stormwater pumping station to direct flows to the North Esk River designed to operate during high tide events or flooding of the river in accordance with the requirements of the City of Launceston.
- b. Sewerage
 - i. Connection to the existing private sewage pumping station located adjacent to the proposed building.
 - ii. All necessary upgrades to the existing infrastructure to accommodate additional flows from the development.
- c. Water supply
 - i. Provision of a metered connection to the existing shared ring main, with all necessary valves and backflow prevention devices.
- d. Electricity, Communications and Other Utilities
 - i. All necessary upgrades and connections to electricity, communications and other third party utilities installed to the approval of the Responsible Authority.

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

1. construction requirements.
2. appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities.
3. construction Audit inspections.
4. practical completion and after a 12 months defects liability period the Final Inspection and Hand-Over.

12. CONSTRUCTION DOCUMENTATION

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

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

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13. EASEMENTS

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

14. COMPLETION OF WORKS

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

15. AS CONSTRUCTED PLANS

An *as constructed* plan must be provided in accordance with the Council's standard requirements for as constructed drawings showing all new public and shared infrastructure. A separate copy of the requirements is available from the Infrastructure and Assets Network.

16. PROTECTION OF PUBLIC LAND

The public 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 around the perimeter of the agreed work site.
- b. no building material, stockpiles, skip bins or machinery are to be stored outside of the agreed work site.
- c. any and all damage caused to the public land due to the development is to be remediated within the timeframe specified in writing by the Council.

17. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- a. Prior to the commencement of construction and excavation activities a Construction Environmental Management Plan (Construction EMP) must be submitted to the Manager Health and Compliance, to the satisfaction of the Manager Health and Compliance.
-

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- b. The Construction EMP must be prepared by a suitably qualified and experienced practitioner and contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase, as specified in the Environmental Site Assessment -Rivers Edge, dated April 2020, prepared by Geo-Environmental Solutions.
- c. The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:
 - i. prevention of impacts upon surface water and waterways;
 - ii. noise emissions;
 - iii. dust emissions;
 - iv. contaminated soil;
 - v. environmentally hazardous materials;
 - vi. pests;
 - vii. disposal of construction and excavation waste materials (noting burning waste on The Land is not permitted);
 - viii. quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records.
- d. Construction activities must be carried out in accordance with the Construction EMP and Environmental Site Assessment - Rivers Edge report dated April 2020 prepared by Geo-Environmental Solutions, or subsequent review of the aforementioned plan.

18. PLANT AND EQUIPMENT

All plant and equipment must be operated in accordance with the manufacturer's specifications and maintained in good condition to the extent necessary to prevent emissions from the plant and equipment causing environmental nuisance beyond the boundary of The Land.

19. EMERGENCY RESPONSE PLAN

- a. Prior to the use commencing, a detailed and site-specific Emergency Response Plan (Plan) must be prepared and submitted to the Manager Health and Compliance. The Plan must be prepared in consultation with, and endorsed by the State Emergency Service (SES) and the Tasmania Fire Service (TFS).
 - b. The Plan must, at a minimum, contain the following information:
 - i. identification of potential emergency situations including, but not necessarily limited to, fire and flood;
 - ii. identification of incidents, accidents, power failures and malfunctions with the potential to cause the accumulation of waste materials and emissions which do not comply with these conditions;
-

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- iii. management strategies to deal with, and minimise environmental impacts arising from, identified potential emergency situations, incidents, accidents, power failures and malfunctions.
- c. Firefighting wastewater must not be discharged from the land, unless it is for the purpose of removal for disposal to a facility approved to receive such material or in accordance with any direction provided by the Manager Health and Compliance.
- d. The activity must be undertaken in accordance with the endorsed Plan and any subsequent amendment to the Plan endorsed by the TFS and SES.

20. 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.

21. 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 (insert application reference). 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.

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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.

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

REPORT:

Planning Tas Pty Ltd, trading as Ireneinc Planning and Urban Design, has lodged a proposal on behalf of the University of Tasmania (UTAS) for the development of the River's Edge Building. The development consists of the construction of a four storey learning and teaching facility incorporating collaborative teaching spaces, meeting and consultation rooms, workspaces and student breakout areas, staff and student facilities - toilets, kitchen areas and parenting rooms.

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The gross floor area of the new building is 6,037.5m² with its height ranging from 24.6m falling to 21.8m at its north-east elevation to 23.1m at the south-east elevation.

The new building is proposed adjacent to the School of Architecture and Design requiring the demolition of minor outbuilding structures kerbing and pavement associated with the existing parking area.

The building will also incorporate the *Riawunna* Aboriginal Centre relocated from the Newnham campus. UTAS proposes that the campus reflects the traditional owners of the land, the current and future students both physically and culturally, a decision informed through consultation with the members of the local and UTAS indigenous community. The *Riawunna* Aboriginal Centre is a culturally safe space for Aboriginal and Torres Strait Islander students and the Aboriginal community to access higher education.

It is important to UTAS that the built environment recognises the indigenous community past, present and future and addresses the University's Strategic Plan for Aboriginal Engagement 2017-2020.

Design Statement

The design statement prepared by John Wardle Architects, suggests that the two main axes of Traverser Lane and constrained footprint of Inveresk development provides a unique wedge shaped gap for the proposed River's Edge building, presenting an opportunity for the new building to extend the legacy of efficient industrial forms whilst presenting to the bend in the North Esk River *reimagining the constraint as an amenity*. The River's Edge building is representative of the broader ambitions of the Northern Transformation Project (NTP) with its design presenting a tapered edge to the precinct. The building represents a change in the evolution of structures on the site which previously has not addressed the river. The leading edge of the building will address the Inveresk Precinct whilst the opportunity has been taken to orientate the users of the building to the north-east and the river.

The new building adapts the sawtooth and gable vernacular being representative of the site's industrial development introducing metal cladding and natural atrium light, providing continuity with the existing heritage context.

Heritage

The *River's Edge Building - Inveresk Campus Heritage Impact Statement* prepared by Paul Davies Pty Ltd for the application concludes that *the building is well considered, sited and designed structure that not only fits within the heritage character of the precinct but is a fine building in its own right. Key characteristics of the precinct are buildings built of their time, using the latest materials, designed for specific purposes, many well designed but utilitarian in nature (reflecting their purpose) all working within a quite rigid framework to*

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allow access for locomotives and carriages that require rectilinear forms with clear open space. The proposed building adopts all these characteristics with a new use that is both compatible with heritage values and actually enhances the precinct. There are no adverse heritage impacts arising from this development.

The Tasmanian Heritage Council has advised of consent to the granting of a permit for the development subject to the protocols associated with the discovery of a significantly archaeological feature revealed during excavation works.

Flood Analysis

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

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

The Launceston City Deal determines the relocation of the UTAS campus to the Inveresk Precinct and the Greater Launceston Plan identifies the rejuvenation of the Inveresk Precinct as a priority.

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

Typically, flood risk is categorised in terms of environmental, economic and social implications and its governance. The prime criterion being the safety of people. As a part of its continual improvement to floodplain management, City of Launceston engaged hydrologists and hydraulic Engineers BMT in 2017 to update the North Esk, South Esk Rivers and River Tamar flood model and produce new flood mapping outputs. The subject site/s of the UTAS campus relocation is contained within flood prone land included in this flood model.

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The key updates for the model and mapping updates are:

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

The flood frequency analysis was revised through the examination of the history of flood data of the South Esk River at Trevallyn and estimation of the likely magnitude of events of a given return period, commonly expressed as Annual Exceedance Probability (AEP). The last flood frequency analysis was undertaken in 2008 by Hydro Consulting, the key changes from this analysis to the present include:

- an additional 10 years of data, including the 2016 flood event.
- the inclusion of two very large flood events from the 1800s. These events were previously excluded as they were believed to be unreliable and skewed the result. Ball et al (2016) now allows for the inclusion of historical data as *censored* data.

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

In reference to the present proposal, Pitt & Sherry has undertaken a flood risk assessment relative to the proposed site and building. The assessment is based upon the most recent flood modelling data produced by the *North and South Esk Rivers Flood Modelling and Mapping Update Volume 1: Technical report (BMT 2018)*, and the *North and South Esk Rivers Flood Modelling and Mapping Update, Levee Breach Assessment (BMT 2018)*. Importantly, following a request from the Launceston Flood Authority, the Pitt & Sherry assessment also addressed the 2090 climate scenario. The 1% AEP 2090 climate scenario is the event to be adopted for building resilience meaning in particular that any critical infrastructure should be located at or above the peak flood level plus freeboard which equates to 5.9m AHD. The Pitt & Sherry assessment includes a *draft* Flood Emergency Management Plan.

The report evaluates the flood risk at the proposed site including levee breach or overtopping and provides recommendations relative to management of that risk concluding that the following be considered:

- design of the proposed development locates all critical infrastructure at a level equivalent to the 2090 1% AEP river flood level (5.9m AHD);
 - all internal building components below this level - ground floor (Level 01) should be waterproofed or constructed from flood compatible material such as concrete;
-

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- a flood emergency plan be developed for the River's Edge site consistent with the Launceston Municipal Emergency Plan and Launceston Evacuation Plan Issue - 2, 2011;
- a recovery and continuity plan should be developed, and
- a responsible officer be appointed to manage the flood emergency response plan.

Site contamination

Geo-Environmental Solutions completed site investigations of the footprint of the proposed building to mitigate contamination risk during and post construction. The results confirmed the presence of contaminants including hydrocarbons together with heavy metals - arsenic, copper, lead and zinc. The report recommends work to be undertaken to mitigate risk during and post construction, including the preparation of a Contamination Management Plan which includes soil management, stockpile exposure, classification and management and excavation relative to the water table. The report concludes that subject to implementation of the recommended actions contamination at the site will not present a risk to human health.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Site Description

The proposed education facility will be located within the title of 2 Invermay Road - Certificate of Title 174633/2 which is subject to the Inveresk Particular Purposes Zone 4 within the Cultural and Public Purpose precinct. With its frontage to Invermay Road, site access is provided at this point.

More generally, the Inveresk site incorporates UTAS Stadium and the Inveresk Campus, QVMAG buildings, Invermay Bowls and Community Club, Elizabeth Gardens, the Inveresk Railway Turntable and Roundhouse and the Launceston Big Picture School. The site contains three Heritage Places listed with the Tasmanian Heritage Register, including the York Park Entrance Gates, the Invermay Park Northern Stand and the Launceston Railway Station Complex. The subject site comprises relatively low-lying land between Invermay Road, Forster Street, and the North Esk River, and is within the Inveresk/Invermay Flood Inundation Area. The area consists of open space interspersed with landscaped gardens and buildings serving residential, educational, recreational, and cultural uses.

The site is a part of a significant cultural, sporting, recreational and historic precinct which provides potential to be further leveraged through the increased presence and integration of UTAS.

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The historic railway and tram buildings provide a rich and various industrial fabric which house a number of significant cultural and educational organisations including TasTAFE, the Launceston Tram Museum and the Queen Victoria Museum and Gallery. To the north is located UTAS Stadium which caters for Launceston’s largest football and cricket games throughout the year. Within the site's open space precinct to the north new car parking facilities have been approved for development to service the site.

Representations - Preliminary

A total of five representations objecting to the proposed development were received. The issues raised include:

- UTAS relocation to Inveresk from the Newnham campus.
- District Activity Centre such as Mowbray allows consolidation and greater access to services.
- Climate change and risks associated with flood inundation.
- Traffic management within the Inveresk and Invermay precincts.
- Car parking needs of the Inveresk precinct.
- No social license for the site’s development.
- Development of the site is unsustainable.
- Lack of transparency.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

35.0 Particular Purpose Zone 4 – Inveresk Site

<p>35.1.1 Zone Purpose Statements</p> <p>35.1.1.1 To provide for re-use and redevelopment of the zone for a range of cultural, educational, recreational and public purpose uses.</p> <p>35.1.1.2 To provide for residential uses and developments associated with and supporting educational uses within the zone.</p> <p>35.1.1.3 To locate use and development appropriately within the precincts of the zone.</p>
<p>Consistent with 35.1.1.1</p> <p>Local Area Objectives: The area contains 4 local area precincts as shown on Figure 35.1.2 to this zone.</p> <p><i>Open space precinct</i> To provide an open space and recreational use area linking the existing York Park and Invermay Park to the North Esk River. The area is to be retained as an area for public use and for events ranging from an agricultural show, outdoor exhibitions and displays, open air markets and general recreational activities.</p>

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Cultural and public purpose precinct

To ensure re-use of existing buildings for a range of cultural, educational and recreational activities. Principal users may be the University of Tasmania, the Queen Victoria Museum and Art Gallery. Buildings are to be retained and redeveloped in accordance with their heritage values and status as outlined in the Launceston Railways Workshop Conservation Plan.

Recreational and leisure precinct

To provide a range of sporting and recreational facilities including UTAS Stadium and Invermay Park.

Residential and commercial precinct

To provide opportunities for commercial developments on the southern and central portion of the site to complement the redevelopment within the other precincts. To provide for the development of residential uses associated with and supporting the educational activities within the zone.

Consistent with the objectives of the Cultural and Public Purpose Precinct

The proposed development by principal user UTAS, will create a further educational facility to provide for learning and associated research use within the precinct. The development proposes the demolition of existing minor structures and car park within the development footprint.

The Heritage Impact Statement prepared by Paul Davies Pty Ltd, concludes that there are no adverse heritage impacts arising from the proposed development. The Tasmanian Heritage Council raises no concerns with the proposal.

35.3 Use Standards

35.3.1 Hours of operation

Objective:

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

Consistent

The proposed development will be accessed by commercial vehicles within and during normal business hours the direction and route of which does not impact upon residential amenity

A1 Commercial vehicles must only operate between 6.00am and 10.00pm.

Complies with A1

Commercial vehicles will operate only between the hours of 6.00am and 10.00pm.

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35.3.2 Noise levels

<p>Objective: To ensure that noise emissions from uses do not cause an unreasonable loss of amenity to nearby sensitive uses.</p>
<p>Consistent It is considered that the proposed development will not generate significant noise, and will be separated from sensitive uses by a distance that will otherwise limit potential impact of noise from the development.</p>
<p>A1 Noise generated by a use on the site must:</p> <ul style="list-style-type: none"> (a) not exceed a time average A-weighted sound pressure level (L_{aeq}) of 5 dB(a) above background during operating hours when measured at the boundary of an existing sensitive use adjoining or immediately opposite the site; or (b) be in accordance with any permit conditions required by the Environment Protection Authority or an environment protection notice issued by the Director of the Environment Protection Authority.
<p>Complies with A1 It is considered that the proposed development will comply with Acceptable Solution (a) as it does not include noise generating plant or equipment and should not generate noise specified in the provision. The development will be well removed from the nearest sensitive use, which is the UTAS student living building south of the development site.</p>

35.4 Development Standards

35.4.1 Building height

<p>Objective: To ensure that development on the site is compatible with the character of the local area precinct.</p>
<p>A1 No acceptable solutions.</p>
<p>P1 The height of buildings must be compatible with surrounding development, having regard to:</p> <ul style="list-style-type: none"> (a) consistency with the local area objectives; (b) the topography of the site; (c) the height of buildings on the site, adjoining lots and adjacent lots; (d) the bulk and form of existing and proposed buildings; (e) the apparent height when viewed from roads and public places; and (f) any overshadowing of adjoining lots or public places.
<p>Complies with P1 The proposed building will have a maximum height of 24.6m at its north west elevation scaling to 21.8m (north-east elevation) and 23.1m (south-east elevation). Being located on relatively flat terrain this height is consistent with the range of heights of surrounding buildings. The EG Stone building is the tallest existing structure on the site and measures a maximum height of 23.5m.</p>

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The sawtooth form and profiled metal cladding of the proposed building and walls is intended to reduce the apparent scale of the building and provide consistency with the roofline form of adjacent buildings. Thus, the building envelope can be read as consistent with the industrial form and characteristics of the site particularly when viewed in context with existing structures from Invermay Road and within the site more apparently.

The design statement prepared by Architect John Wardle provides a detailed analysis and description of the design philosophy explaining the building's response to the site and existing buildings. This demonstrates the compatibility of the building in its context and the response to the existing structures on the site.

Shadow diagrams indicate some overshadowing of outdoor gathering spaces but this does not impact adjoining lots and given access to areas beyond the immediate footprint of the building, this is not considered significant.

35.4.2 Location of car parking

Objective:
To ensure that car parking is compatible with the character of the local area precinct.

A1 Car parking must be located within the building structure.

Not Applicable
No car parking is not proposed as part of the use.

35.4.3 Active ground floors

Objective:
To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity

A1 New buildings with non-residential uses on ground floors must:

- (a) have clear glazing, display windows or glass doorways for a minimum of 80% of all ground floor facades to, roads, malls, laneways or arcades;
- (b) not have security grilles or screens that obscure the ground floor facades to roads, malls, laneways or arcades;
- (c) not have mechanical plant or equipment, such as air conditioning units or heat pumps located on the facade; and
- (d) not have blank walls, signage panels or blocked out windows, wider than 2m on ground floor facades to roads, malls, laneways or arcades.

Relies on Performance Criteria
The proposal does not comply with acceptable solution A1 and must be assessed against the Performance Criteria.

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<p>P1 New buildings must be designed to maximise interaction between the use of the building and pedestrians, having regard to:</p> <ul style="list-style-type: none"> (a) an adequate level of glazing, openness and transparency on the ground floor facades to roads, malls, laneways or arcades; (b) the potential for security grilles or screens to reduce the amenity of the building or reduce levels of interaction with the public. (c) screening or obscuring all mechanical plant or equipment such as air conditioning units or heat pumps so as they are not recognisable or visible from ground level public view points; and (d) minimising the area of all blank walls, signage panels or blocked out windows on ground floor facades to roads, malls, laneways or arcades.
<p>Complies with P1 The ground floor area facades have less than 80% glazing which is a consequence of flood mitigation requirements ensuring building resilience.</p>
<ul style="list-style-type: none"> (a) The building has been designed to maximise as far as possible permeability at ground floor level and is considered adequate under the circumstances noting that the façade does not address a road, mall or laneway. Nevertheless, glazing on the ground floor will articulate entry points and allow connections between the ground floor and the site beyond. (b) Security grilles are not proposed. (c) Mechanical plant will be located on the north west façade of the building and screened from view. (d) The building’s position and the areas adjacent the ground floor necessitates a functional design which is restricted in terms of the need for glazing given the function of this space relative to its context and location. The glazing proposed will provide adequate legibility for pedestrian interaction within the space and the ground floor areas.

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 An Environmental Site Assessment (ESA) prepared for the proposed development concludes that whilst there is evidence of contaminated soils on the site, the contamination levels do not present a risk to human health or the environment. The ESA recommends the preparation and implementation of a Contamination Management Plan (CMP) prior to the commencement of works. This requirement is recommended as a condition of consent.</p>

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E2.5 Use Standards

Objective: To ensure that potentially contaminated land is suitable for the intended use.
Consistent The recommendations of the ESA and the CMP prepared for the development, will ensure the land is suitable for the intended use.
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.
Complies with A1 The proposal is supported by an Environmental Site Assessment, which makes recommendations, including the preparation and implementation of a CMP prior to the commencement of any works at the site. If the recommendations of both reports are followed, the potential risk and impact of soil contamination detected at the site should be mitigated.

E2.6 Development Standards

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.
A1 No acceptable solution.
P1 Excavation does not adversely impact on health and the environment, having regard to: (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) a plan to manage contamination and associated risk to human health and the environment that includes: (i) an environmental site assessment; (ii) any specific remediation and protection measures required to be implemented before excavation commences; and (iii) a statement that the excavation does not adversely impact on human health or the environment.
Complies with P1 The Environmental Site Assessment has determined the level of site contamination and includes a Contamination Management Plan (CMP) which details recommendations for remediation and protection measures.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

E4.0 Road and Railway Assets Code

The development does not propose a new vehicle crossing, junction or level crossing and is located approximately 220m from the decommissioned rail line. Invermay road is not a category 1 or 2 road subject to a speed limit greater than 60km/h.

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.

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

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

Not Applicable

Invermay Road is not a category 1 or 2 road and the speed limit does not exceed 60k/h.

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

Not Applicable

The applicable speed limit does not exceed 60k/h.

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 with A3

The traffic generation at the access to the site will increase by less than 40 vehicle movements per day.

E4.5.2 Existing level crossings

Objective:

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

A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

Not Applicable
The access does not cross the rail network

E4.6 Development Standards

E4.6.1 Development adjacent to roads and railways

<p>Objective: To ensure that development adjacent to category 1 or category 2 roads or the rail network:</p> <ul style="list-style-type: none"> (a) ensures the safe and efficient operation of roads and the rail network; (b) allows for future road and rail widening, realignment and upgrading; and (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network.
<p>A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots. <p>A1.2 Buildings must be:</p> <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building.
<p>Not Applicable The applicable speed limit does not exceed 60km/h.</p>

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>Not Applicable No new accesses or junctions are proposed.</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>Not Applicable Access to the site exists and will not change.</p>

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

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

Objective:

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

A1 Sight distances at:

- (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and
- (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

Complies with A1

Available site distance exceeds 80 metres from the access along Invermay Road.

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.

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.

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

As the development does not propose car parking and will remove existing car spaces from the site, requiring assessment against the Performance Criteria.

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<p>P1.1 The number of car parking spaces for other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-road public car parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (e) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) an assessment of the actual car parking demand determined in light of the nature of the use and development; (g) the effect on streetscape; and (h) the recommendations of any traffic impact assessment prepared for the proposal; or
<p>Complies with P1.1</p> <ul style="list-style-type: none"> (a) The Traffic Impact Assessment prepared for the application is informed by the strategic level Inveresk Precinct Traffic and Parking Assessment previously undertaken by Midson Traffic. That assessment concluded that the overall provision of parking on the campus would be sufficient to meet user demand. Importantly the development of vehicle parking in the Northern Precinct carpark providing a total of 852 car spaces, together with the existing on-site parking will satisfy demand. (b) As is the practice with the University campus it can be expected that students and staff will access other areas of the Inveresk campus whilst attending the new building, thereby sharing parking facilities across the site. (c) Metro public transport provides a regular service along Invermay road and the UTAS Travel Demand surveys indicate that 9.5% of students will utilise this and the Tiger Bus service travelling to and from the campus. (d) Site constraints are not applicable. (e) Whilst there is on-street parking available within the surrounding area this is not relied upon to satisfy demand. (f) The traffic analysis identified the requirement for a total of one space per nine FTE students and one space per two FTE staff across the campus. It is determined that demand will be met across the campus. (g) The streetscape will not be impacted. (h) The TIA concludes that the requirements for parking associated with the redevelopment are met within the campus precincts.
<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>

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Complies with A2
 Whilst parking is not provided with the development, accessible parking is provided across the campus and satisfies the requirement.

E6.5.2 Bicycle parking numbers

<p>Objective: To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>
<p>A1 The number of bicycle parking spaces must be provided on either the site or within 50m of the site in accordance with the requirements of Table E6.1.</p>
<p>Relies on Performance Criteria P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number and characteristics of users of the site and their opportunities and likely need to travel by bicycle; (b) the location of the site and the likely distance a cyclist needs to travel to reach the site; and (c) the availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
<p>Complies with P1 Existing bicycle parking spaces are provided adjacent the School of Architecture and Design Building sufficient to meet demand.</p>

E6.5.3 Taxi spaces

<p>Objective: To ensure that access for taxis is provided to meet the needs of the use.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.</p>
<p>Relies on Performance Criteria P1 Taxi parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the availability and accessibility of taxi spaces on the road or in the vicinity; and (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</p>
<p>Complies with P1 Taxi parking spaces will be provided through the site as part of works associated with the Precinct Parking Strategy. Sufficient area exists on site to accommodate taxi parking.</p>

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

E6.5.4 Motorcycle parking

<p>Objective: To ensure that motorcycle parking is provided to meet the needs of the use.</p>
<p>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.</p>
<p>Relies on Performance Criteria P1 Motorcycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the availability and accessibility of motorcycle parking spaces on the road or in the vicinity; and (c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</p>
<p>Complies with P1. Motor cycle parking is available on the site throughout the campus and will be further provided as part of the redevelopment of parking within the northern precinct.</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>A1 A loading bay must be provided for uses with a gross floor area greater than 1,000m² in a single occupancy.</p>
<p>Relies on Performance Criteria P1 Adequate space for loading and unloading must be provided, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</p>
<p>Complies with P1 Loading bays are to be provided as a part of the future development of the site and will accommodate the needs of the proposed development.</p>

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E6.6 Development Standards

E6.6.5 Bicycle facilities

Objective: To ensure that cyclists are provided with adequate 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.
Relies on Performance Criteria P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to: (a) the location of the proposed use; (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) whether there are facilities on the site for other reasons that could be used by cyclists; and (g) the opportunity for sharing bicycle facilities on nearby sites.
Complies with P1 Bicycle facilities are not provided with the development however existing facilities are located within the existing Architecture and Design Building and are to be provided elsewhere throughout the site as the campus develops.

E6.6.6 Bicycle parking and storage facilities

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.
A1 Bicycle parking and storage facilities for uses that require five or more bicycle spaces by Table E6.1 must: (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.

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<p>Relies on Performance Criteria P1 Bicycle parking and storage facilities must be provided in a safe, secure and convenient location, having regard to: (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking storage facilities for bicycles; (g) the nature of the bicycle parking and storage facilities; (h) whether there are other parking and storage facilities on the site; and (i) the opportunity for sharing bicycle parking and storage facilities on nearby sites.</p>
<p>Complies with P1 Bicycle facilities are not provided with the development, however, existing facilities are located within the existing Architecture and Design Building, and provided elsewhere throughout the campus as development continues.</p>
<p>A2 Bicycle parking spaces must: (a) have minimum dimensions of: (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>
<p>Not Applicable There are no bicycle parking space/ facilities provided with the development.</p>

E9.0 Water Quality Code

<p>E9.1 The purpose of this provision is to: (a) manage adverse impacts on wetlands and watercourses.</p>
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E9.6 Development Standards

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

<p>Objective: To protect watercourses and wetlands from the effects of development and minimise the potential for water quality degradation.</p>
<p>Consistent Development within the footprint will be connected to the existing reticulation network and conditions applied to the permit relative to soil and water management as part of the construction works, including silt fences and cut off drains.</p>

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A1 No acceptable solutions.
<p>P1 Development must not unreasonably impact the water quality of watercourses or wetlands, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the potential for erosion; (c) the potential for siltation and sedimentation; (d) the risk of flood; (e) the impact of the removal of vegetation on hydrology; (f) the natural values of the vegetation and the land; (g) the scale of the development; (h) the method of works, including vegetation removal, and the machinery used; (i) any measures to mitigate impacts; (j) any remediation measures proposed; (k) any soil and water management plan; and (l) the requirements of the Department of Primary Industries, Parks, Water and Environment Wetlands and Waterways Works Manual.
<p>Complies with P1 Prior to construction a soil and water management plan must be prepared to address the issues of erosion, siltation and sedimentation, removal of vegetation (from the site). The piping of stormwater to a controlled discharge point will ensure effective management of stormwater flows generated as a result of the development.</p>

E9.6.3 Discharges to watercourses and wetlands

<p>Objective: To manage discharges to watercourses and wetlands so as not unreasonably impact the water quality.</p>
<p>A1 All stormwater discharge must be:</p> <ul style="list-style-type: none"> (a) connected to the public stormwater system; or (b) diverted to an on-site system that contains stormwater within the site.
<p>Complies with A1 All stormwater from the development will be connected to a reticulated stormwater system, managed jointly by the City and UTAS.</p>
<p>P1 Stormwater discharges must not unreasonably impact on the water quality of watercourses or wetlands, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics, volume and flow rates of the discharge; (b) the characteristics of the receiving waters; (c) the potential for erosion; (d) the potential for siltation and sedimentation; (e) the impact on hydrology; (f) any measures to mitigate impacts; and (g) any soil and water management plan.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

<p>Not Applicable The stormwater discharges will be piped.</p>
<p>A2.1 No new point source pollution discharging directly into a watercourse or wetland. A2.2 For existing point source pollution discharges into a watercourse or wetland, there is no more than a 10% increase in the volume or characteristics of the discharge that existed at the effective date.</p>
<p>Complies with A2.1 and A2.2 There will be no new point source pollution discharging directly into a watercourse or wetland, and neither the volume nor characteristics of the discharge increase by more than 10%.</p>

E13.0 Local Historic Cultural Heritage Code

<p>E13.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; (b) encourage and facilitate the continued use of these places; (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

E13.6 Development Standards

E13.6.1 Demolition

<p>Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic cultural heritage significance of local heritage places and their setting.</p>
<p>Consistent The development will introduce a new building into the cultural precinct designed and sited to ensure a contextual response in keeping with the buildings that surround it. In this regard the development will be sympathetic to the precinct and the existing level of development applying design features to reflect the architectural elements dominant within the surrounds. The purpose of the building aligns with the educational and cultural focus of the precinct.</p> <p>The Tasmanian Heritage Council has confirmed by decision that it consents to the issue of a discretionary permit subject to a condition relative to archaeological features being revealed during construction.</p>
<p>A1 No acceptable solution.</p>

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<p>P1 Buildings or parts of buildings and structures may be demolished, provided there is no unreasonable impact on the historic cultural heritage significance of the local heritage place and setting, having regard to:</p> <ul style="list-style-type: none"> (a) the physical condition of the local heritage place; (b) the extent and rate of deterioration of the building or structure; (c) the safety of the building or structure; (d) the streetscape or setting in which the building or structure is located; (e) the cultural heritage values of the local heritage place; (f) the need for the development; (g) any options to reduce or mitigate deterioration; (h) whether demolition is the most reasonable option to secure the long-term future of a building or structure; and (i) any overriding economic considerations.
<p>Complies with P1 The proposed demolition of outbuildings and the carpark and related infrastructure will have no impact upon the historic cultural heritage of the place.</p>

E13.6.2 Maintenance and repair

<p>Objective: To ensure that maintenance and repair of heritage buildings are constructed and undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of local heritage places.</p>
<p>A1 New materials and finishes match or are similar to the materials and finishes that are being replaced.</p>
<p>Not Applicable The proposal introduces a new building and associated infrastructure.</p>

E13.6.3 Lot size and dimensions and frontage

<p>Objective: To ensure that subdivision does not impact on the historic cultural heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>Not Applicable The proposal does not involve subdivision of the land.</p>

E13.6.4 Site coverage

<p>Objective: To ensure that site coverage is compatible with the historic cultural heritage significance of local heritage places.</p>
<p>Consistent as determined by the Heritage Impact Statement. A1 No acceptable solution.</p>

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<p>P1 The site coverage is compatible with the historic cultural heritage significance of local heritage places or their settings, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the cultural heritage values of the local heritage place and setting; (c) the site coverage of buildings on sites in the surrounding area; and (d) the pattern of development in the surrounding area.
<p>Complies with P1</p> <p>The Heritage Impact Statement (HIS) determines that the development responds appropriately to the topography and that the cultural heritage values in relation to the footprint and orientation of the building form, the spatial arrangements between buildings and the retention of views into and within the site are appropriately addressed. The HIS observes that the coverage of the proposed building fits within the range of elements that have been built.</p>

E13.6.5 Height and bulk of buildings

<p>Objective:</p> <p>To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent</p> <p>The HIS demonstrates compatibility with the historic cultural heritage significance of the heritage place and setting.</p>
<p>A1 No acceptable solution.</p>
<p>P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; (d) the historic cultural heritage significance of adjacent places; and (e) the streetscape.
<p>Complies with P1</p> <p>The HIS confirms that the proposed building adopts a similar scale and alignment to that of the existing buildings, is of a compatible height and materiality, achieving consistency.</p>

E13.6.6 Site of buildings and structure

<p>Objective:</p> <p>To ensure that the siting of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>P1 The front, side and rear setbacks must be compatible with the historic cultural heritage significance of a local heritage place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the topography of the site;

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

<p>(c) the size, shape, and orientation of the lot; (d) the setbacks of other buildings in the surrounding area; (e) the historic cultural heritage significance of adjacent places; and (f) the streetscape.</p>
<p>Complies with P1 The HIS observes that the building responds to the historic layout of the site and the pattern of development set in two non-aligned grids. The building form is a transition between grids and modules and is similar in form to adjacent buildings with setbacks reflecting spatial compatibility.</p>

E13.6.7 Fences

<p>Objective: To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their setting.</p>
<p>A1 New fences must be designed and constructed to match existing original fences on the site.</p>
<p>Not Applicable New fencing is not proposed as part of the development.</p>

E13.6.8 Roof form and materials

<p>Objective: To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>P1 Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to: (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.</p>
<p>Complies with P1 The HIS observes that the building form responds to the setting and adjacent buildings characterised by sawtooth roof design. The roof is not a dominant element as this is set behind parapets but provides a level of consistency.</p>

E13.6.9 Wall materials

<p>Objective: To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent A1 No acceptable solution.</p>

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<p>P1 Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the design, period of construction and materials of the dominant building on the site; (c) the dominant wall materials in the setting; and (d) the streetscape.
<p>Complies with P1 The industrial form and the materiality of external surfaces reflects the cultural heritage values of the significant buildings adopting an industrial palette reflecting the character of the site.</p>

E13.6.10 Outbuildings and structures

<p>Objective: To ensure that the siting of outbuildings and structures are compatible with the historic heritage significance of local heritage places and their settings.</p>
<p>Not Applicable Outbuildings are not a part of the proposal.</p>

E13.6.11 Driveways and parking

<p>Objective: To ensure that driveways and parking are compatible with the historic heritage significance of local heritage places and their settings.</p>
<p>Not Applicable Driveways and associated parking is not a part of this development.</p>

E13.6.12 Tree and vegetation removal

<p>Objective: To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not impact on the historic heritage significance of local heritage places and their settings.</p>
<p>A1 No acceptable solution.</p>
<p>P1 The removal, destruction or lopping of trees or the removal of vegetation must not unreasonably impact on the historic cultural heritage significance of a local heritage place and its setting, having regard to:</p> <ul style="list-style-type: none"> (a) the cultural heritage values of the local heritage place and setting; (b) the age and condition of the tree or vegetation; (c) the size and form of the tree or vegetation; (d) the importance of the tree or vegetation to the historic cultural heritage significance of a local heritage place or its setting; and (e) whether the tree or vegetation is located within a garden that is a listed as a local heritage place.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

Complies with P1

The proposal will remove one tree which is neither listed on the Significant Tree Register, nor is it considered to be of heritage significance.

E13.6.13 Signage

Objective:

To ensure that signage is compatible with the historic cultural heritage significance of local heritage places and their settings.

Not Applicable

The application does not propose signage as part of the proposal.

E16.0 Invermay/Inveresk Flood Inundation Area Code

E16.1 The purpose of this provision is to:

- (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.

E16.6 Use Standards

E16.6.1 Unacceptable uses

Objective:

To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.

A1 Must not be:

- (a) Education and occasional care, except in the Inveresk Cultural precinct;
- (b) Emergency services; or
- (c) Hospital services.

Consistent Complies with A1

The application proposes an educational use within the Cultural precinct

A2 Must not be Residential, unless:

- (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts;
- (b) a multiple dwelling in the Invermay Residential Precinct; or
- (c) associated with and supporting the educational activities within the Inveresk Cultural precinct.

Complies with A2

The application is for an educational use.

A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

Complies with A3
The development is for an educational use within the Cultural precinct

E16.7 Development Standards

E16.7.1 Intensification of residential development

Objective:
To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.

E16.7.2 Flood Impact

Objective:
To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.

Consistent
A1 Floor levels of all habitable rooms within the Residential use class must be at least 3.7m AHD.

Not Applicable
A use within the residential class is not proposed.

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 January 2008.

Relies on Performance Criteria
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;
(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
(b) consider the following:
(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.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

Complies with P3

The application is accompanied by a Flood Assessment Report prepared by Pitt & Sherry which includes a draft Flood Emergency Management Plan. The 1% AEP 2090 climate scenario is the event adopted for building resilience. The report addresses the requirements of P3 reviewing the risk to life, the impact upon use and development and mitigation measures which are recommended to address an event overtopping the levee system or by breach during a 5%AEP, 2%AEP or 1%AEP (2090 climate scenario). The report as required considers the velocity and depth of flood waters, the location of electrical equipment and fittings, evacuation and emergency management plans and procedures and relevant flood proofing measures.

The report from its conclusions provides recommendations to mitigate risk to achieve tolerable levels including that all critical infrastructure and electrical equipment be located above the 1% AEP (2090 climate scenario) inundation level and that a freeboard above this level be adopted to maintain flood resilience. The peak flood level at the site is 5.4m AHD. 0.5m freeboard is applied resulting in a flood planning level of 5.9m AHD. The ground floor level (Level 01) of the Rivers Edge building is RL 2.900. The first-floor level (Level 02) has a floor level of RL 7.400 and is, therefore, 1.5m above the recommended flood planning level.

The report addresses the issue of residual risk including local stormwater flooding, functional and structural risks to the building, population increase and impacts upon evacuation, anthropogenic risk, geotechnical induced failures, levee failure/overtopping, floods larger than 1%AEP (2090 climate scenario) and transitional risk.

4. REFERRALS

REFERRAL	COMMENTS
	INTERNAL
Infrastructure Assets	Conditional consent provided with recommended conditions in relation to amended plans, detailed design, construction and provision of services.
Environmental Health	Conditional consent provided with recommended conditions in relation to hours of construction, soil and water management plan and environmental site conditions.
Heritage/Urban Design	Referred
Building and Plumbing	Standard notes recommended for the permit.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

REFERRAL	COMMENTS
EXTERNAL	
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Application referred to Tasmanian Heritage Council and by Notice of Decision dated 05/10/2020, consent to the issue of a permit subject to condition.
Crown Land	N/A
TasRail	No objection raised
EPA	N/A
Aurora	N/A
Launceston Flood Authority	The LFA has confirmed that the flood behaviour outlined in the UTAS Inveresk Development study report is consistent with the most recent modelling undertaken by BMT (2018), addressing the 2090 climate change scenario and that the authority is largely satisfied with the flood detail/analysis presented.

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised from 12 September to 28 September 2020. An extension pursuant to section 57(5) of *Land Use Planning and Approvals Act 1993* was also granted, resulting in formal advertising being extended by one day, until 29 September 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

<p>Issue 1 UTAS Relocation: concern at the decision to relocate from the Newnham campus to Inveresk, and the attendant issues.</p>

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

Response 1

In respect to the relocation of the Newnham campus, the present planning scheme provisions allow for the consideration of the current application as a matter of discretion. Those matters relevant to consideration of the application are the only basis upon which the Council can, acting as a planning authority, make its decision. Whilst it is noted that the representation does not agree with the strategic direction, the matter is not one which of itself bears upon the present application in terms of planning assessment.

Issue 2

Choice of site - the Newnham campus relative to the Mowbray as a District Activity Centre is considered a more appropriate site for the UTAS redevelopment facilitating future consolidation of that centre and the services available to the university population.

Response 2

As with Response 1, the strategic selection of the Inveresk site for the UTAS redevelopment is not a matter which influences consideration of the current application which must be considered on the merits and standards applicable to the planning scheme which allows consideration of the present application at discretion.

Issue 3

Climate change and flood risk: Concerns that the development of the Inveresk site is unsustainable given the flood and site stability risks.

Response 3

The application provides an assessment and analysis prepared by Pitt & Sherry which considers the risks and associated mitigation measures necessary in dealing with the 2090 climate change scenario. The BMT modelling provides the next layer of data in terms of the management of development within the Inveresk site and beyond and informs decision making as part of this process. It provides valuable information as part of the improvement of flood plain management. The flood analysis reviewed the flood risk profile for the Invermay/Inveresk floodplain including the Willis Street site proposing risk management options to manage the residual risk associated with the intended uses.

Issue 4

Traffic Management within Inveresk precinct and adjacent areas

Response 4

The issue of Traffic Management and the impact of the development upon the network including car parking associated with the Inveresk site is addressed as part of the application. The Traffic Impact assessment (TIA) determines that the application will have minimal impact upon traffic and parking which can be managed within existing service arrangements, noting also additional parking approved recently for development in the northern sector of the site.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

<p>Issue 5 Car Parking needs of the Inveresk precinct</p>
<p><i>Response 5</i> The TIA determines that the development of car parking associated with the proposed use is not significant, and that existing parking within the precinct and the additional parking to be developed within the northern precinct will provide for the additional demand.</p>
<p>Issue 6 Social License: The Transformation project does not have a social license and as such cannot claim the support of the community.</p>
<p><i>Response 6</i> The planning scheme does not require social license as a precondition upon which a planning application is to be assessed. The process of public exhibition is provided under the Land Use Planning and Approvals Act 1993 and the community provided an opportunity to make representation.</p>
<p>Issue 7 Development of the site is not sustainable</p>
<p><i>Response 7</i> The application includes assessments as to flood risk site contamination, traffic management incorporated within the planning scheme standards and codes relevant to development within the zone determining that risks are tolerable and that development may proceed subject to specific mitigation measures.</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.

9.2 2-4 Invermay Road, Invermay - Educational and Occasional Care and Demolition - Construction of Tertiary Education Facility and Associated Works Including Infrastructure and Landscaping, Demolition of Buildings Removal of Vegetation and Removal of Car Park ...(Cont'd)

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 2-4 Invermay Road, Invermay (*electronically distributed*)
 2. Plans to be Endorsed - 2-4 Invermay Road, Invermay (*electronically distributed*)
 3. Tasmanian Heritage Council - 2-4 Invermay Road, Invermay (*electronically distributed*)
 4. TasWater SPAN - 2-4 Invermay Road, Invermay (*electronically distributed*)
 5. Representations - 2-4 Invermay Road, Invermay (*electronically distributed*)
 6. Supplementary Supporting Document - 2-4 Invermay Road, Invermay - (*electronically distributed via the following link:*
<https://docs.launceston.tas.gov.au/owncloud/index.php/s/k8tevsCes3ZO3hy>
(Document not available via Council's Meeting web-site)
-

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling**FILE NO:** DA0518/2020**AUTHOR:** Laura Small (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:	David Elliott and Taylor Leslie Elliott
Property:	13 Como Crescent, Newstead
Zoning:	Inner Residential
Receipt Date:	27/08/2020
Validity Date:	4/09/2020
Further Information Request:	11/09/2020
Further Information Received:	02/10/2020
Deemed Approval (extension granted):	12/11/2020
Representations:	Seven

STANDARDS REQUIRING COUNCIL DISCRETION

11.4.12 Location of car parking
11.4.23 Development for discretionary uses
E4.6.2 Road accesses and junctions

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 DA0518/2020 Residential - Construction of an additional dwelling at 13 Como Crescent, Newstead 7250 subject to the following conditions:

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional 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 Manager City Development unless modified by a condition of the Permit:

- a. Cover Page, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P01, Sheet Number 1 of 10, Issue - P2, Dated Sept. 2020.
 - b. Existing Site Plan, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P02, Sheet Number 2 of 10, Issue - P2, Dated Sept. 2020.
 - c. Proposed Site Plan, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P03, Sheet Number 3 of 10, Issue - P2, Dated Sept. 2020 (Amended Plan Required).
 - d. Floor Plans, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P04, Sheet Number 4 of 10, Issue - P2, Dated Sept. 2020.
 - e. Elevations, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P05, Sheet Number 5 of 10, Issue - P2, Dated Sept. 2020.
 - f. Landscaping Plan, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P06, Sheet Number 6 of 10, Issue - P2, Dated Sept. 2020 (Amended Plan Required).
 - g. Private Open Space, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P07, Sheet Number 7 of 10, Issue - P2, Dated Sept. 2020.
 - h. Shadow Diagrams, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P08, Sheet Number 8 of 10, Issue - P2, Dated Sept. 2020.
 - i. Crossover Details 1 Infrastructure Details, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P09, Sheet Number 9 of 10, Issue - P2, Dated Sept. 2020.
 - j. Crossover Details 2 Infrastructure Details, Prepared by Mark Evans Building Designs & Drafting, Project - Proposed Rear Unit (Strata Dev't) 13 Como Crescent Newstead 7250, Job Number - 20ELL1, Drawing No. P10, Sheet Number 10 of 10, Issue - P2, Dated Sept. 2020.
-

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

2. AMENDED PLANS REQUIRED

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

- a. the dwelling to have a minimum setback to the southern side boundary of 1.6m; and
- b. the frontage fence to have a maximum height of 1.8m with a uniform transparency of 50% to the section of the fence above 1.2m.

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 2020/01390-LCC, 02/10/2020 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. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed prior to the use commencing; and
- c. maintained as part of the residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

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 1.8m when measured from the highest finished level on either side of the common boundaries.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

8. MULTIPLE DWELLINGS - SERVICE FACILITIES

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

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

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.
-

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

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. VEHICULAR CROSSINGS (AND ASSOCIATED FOOTPATH WORKS)

No works to install, remove 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 the Council's standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading 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.

13. 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.

14. 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.

15. NO BURNING OF WASTE

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

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

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. PROTECTION OF STREET TREES

Existing street trees must be satisfactorily protected both by the design of the building and during construction work by barriers and similar devices in accordance with *Australian Standard 4970: Protection of Trees on Development Sites*. The protection works are to be installed prior to the commencement of any other works on the site and are to remain in place until the completion of all other works.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0518/2020. 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.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

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.

E. Heat Pump Use

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

F. Street addresses for Multiple Dwellings

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>Proposed</i>	<i>1</i>	<i>1/13 Como Crescent, Newstead</i>
<i>Existing</i>	<i>2</i>	<i>2/13 Como Crescent, Newstead</i>

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

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

REPORT:

1. THE PROPOSAL

The proposal is for the construction of an additional dwelling at 13 Como Crescent, Newstead. The three bedroom dwelling will be of two storey construction and will have a gross floor area of 194.6m². The ground floor will contain the garage, laundry and kitchen, family and dining room areas and the first floor contains three bedrooms, a bathroom and a study nook. Private open space is provided to the north east of the dwelling for the needs of the residents. An additional crossover will also be installed as part of the development to provide safe and efficient car parking spaces for the existing dwelling.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

Address	13 Como Crescent, Newstead
Zone	11.0 Inner Residential Zone
Size	778m ²
Access	Vehicle access off Como Crescent
Shape	Rectangle
Slope	The property is consistently flat with an average gradient of 3.5%
Existing structures	Single Dwelling, one outbuilding to be removed
Connection to services	All services are maintained on site
Surrounding land	11.0 Inner Residential Zone 17.0 Community Purpose
Overlays	N/A

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

<p>11.1.1 Zone Purpose Statements</p> <p>11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.</p> <p>11.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.</p> <p>11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.</p> <p>11.1.1.4 To maintain and develop residential uses and ensure that non-residential uses do not displace or dominate residential uses.</p> <p>11.1.1.5 To provide for development that provides a high standard of amenity and contributes to the streetscape.</p>
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9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Consistent

The proposal is for an additional dwelling in the Inner Residential Zone. The proposed dwelling will provide a variety of dwelling types and will not significantly affect the existing residential amenity of the surrounding area.

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

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

Total site cover for the two dwellings is 262m², equal to 33.6% of the 778m² site.

11.4.8 Building height

Objective:

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

Consistent

A1 Building height must be no greater than 9m.

Complies

The proposed additional dwelling has a maximum building height of a 6.9m.

11.4.9 Frontage setbacks

Objective:

To ensure that the setbacks from a frontage respect the character of the surrounding area.

Consistent

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

A1.2 Setback from a frontage other than a primary frontage must be no less than 3m; and

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.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies

The proposed additional dwelling is setback approximately 24.5m from the frontage of Como Crescent.

11.4.10 Rear and side setbacks

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.

Consistent

A1 Buildings must be set back from the rear boundary no less than 2.5m.

Complies

The proposed additional dwelling is setback 6.75m from the rear boundary.

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, 2.0m, 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.

Complies

The proposed dwelling has a height of 5.5m on the south-eastern boundary. The acceptable solution therefore requires the dwelling to be setback 1.6m from the side boundary. The dwelling was originally setback 1.5m from the south-eastern side boundary, however, amended plans were received which increased the side setback to 1.6m, complying with the acceptable solution. The dwelling is setback 7m from the north-western side boundary. An amended plan condition will require the amended plans to be submitted and endorsed as part of the planning permit prior to the issuing of a building permit.

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 is assessed as complying with the objective. Convenient car parking for residents and visitors is provided and appropriate measures are proposed to protect residents from vehicular noise within sites.

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

The shared driveway is located a minimum distance of 1m from the family room of the existing dwelling, the proposal relies on the performance criteria.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

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 driveway for the proposed additional dwelling is located a minimum distance of 750mm from windows of the existing dwelling. A 1.7m high screen fence is proposed along the driveway to mitigate noise and light produced by the location of the driveway. The driveway will serve the proposed three bedroom dwelling.

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
 Car parking for the existing dwelling will be located in the front setback; the proposal relies on the 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) 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.

Complies
 Due to the location of the existing dwelling on the site and to comply with car parking numbers, two car parking spaces are proposed in the front setback. A screen fence and hedge are proposed to decrease the visual impact when viewed from the road. An additional crossover is proposed to create safe and convenient access to the proposed parking spaces.

A3 A garage or carport must be:

- (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.

Complies
 No detached garages or carports are proposed.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>A4</p> <p>(a) The total width of the door or doors on a garage facing a frontage must be no wider than 6m; or</p> <p>(b) the garage must be located within the rear half of the lot when measured from the frontage.</p>
<p>Complies</p> <p>The garage of the proposed additional dwelling does not face a frontage.</p>

11.4.13 Overlooking

<p>Objective:</p> <p>To minimise:</p> <p>(a) overlooking into private open space and habitable room windows; and</p> <p>(b) the impact on the amenity of the adjoining and the subject site.</p>
<p>Consistent</p> <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> <p>(a) be offset no less than 1.5m from the edge of one window to the edge of the other; or</p> <p>(b) have sill heights no less than 1.7m above floor level; or</p> <p>(c) have fixed, obscure glazing in any part of the window less than 1.7m above floor level; or</p> <p>(d) have permanently fixed external screens to no less than 1.7m above floor level; and</p> <p>(e) have obscure glazing and screens must be no greater than 25% transparent; or</p> <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>Complies</p> <p>The property at 15 Como Crescent is located 8m from the proposed additional dwelling. There are two windows on the south-eastern elevation however neither of these are habitable room windows and have a sill height of 1.7m above floor level. The additional dwelling is located a minimum distance of 10m from the existing dwelling at 11 Como Crescent. The location of windows will not impact the amenity of the adjoining properties. A condition for 1.8m boundary fencing will be imposed.</p>

11.4.14 North-facing windows

<p>Objective:</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>
<p>Consistent</p> <p>A1 If a north-facing habitable room window of an existing dwelling is within 3.0m of a boundary on an abutting lot, a building must be set back from the boundary no less than 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m for a distance of 3m from the edge of each side of the window as indicated in Figure 11.4.14</p>

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies
 The existing dwelling at 11 Como Crescent is setback 1.5m from a side boundary. The proposed additional dwelling is setback 7m from the northern side boundary, abutting 11 Como Crescent. There will be no impact on the solar access to existing north-facing habitable room windows on adjoining lots. The dwelling at 15 Como Crescent is setback 4.4m from the boundary abutting 13 Como Crescent.

11.4.15 Daylight to windows

Objective:
 To allow adequate daylight into habitable room windows.

Consistent
 A1 Where the minimum distance between:
 (a) a new window in a habitable room and an existing building; or
 (b) a new building constructed directly opposite an existing habitable room window, is less than 3.0m, a light court with an area of no less than 3m² and dimension of no less than 1m clear to the sky must be provided.

Complies
 The proposed additional dwelling is located 6.7m from habitable windows of the existing dwelling.

11.4.16 Density control of multiple dwellings

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.

Consistent
 A1 Multiple dwellings must have a site area per dwelling of no less than 350m².

Complies
 Site area per dwelling is equal to 389m².

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.

Complies
 The site at 11 Como Crescent has a planning permit for the construction of an additional dwelling, however, there are currently no multiple dwellings existing in Como Crescent. Therefore the density is no greater than 40% by lot number.

11.4.17 Private open space for multiple dwellings

Objective:
 To provide adequate and useable private open space for the needs of residents.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Consistent 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>Complies The existing dwelling is provided with 69.7m² of private open space via a deck and grassed area, accessible from existing living area. The additional dwelling will be provided with 105.3m² of grassed private open space accessible via a sliding door from the family room. Private open space for both dwellings have a minimum horizontal dimension of 4m and are consistently flat.</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>
<p>Complies No wall greater than 2m in height obstructs the private open space of either dwelling.</p>

11.4.18 Site facilities for multiple dwellings

<p>Objective: To provide adequate site and storage facilities for multiple dwellings.</p>
<p>Consistent 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 The landscaping plan provided (Drawing No. P06) shows 6m³ pre-fab steel storage sheds provided for each dwelling.</p>
<p>A2 Mailboxes must be provided at the frontage.</p>
<p>Complies Mailboxes are provided at the frontage.</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 The landscaping plan provided (Drawing No. P06) shows screened waste storage areas are provided for both dwellings. A condition will ensure the areas are no less than 2m² in size.</p>

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

11.4.19 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
Consistent 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.
Complies There is a 12m ² area of common space clearly shown on the Site Plan (Drawing No. P03). Furthermore, the site drawings clearly show all driveways, parking, landscaping, mailboxes, and storage areas.

11.4.20 Streetscape integration and appearance

Objective: To: (a) integrate the layout and form of residential development with the road; and (b) promote passive surveillance; and (c) enhance streetscapes.
Consistent 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.
Complies The proposed additional dwelling has a front door which faces the internal driveway.
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.
Complies The front door of the proposed additional dwelling has an awning to provide weather protection to the front door.
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.
Complies A screen is proposed 1m from the front boundary to provide screening of the car parking located in the front setback. Written confirmation from the applicant along with an amended plan shows the fence to have a maximum height of 1.8m with a uniform transparency of 50% to the section of the fence above 1.2m.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

11.4.21 Outbuildings and swimming pools

<p>Objective: To ensure that outbuildings and swimming pools:</p> <ul style="list-style-type: none"> (a) do not detract from the character of the surrounding area; (b) are appropriate to the site and respect the amenity of neighbouring lots; and (c) dwellings remain the dominant built form.
<p>Consistent A1 The combined gross floor area of outbuildings is no greater than 42m²; and</p> <ul style="list-style-type: none"> (a) have a wall height no greater than 2.7m, and (b) have a building height no greater than 3.5m.
<p>Complies No outbuildings, except for the storage sheds required by 11.4.18, are proposed. These outbuildings will result in a gross floor area of less than 24m², a wall height less than 2.7m, and a building height less than 3.5m.</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</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 the amenity of nearby sensitive uses.</p>
<p>Consistent The proposal is assessed as complying with the objective. The proposed development complies with the acceptable solutions for building height and setbacks and the discretionary aspects of the proposal are not considered to have an unreasonable impact on nearby sensitive uses.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria There is no acceptable solution for development for discretionary uses.</p>
<p>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 8m; (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

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

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.

Complies

The objective of the clause is to ensure development for discretionary uses is sympathetic to the form and scale of residential development. The residential development has been assessed in Clauses 11.4.7 to 11.4.22 and is considered acceptable development in the Inner Residential Zone.

Notwithstanding, see below assessment against Clause 11.4.23.

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

(a) the setback of the building to a frontage:

The proposed additional dwelling is setback approximately 24.5m from Como Crescent and complies the acceptable solution for frontage setbacks specified in Clause 11.4.9.

(b) the streetscape;

The pattern of development in Como Crescent is mostly single dwellings of single storey construction. A two storey house was constructed in 2015 at 14A Como Crescent, the proposal will contribute to a range of dwelling types in the street, consistent with the purpose of the Inner Residential Zone.

(c) the topography of the site;

The subject site and adjoining properties are consistently flat. The topography of the site has not impacted on the location of the development.

(d) the building height, which must not be greater than 8.0m;

The proposed additional dwelling has a maximum building height of 6.9m and complies with the acceptable solution for building height specified in Clause 11.4.8.

(e) the bulk and form of the building;

The proposed additional dwelling has a maximum building height of 6.9m and is contained within an acceptable building envelope specified by the acceptable solutions set out for building height and frontage, side and rear setbacks.

(f) the height, bulk and form of buildings on the site, adjoining lots and adjacent lots;

The existing dwelling on site and those existing on adjoining lots are of single storey construction. The proposed dwelling is to be located behind the existing and will have a height of 6.9m. The proposal complies with the acceptable solutions for building height and is sited to minimise the impact of the amenity of the adjoining and the subject site.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)*(g) setbacks to side and rear boundaries;*

The proposed additional dwelling is setback a minimum distance of 1.6m to a side boundary and 6.75m from the rear boundary. The dwellings complies with the acceptable solutions for side and rear setbacks specified in Clause 11.4.10.

(h) solar access and privacy of habitable room windows and private open spaces of adjoining dwellings;

The proposal complies with the acceptable solutions for building height and setbacks specified in Clauses 11.4.8 and 11.4.10. Overlooking into private open space and habitable room windows was assessed in Clause 11.4.13 and the proposal complies with the acceptable solutions. Daylight to windows was assessed in Clause 11.4.15 and the proposal complies with the acceptable solutions.

(i) the degree of overshadowing and overlooking of adjoining lots;

The proposal complies with the acceptable solutions for overlooking specified in Clause 11.4.13 and daylight to windows specified in Clause 11.4.15. Compliance with the acceptable solutions set out for multiple dwellings in the Inner Residential Zone supports compliance with this standard.

(j) mutual passive surveillance between the road and the building;

The Landscaping Plan (Drawing No. P06) shows 1.7m high fences between the existing dwelling and the proposed dwelling and along the internal driveway. A 1.8m high fence is proposed 1m from the front boundary to provide screening of the car parking for the existing dwelling located in the front setback.

(k) any existing and proposed landscaping;

A Landscaping Plan was provided with the application (Drawing No. P06) which indicates the proposed landscaping schedule. The plants chosen were prescribed by a registered horticulturist and are indicative of surrounding species. Hedging is proposed in the front setback to screen the location of car parking and minimise the visual impacts when viewed from the road.

(l) the visual impact of the building when viewed from adjoining or immediately opposite lots;

The rear of the subject site is currently vacant yard. The visual impact of the site when viewed from adjoining lots will be increased by the development. The proposed dwelling complies with the acceptable solution for building height in the Inner Residential Zone and the development will be contained within an acceptable building envelope specified by the acceptable solutions in Clauses 11.4.8 -11.4.10.

(m) the location and impacts of traffic circulation and parking; and

Appropriate parking facilities are provided for the additional dwelling within an attached double garage. Parking for the existing dwelling will be located in the front setback. To facilitate the safe access to these parking areas without impacting on the safety of the existing road network, an additional crossover will be installed to provide separate entry and exit to the site. The location of car parking has been assessed against the performance criteria in Clause 11.4.21 P2.

(n) the character of the surrounding area.

The site is located in the Inner Residential Zone, which aims to provide a variety of residential uses and dwelling types close to services and facilities. Although the

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

pattern of development in Como Crescent is predominantly single dwellings, the site to north east is developed with approximately 38 assisted living units. The site to the north west had a planning permit for the construction of an additional dwelling issued in 2018.

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 development is not expected to produce excessive additional vehicle movements to impact the safety and efficiency of the existing road network of Como Crescent.

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

Objective:

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

Consistent

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

Complies

Vehicle movements will not increase by more than 40 movements per day as a result of the proposed additional dwelling. The RTA Guide to Traffic Generation applies a rate of nine daily vehicle trips from a single residential dwelling. Therefore, it can be expected that vehicle movements to and from the site will be increased by nine vehicle movements.

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

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

Consistent

The proposal is assessed as complying with the objective. The safety and efficiency of Como Crescent will not be reduced by the additional crossover and access arrangements.

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.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p>Relies on Performance Criteria The proposal includes the construction of an additional crossover; the proposal relies on the performance criteria.</p>
<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
<p>Complies The additional crossover will provide the site with two accesses providing separate entry and exit to facilitate the safe and convenient use of car parking spaces in the front setback. The additional crossover will maintain the safety and efficiency and will not compromise the capacity of Como Crescent.</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 A1 Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
<p>Complies Sight distances are in compliance with Table E4.6.4. The subject site is located 121m from the Hoblers Bridge Road intersection.</p>

E6.0 Parking and Sustainable Transport Code

<p>E6.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that an appropriate level of parking facilities are provided to service use and development; (b) ensure that cycling, walking and public transport are supported as a means of transport in urban areas; (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; (d) ensure that parking does not adversely impact on the amenity of a locality; (e) ensure that parking spaces and accesses meet appropriate standards; and (f) provide for the implementation of parking precinct plans.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Consistent

The proposed development includes an appropriate level of parking facilities to serve both the existing dwelling and the proposed additional dwelling. Parking spaces and accesses comply with the appropriate standards and parking will not adversely impact on the amenity of the locality.

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

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

Table E6.1 requires both the existing and proposed dwelling to have two car parking spaces. The code requires 0.4 visitor car parking spaces to be provided, fractions of a space are to be rounded to the nearest whole number. As such, the use does not require a visitor space to be provided. The existing dwelling is provided with two car parking spaces in the front setback and the proposed additional dwelling includes an attached double garage providing the two required car parking spaces. An additional parking space is provided at the end of the driveway for the exclusive use of the proposed additional 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

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.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Complies

The proposed access and parking areas will be consistently flat, formed and paved 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

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

An additional crossover will be installed to provide for vehicles to enter and exit the site in a forward direction when accessing the two car parking spaces for the existing dwelling. Sufficient areas are provided for the additional dwelling for vehicles to enter and exit the site in a forward direction. The width of vehicle access is provided in accordance with the requirements in Table E6.2 and parking space dimensions and manoeuvring spaces comply with the requirements set out in Table E6.3. The double garage has a vertical clearance of 2.1m.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

4. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure and Assets	Conditional consent provided with recommended conditions.
Environmental Health	Conditional consent provided with recommended conditions.
Heritage/Urban Design	N/A
Building and Plumbing	Standard notes recommended for the permit.
EXTERNAL	
TasWater	Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2020/01390-LCC, 02/10/2020.
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 7 October to 22 October 2020. Seven 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 Lack of privacy due to height and proximity.</p>
<p><i>Response 1</i> <i>The Inner Residential Zone allows a maximum building height of 8m for multiple dwellings. Buildings must be setback from the rear boundary no less than 2.5m and setback from side boundaries 1m, plus 0.3m for every metre of building height over 3.6m up to 6.9m. The proposed dwelling has a height of 5.5m on the south-east boundary and is setback 1.6m. The height and setback of the dwelling comply with the acceptable solutions.</i></p>
<p>Issue 2 The structure will completely take away the ability to grow vegetables which sustain the entire family because the whole garden will be entirely in shade.</p>

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

Response 2

A reduction of sunlight to habitable rooms and private open spaces to less than three hours between 9.00am and 5.00pm on 21 June is considered to be unreasonable. Shadow diagrams provided (Drawing No. P08) show access to sunlight for at least four hours of the day. The building height and setback of the proposed dwelling comply with the acceptable solutions for multiple dwellings in the Inner Residential Zone.

Issue 3

The clothes line on the adjoining property to the south east will be in shade and the ability to sit outside to enjoy the later afternoon sun will be gone.

Response 3

A reduction of sunlight to habitable rooms and private open spaces to less than three hours between 9.00am and 5.00pm on 21 June is considered to be unreasonable. Shadow diagrams provided (Drawing No. P08) show access to sunlight for at least four hours of the day. The building height and setback of the proposed dwelling comply with the acceptable solutions for multiple dwellings in the Inner Residential Zone.

Issue 4

Como Crescent is appreciated for its Village atmosphere and it is believed that the development application DA0518/2020 will detract from this closed residential area.

Response 4

The site at 13 Como Crescent is located in the Inner Residential Zone which aims to provide for a variety of residential uses and dwelling types close to services and facilities in inner urban areas. The proposal complies with the acceptable solutions for density in the Zone.

Issue 5

The neighbouring property to the south-east has been owned for 65 years and has been occupied by four generations in peace. This DA is showing no consideration for our way of life.

Response 5

The applicant engaged the services of a qualified designer to design a house in accordance with the acceptable solutions for multiple dwellings in the Inner Residential Zone. While acknowledgement is given to the neighbouring property and its occupation of four generations this cannot be considered by the Launceston Interim Planning Scheme 2015.

Issue 6

This will impact on the value of our property and detract from the resale value if ever sold - even from one generation to the next.

Response 6

This cannot be considered by the Launceston Interim Planning Scheme 2015.

Issue 7

Why is a shade diagram not provided for all months of the year? The shade diagram has the date 21/06 but the sun is low for many months of the year

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

<p><i>Response 7</i> <i>The shortest day of the year (winter solstice) falls on 21 June. A reduction of sunlight to habitable rooms and private open spaces to less than three hours between 9.00am and 5.00pm on 21 June is considered to be unreasonable.</i></p>
<p>Issue 8 Rates have been paid on the neighbouring property for 65 years, the occupants expect that they continue enjoying the amenity that has been paid for.</p>
<p><i>Response 8</i> <i>This is not an issue that can be considered by the Launceston Interim Planning Scheme 2015 and the proposal complies with the acceptable solutions for residential amenity in the Inner Residential Zone.</i></p>
<p>Issue 9 It's not right that one neighbour can build to the size of the proposed to the detriment of others.</p>
<p><i>Response 9</i> <i>The Launceston Interim Planning Scheme 2015 sets out the requirements for building height and bulk for multiple dwellings in the Inner Residential Zone.</i></p>
<p>Issue 10 No care or thought to the total destruction of the amenity of neighbouring property has been considered by the application to erect a double storey home at the rear of the existing home.</p>
<p><i>Response 10</i> <i>The applicant discussed the requirements of the planning scheme for multiple dwellings in the Inner Residential Zone with Council's planners prior to the lodgement of the application. The applicant engaged the services of a qualified designer to ensure the proposed dwelling was designed and located within the acceptable building envelope specified for multiple dwellings in the Inner Residential Zone.</i></p>
<p>Issue 11 If this DA is approved by Council as it "ticked the boxes" it is harsh, unconscionable and oppressive, and the planning scheme is seriously flawed. In the past it was that a neighbour could not destroy the amenity of another when Council were permitted to use empathy, guts and brains.</p>
<p><i>Response 11</i> <i>The Launceston Interim Planning Scheme 2015 sets out acceptable solutions and performance criteria for development within the Launceston municipality. When determining an application for a permit section 8.10 of the Scheme allows the planning authority to take into consideration any representations received pursuant to and in conformity with s57(5) of the Land Use Planning and Approvals Act 1993. The proposal for an additional dwelling at 13 Como Crescent, complies with the acceptable solutions in regards to matters raised in representations.</i></p>

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional Dwelling ...(Cont'd)

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

9.3 13 Como Crescent, Newstead - Residential - Construction of an Additional 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 - 13 Como Crescent, Newstead (*electronically distributed*)
 2. Plans to be Endorsed - 13 Como Crescent, Newstead (*electronically distributed*)
 3. TasWater SPAN - 13 Como Crescent, Newstead (*electronically distributed*)
 4. Representations - 13 Como Crescent, Newstead (*electronically distributed*)
-

**9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding;
Construction of Alterations; Additions to Existing Dwelling and New Dwelling****FILE NO:** DA0543/2020**AUTHOR:** Catherine Mainsbridge (Senior 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:	Colin Maxwell Edwards and Jill Louise Edwards
Property:	28 Denman Road, Trevallyn
Zoning:	General Residential
Receipt Date:	3/09/2020
Validity Date:	7/09/2020
Further Information Request:	09/09/2020
Further Information Received:	30/09/2020
Deemed Approval:	12/11/2020
Representations:	Five

STANDARDS REQUIRING COUNCIL DISCRETION

10.4.12 Earthworks and retaining walls
10.4.13 Location of car parking
10.4.2 Setbacks and building envelope for all dwellings
E7.6.2 Scenic management areas

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 DA0543/2020 Residential - Demolition of an outbuilding; Construction of alterations and additions to existing dwelling and a new dwelling at 28 Denman Road, Trevallyn subject to the following conditions:

**9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding;
Construction of Alterations; Additions to Existing Dwelling and New 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. 19030, Drawing No. A00, 1 of 12, Revision No. 2, Dated 23.09.2020.
- b. Existing Condition Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A01, 2 of 12, Scale 1:200@A3, Revision No. 2, Dated 23.09.2020.
- c. Strata Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A02, 3 of 12, Scale 1:200@A3, Revision No. 2, Dated 23.09.2020.
- d. Site Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A03, 4 of 12, Scale 1:200@A3, Revision No. 2, Dated 23.09.2020.
- e. Landscaping, Parking and Shadow Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A05, 6 of 12, Scale 1:200@A3, Revision No. 3, Dated 27.10.2020. *Amended Plans Required.*
- f. Existing Residence Floor Plans, Prepared by Plans to Build, Project No. 19030, Drawing No. A06, 7 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.
- g. Existing Residence Part Elevations, Prepared by Plans to Build, Project No. 19030, Drawing No. A07, 8 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.
- h. Ground Floor Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A08, 9 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.
- i. First Floor Plan, Prepared by Plans to Build, Project No. 19030, Drawing No. A09, 10 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.
- j. Elevations, Prepared by Plans to Build, Project No. 19030, Drawing No. A10, 11 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.
- k. Elevations, Prepared by Plans to Build, Project No. 19030, Drawing No. A11, 12 of 12, Scale 1:100@A3, Revision No. 2, Dated 23.09.2020.

2. AMENDED PLANS REQUIRED

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

- a. relocation of the waste bins to the rear of the existing dwelling; and
- b. shadow lines proposed to be cast by the new dwelling.

3. AMENDED PLANS

The plan required by condition H1, stamped as *Amended plan required*, is replaced by A05. This plan is 27/10/2020 and forms part of the endorsed plans of the Permit.

4. LEGAL TITLE

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

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

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. NON REFLECTIVE EXTERIOR FINISH

All external cladding and roofing of the building(s) must be of a non-reflective nature and must be finished in muted colours to the satisfaction to the Council.

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/01396-LCC, Dated 14/09/2020 and attached to the permit.

8. SITE LANDSCAPING

The landscaping must be:

- a. installed in accordance with the endorsed plan; and
- b. completed prior to the use commencing; and
- c. maintained as part of the residential development. It must not be removed, destroyed or lopped without the written consent of the Council.

9. NO FURTHER VEGETATION REMOVAL

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

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

10. 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 1.8m - 2.1m when measured from the highest finished level on either side of the common boundaries.

11. DRIVEWAY AND PARKING AREA CONSTRUCTION

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

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

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (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.

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. 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.

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

15. SOIL AND WATER MANAGEMENT PLAN

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

16. AMENITY

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

17. 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.

18. DEMOLITION

The Developer must:

- a. carry out all demolition work in accordance with Safe Work Australia *Demolition Work Code of Practice* or any subsequent versions of the document;
- b. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary;
- 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 DA0543/2020. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

This permit takes effect after:

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

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.

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

E. Heat Pump Use

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

F. Street addresses for Multiple Dwellings

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

<i>Dwelling No.</i>	<i>Strata Lot No.</i>	<i>Street Address</i>
<i>1 (Existing)</i>	<i>1</i>	<i>1/28 Denman Road</i>
<i>2 (Proposed)</i>	<i>2</i>	<i>2/28 Denman Road</i>

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

REPORT:

1. THE PROPOSAL

A second dwelling is proposed at the rear of the existing dwelling. An existing carport attached to the rear of the existing dwelling is to be removed to allow for the development.

The new dwelling proposes a two car garage, main entry and two bedrooms, separated by a bathroom, on the ground floor. On the upper level above the garage is an open plan kitchen, living and dining area and a main bedroom suite. A 24m² deck is proposed off the living room, with this having internal and external access. A 1.8m high screen is proposed along its northern and eastern sides.

The existing dwelling has a lower floor single garage and storage area on its lower floor. The main level has an open plan kitchen and living area, three bedrooms and a bathroom. Two bedrooms, at the western end of the dwelling are to have corner windows removed and replaced by windows to the sides of the rooms, and bedroom two will be enlarged by the removal of a passage and door exit to the rear. A new low deck is proposed off the northern side of the dwelling with access off the living room. Although the deck is less than 1m off the ground, it is proposed with a 1.7m screen along its northern side.

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The site is located in Trevallyn, a residential area on the northern side of the Cataract Gorge and north east of the central city. The area is well elevated above the City and is considered part of the managed skyline.

The site has a rectangular shape and rises to the rear north-western corner by approximately 3m being more level at the rear. It is on the western and slightly more elevated site of the street and the second block north of the intersection with Dandenong Road.

Development in the area is typically single dwellings over partly two levels in response to the rising topography.

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

10.0 General Residential Zone

10.1.1 Zone Purpose Statements

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

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

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

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

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

Consistent

The proposal offers a residential development option for a fully serviced site. The design has considered the possible impacts on adjoining properties and is not considered to have a significant impact on the residential character of the area.

10.3 Use Standards

10.3.1 Hours of operation

Objective:

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

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

Consistent
 Clauses 10.3.1 to 10.3.5 do not apply to the Residential permitted use of Multiple dwellings.

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 density of development is considered suitable for the fully serviced site.

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.

Complies
 The site area is 670m² allowing 335m² per dwelling to comply with the density requirements.

10.4.2 Setbacks and building envelope for all dwellings

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

Consistent
 The proposed siting and scale of the proposed dwelling is considered to be consistent with the adjoining development, to be appropriate to the streetscape setting and to not limit daylight and sunlight from accessing habitable rooms and open space on adjoining lots.

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

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

- (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.

Complies

The second dwelling is proposed at the rear of the site and, along with the proposed deck extension to the existing dwelling, will not impact on the front setback.

A2 A garage or carport must have a setback from a primary frontage of at least:

- (a) 5.5m, or alternatively 1m behind the facade of the dwelling; or
- (b) the same as the dwelling facade, if a portion of the dwelling gross floor area is located above the garage or carport; or
- (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

Complies

The garage proposed for the new dwelling forms part of the building and is behind the existing dwelling to meet the acceptable solution.

A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:

- (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:
 - (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and
 - (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and
- (b) only have a setback within 1.5m of a side boundary if the dwelling:
 - (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or
 - (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).

Relies on Performance Criteria

The proposed dwelling is 20.05m from the frontage behind the existing dwelling, 3.08m from the northern side boundary but with a deck only 140mm off the same, 2.3m from the rear and 4.69m from the southern side boundary. As the setback of the deck and the rear of the dwelling is less than 4m the performance criteria must be addressed.

A deck is also proposed off the side of the existing dwelling and requires consideration against the performance criteria.

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<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or (ii) overshadowing the private open space of a dwelling on an adjoining lot; or (iii) overshadowing of an adjoining vacant lot; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.
<p>Complies</p>
<p>The proposed dwelling is not considered to have an unreasonable impact on the property adjoining the rear boundary given consideration against the performance criteria below:</p> <ul style="list-style-type: none"> (i) <i>reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i> The proposed dwelling is positioned to the northeast of the dwelling to its rear. While the proposed dwelling will overshadow the north eastern corner of the neighbouring dwelling at 9.00am full sun will fall on the dwelling by midday. A cut of 990mm is proposed along the rear which will lower the dwelling relative to the boundary. A length of 8.78m is two storey but as shown on the additional and corrected shadow diagrams the impact should not be significant. (ii) <i>overshadowing the private open space of a dwelling on an adjoining lot; or</i> The proposal will block some early morning sun to the rear corner of the outside space along the eastern side of the rear neighbour but this will only be until around 11.00am. The open space at the rear of the dwelling will not be adversely impacted. (iii) <i>overshadowing of an adjoining vacant lot; or</i> The lot at the rear is not vacant. (iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i> The proposed dwelling is two storey for a length of 8.78m along the rear. It is north east and is 30 degrees of the rear neighbour where the dwelling is positioned on a north/south axis. It will be visible from the side and rear windows of the next door dwelling but this is not considered to have a significant impact given the angle of view. The rear windows of the adjoining property have a northern aspect and the side windows face east so neither have a direct line of site to the proposed dwelling, (b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</i>

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The configuration of properties in the immediate vicinity, along the variety of designs and placement of dwellings developed on the sites, results in variations in setbacks and orientation upon the properties. The reduced setback of the rear boundary is not considered to be incompatible with the setbacks and separation of other lots in the area.

In relation to the decks along the northern side boundary, they will not cause any overshadowing as they are south of the neighbouring property. The deck for the new dwelling is to have a screen with a height of 1.8m above deck level to result in a structure of approximately 3.5m above ground up to the side boundary. This will adjoin the rear yard of the adjoining neighbour and will not cause any overshadowing or significant impacts on that property. The deck proposed for the existing dwelling will be approximately 1m above ground and should be unobtrusive from beyond the site. The performance criteria are considered to be met.

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

Both dwellings will have appropriate areas of private open space both on decks accessed off living areas and ground level space.

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.

Complies

The site has an area of 670m². The floor area/footprint of the existing dwelling is 86m² and the proposed dwelling 97m² to total 183m² and to result in a site cover of 27.3%. At least 25% of the site will remain free from impervious surfaces.

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

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- (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
- (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.

Complies

Both dwellings will have private open space directly accessible from the living area with an area greater than 24m². The new dwelling will have a deck off the northern side of the dwelling off the lounge room with an area of 25m² and with a minimum width of 4.19m deep. The existing dwelling is to have a 19m² deck off the lounge with approximately five steps down to 4m deep area of open space at ground level.

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

Each of the dwellings will receive solar access with there being appropriate separation between the two dwellings.

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 proposed garage within the new residential property will not dominate the primary frontage.

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).

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Complies
 The garage within the new dwelling runs parallel to the street and is approximately 20m from the front to not impact on the streetscape.

10.4.6 Privacy for all dwellings

Objective:
 To provide reasonable opportunity for privacy for dwellings.

Consistent
 Privacy between dwellings will be retained.

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 carport is at least 6m:
 - (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
 The deck proposed for the new dwelling has a height greater than 1m off natural ground within 3m of the side boundary and adjacent to the private open space of the adjoining dwelling. As the deck has a screen to a height of 1.7m above the finished level it meets the acceptable solution in relation to (a) and (c).

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

- (a) The window or glazed door:
 - (i) is to have a setback of at least 3m from a side boundary; and
 - (ii) is to have a setback of at least 4m from a rear boundary; and
 - (iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and
 - (iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.
- (b) The window or glazed door:
 - (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or

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- (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or
- (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%.

Complies

There are no windows or glazed doors proposed within 3m of a side or 4m of the rear boundary.

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:

- (a) 2.5m; or
- (b) 1m if:
 - (i) it is separated by a screen of at least 1.7m in height; or
 - (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.

Complies

The shared drive will be within 2.5m of a replaced window for the existing dwelling. The window has a sill height of approximately 2.3m above ground which meets (b) (ii).

10.4.8 Waste storage for multiple dwellings

Objective:

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

Consistent

Bin storage is provided for both dwellings.

A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is within one of the following locations:

- (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

Each dwelling will be provided with a separate area to store waste bins away from the frontage. The bins for the front dwelling are shown under the proposed deck where there will not be sufficient height. A revised plan has been provided to show these altered to the rear of the dwelling.

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10.4.9 Site facilities for multiple dwellings

Objective: To provide adequate site and storage facilities for multiple dwellings.
Consistent Each dwelling will have suitable storage facilities.
A1 Each multiple dwelling must have access to 6m ³ of secure storage space not located between the primary frontage and the facade of a dwelling.
Complies Storage areas are provided under the existing dwelling adjacent the garage and at the rear of the garage within the new dwelling.
A2 Mailboxes must be provided at the frontage.
Complies A mailbox for each dwelling is provided adjacent the driveway.

10.4.10 Common property for multiple dwellings

Objective: To ensure that common areas are easily identified.
Consistent Common areas are identified.
A1 Site drawings must clearly delineate private and common areas, including: (a) driveways; (b) parking spaces, including visitor parking spaces; (c) landscaping and gardens; (d) mailboxes; and (e) storage for waste and recycling bins.
Complies Drawing A02 shows future strata areas and common property.

10.4.12 Earthworks and retaining walls

Objective: To ensure that earthworks and retaining walls are appropriate to the site and respect the amenity of adjoining lots.
Consistent The proposed earthworks and retaining walls will not impact the amenity of adjoining lots.
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

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<p>(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 A retaining wall is proposed around the rear north-western corner of the site. It is shown with a height of 990m but this does not include the batter, is within 1.01m of the rear boundary and 550mm of the side and must be considered against the performance criteria for (a), (b) and (c). The works can be suitably drained to meet (d) and (e).</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies The excavation and retaining walls will provide a level building area and lower the development in relation to the adjoining properties. The integrity of the works will be subject to appropriate engineering design, building and plumbing approvals.</p>

10.4.13 Location of car parking

<p>Objective: To:</p> <ul style="list-style-type: none"> (a) provide convenient car parking for residents and visitors; (b) protect residents from vehicular noise within sites; and (c) minimise visual impact on the streetscape.
<p>Consistent Car parking will be conveniently located without impacting the street function and streetscape.</p>
<p>A1 Shared driveways or car parks of residential buildings (other than for single dwellings) must be located no less than 1.5m from the windows of habitable rooms.</p>
<p>Relies on Performance Criteria The shared driveway is within 900mm of habitable rooms for the existing dwelling and must be considered against the performance criteria.</p>
<p>P1 Shared driveways or car parking spaces (other than for single dwellings) must be located to not unreasonably impact on the amenity of the adjoining habitable rooms, having regard to:</p> <ul style="list-style-type: none"> (a) the width of the driveway; (b) the location of the existing dwellings and habitable rooms; (c) the location of car parking spaces; (d) the number of car spaces served by the driveway; and

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(e) any noise mitigation measures including screening or landscaping.
<p>Complies The windows in the existing dwelling are elevated about the driveway with the sill heights approximately 2.2m above the drive. The drive is wider where the width between the drive and windows reduces to help reduce vehicle noise in the drive. As the floor level of the dwellings is above the driveway, the impacts to the residents are less. The performance criteria are addressed.</p>
<p>A2.1 Car parking must not be located in the primary front setback, unless it is a tandem car parking space in a driveway located within the setback from the frontage. A2.2 Turning areas for vehicles must not be located within the primary front setback.</p>
<p>Complies Car parking for the existing dwelling is located within a single car garage on the lower level of the dwelling and a tandem space forward of this. Parking for the proposed dwelling is provided in a double garage below at lower floor level. A visitor space is located between the two dwellings. Turning areas are provided for the new spaces with the rear half of the site.</p>

E4.0 Road and Railway Assets Code

<p>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.</p>
<p>Consistent The proposed development should not impact the safety or efficiency of the road or the street functionality.</p>

E4.5 Use Standards

E4.5.1 Existing road accesses and junctions

<p>Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>
<p>Consistent The minor increase in traffic numbers will not decrease the safety and efficiency of the road.</p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<p>Complies Denman Road has a speed limit of 50km/h and the number of extra vehicle movements per day will be approximately six according to RTA guidelines.</p>

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective:

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

Consistent

The application does not impact the safety and efficiency of the road.

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

Complies

The property retains only one access.

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

Objective:

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

Consistent

The access point is existing and is considered to be safe. No further assessment will be undertaken

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 application includes sufficient parking and is within close access of public transport and walking and cycling tracks in the Cataract Gorge and waterfront.

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.

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<p>Consistent An appropriate level of parking will be provided.</p>
<p>A1 The number of car parking spaces must:</p> <ul style="list-style-type: none"> (a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or (b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or (c) not exceed the requirements of Table E6.1 by more than two spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or (d) be in accordance with an acceptable solution contained within a parking precinct plan.
<p>Complies Table E6.1 requires two spaces for each dwelling in the sites General Residential zone plus one visitor space. Five spaces are required and are proposed to meet the acceptable solutions.</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 Parking will be appropriately constructed.</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, parking spaces and circulation spaces will have a gradient of less than 5%, will be paved and drained to the reticulated stormwater system.</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 Parking area will be convenient, safe and efficient.</p>

9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

<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</p> <p>The parking areas will be of the appropriate dimensions and will allow for cars to enter and exit the site in a forward direction. The parking for the existing dwelling, in the lower floor garage and tandem space in front, remain unchanged.</p>

E7.0 Scenic Management Code

<p>E7.1 The purpose of this provision is to:</p> <ul style="list-style-type: none"> (a) ensure that siting and design of development protects and complements the visual amenity of scenic road corridors; and (b) ensure that siting and design of development in scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape; and (c) ensure that vegetation is managed for its contribution to the scenic landscape.
<p>Consistent</p> <p>The proposed development will have a minimal impact on the visual amenity of the area. The development is similar in character to adjoining properties.</p>

E7.6 Development Standards

E7.6.2 Scenic management areas

<p>Objective:</p> <p>The siting and design of development is to be unobtrusive in the landscape and complement the character of the scenic management areas.</p>
<p>Consistent</p> <p>The siting and design of the proposal will minimise impacts on the landscape and character of the area.</p>
<p>A1 No acceptable solution.</p>

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Relies on Performance Criteria

P1 Development (not including development that involves only the clearance or removal of vegetation, or subdivision) must have regard to:

- (a) the scenic management precinct existing character statement and management objectives in clause E7.6.3;
- (b) the impact on skylines, ridgelines and prominent locations;
- (c) the nature and extent of existing development on the site;
- (d) the retention or establishment of vegetation to provide screening;
- (e) the need to clear existing vegetation;
- (f) the requirements for any hazard management;
- (g) the need for infrastructure services;
- (h) the specific requirements of the development;
- (i) the location of development to facilitate the retention of trees; and
- (j) design treatment of development, including:
 - (i) the bulk and form of buildings including materials and finishes;
 - (ii) any earthworks for cut or fill;
 - (iii) the physical (built or natural) characteristics of the site or area;
 - (iv) the nature and character of the existing development; and
 - (v) the retention of trees.

Complies

The site is within the Trevallyn Hillside Precinct and is considered to form part of the western backdrop to the central Launceston area. The site is within the western section of the precinct nearer the Cataract Gorge with bungalow houses in the front and vegetated yards to the rear. Management objectives include:

- (a) *Buildings within the precinct must either complement existing built character or be designed to minimise its visual impact within the landscape. Particular attention should be taken to the pattern, bulk and form of development.*
 The proposed dwelling is to be sited on a grassed area at the rear of the site. It is proposed over two storeys in an area where, due to the terrain most dwellings are at least partly two storey. The dwelling will be shielded from immediate views by the adjoining properties. As the property is located below the brow of the hill and back from the hill faces longer view lines are minimal.
- (b) *Alterations and additions must be undertaken with regard to the existing character of the site and should not adversely affect the landscape or streetscape value.*
 Alterations to the existing dwelling will not impact on the landscape view or streetscape values. Changes include removal of a carport from the rear, alterations of two rear corner windows and a low deck off the north eastern side of the dwelling. The deck may be viewed from the street but will be partly shielded by trees across the frontage.

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(c) Where infill buildings are proposed, material selections and forms should relate to the predominant landscape or streetscape pattern. New designs must demonstrate a scale, form, and materials relationship to the precinct and fit within the established pattern of development.

The new dwelling is to be clad in a mix of blockwork, brickwork, cement sheeting and weatherboards of a mix of grey scale shades. As the dwelling will be at the rear of the site it will minimise impacts on the streetscape. Dwellings in the area include a mix of cladding including painted and face brick, with and without timber feature panels and painted render.

(d) Subdivision must only take place where it does not adversely affect the existing character or pattern of development on the hillside. Subdivision that prevents the retention or establishment of significant vegetation must be avoided.

The application does not include subdivision.

(e) Landscaping should incorporate a significant proportion of trees to maintain the treed character of the hillside. Species selection should favour trees with a large canopy or be planted as a group. The eastern part of the precinct should favour deciduous trees whilst areas close to the Cataract Gorge should favour local native species.

The area the dwelling is to be sited is grassed. The proposal plans include landscaping to a higher level than currently exists.

(f) Increased residential density is encouraged, but only where development does not adversely interrupt the existing or historic pattern of development, and ability of the site to maintain significant vegetation. The favoured form of this type of development is one building, with shared driveways and gardens to maximise the open space available for vegetation.

The proposed dwelling is to be upon a grassed area at the rear of the existing dwelling. The driveway is to be shared and the plans indicate landscaping to a higher level than currently exists. While development in the area is predominantly of single dwellings, the proposed density meets the acceptable solutions of the zone and the configuration of lots in the area is varied, resulting from the orientation of the older streets accessing the hillside, the proposal is considered to have a minimal impact on the setting of the site and character of the area.

The performance criteria are addressed.

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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 2020/01396-LCC , Dated 14/09/2020
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 3 October to 19 October 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.

<p>Issue 1 The dwelling encroaches on the required 4m rear setback requirement by 1.7m and results in a 5.2m wall adjoining the rear garden and kitchen of 18 Dandenong Road and which will overshadow the garden and reduce sunlight to the kitchen.</p> <p><i>Response 1</i> <i>The impact of overshadowing is assessed for habitable rooms other than bedrooms. A further shadow diagram has been provided for other times during the day. The kitchen is located along in the centre of the northern elevation and has a large corner window which will not be overshadowed by the proposal. Private open space of a dwelling should receive (ref: Clause 10.4.3 A2) at least 3 hours of sunlight to 50% of the area on 21 June. The area to the east of the neighbouring dwelling is able to receive this solar access.</i></p>
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9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New Dwelling ... (Cont'd)

<p>Issue 2 The outlook from the proposed dwelling is to the north, rather than east/west as other dwellings in the street and will overlook the northern neighbour's garden and bedroom. Particular concern is raised of the proximity of the decks proposed for both dwellings to the common boundary.</p>
<p><i>Response 2</i> There should be minimal overlooking onto the property to the north of the site. The raised deck of the proposed dwelling is only 140mm off the side boundary and has a 1.8m screen and to comply with 10.4.4 A1. The dwelling itself is setback greater than 3m from the side boundary therefore any proposed windows along the northern elevation are compliant with the Clause 10.4.4 A2. The deck extension to the existing dwelling will be less than 1m off ground level, and while proposed with a screen does not need to include one.</p>
<p>Issue 3 The screen of the deck of the proposed dwelling will be intrusive on the boundary and its use will create additional noise.</p>
<p><i>Response 3</i> While the concern is noted the overall height of the screen addition to the deck is shown as 3m above natural ground which complies with the building envelope of Clause 10.4.2 A3. Residential noise is not a consideration of the Planning Scheme.</p>
<p>Issue 4 The dimensions on the plans show 26 and 28 Denman Road as being aligned, is this correct?</p>
<p><i>Response 4</i> The dwellings appear to align on site. The Council's records and aerial photographs reinforce this.</p>
<p>Issue 5 Will the excavation impact on adjoining 1950's housing?</p>
<p><i>Response 5</i> The excavations and retaining wall construction will require an engineering design, building and plumbing approvals.</p>
<p>Issue 6 Can the development be done in some other way to provide a balance with the right to build and retention of privacy.</p>
<p><i>Response 6</i> The Council is required to assess an application as proposed.</p>
<p>Issue 7 Is the higher density development on steep narrow roads in Trevallyn appropriate?</p>
<p><i>Response 7</i> The Council's Infrastructure and Assets Network does not have an issue with the proposal and the wider traffic issue is beyond this application.</p>

**9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding;
Construction of Alterations; Additions to Existing Dwelling and New Dwelling
...(Cont'd)**

Issue 8

Another dwelling at 28 Denman Road will alter the character of the area, will reduce amenity and lead to future trends and trouble.

Response 8

The addition of a further dwelling should not have a significant impact on the area. Every application must be treated on its merits at the time of its lodgement.

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:

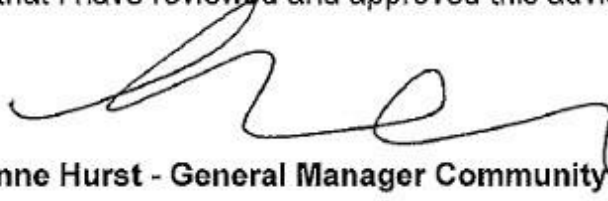
Not considered relevant to this report.

- 9.4 28 Denman Road, Trevallyn - Residential - Demolition of an Outbuilding; Construction of Alterations; Additions to Existing Dwelling and New 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 - 28 Denman Road, Trevallyn (*electronically distributed*)
 2. Plans to be Endorsed - 28 Denman Road, Trevallyn (*electronically distributed*)
 3. TasWater SPAN - 28 Denman Road, Trevallyn (*electronically distributed*)
 4. Representations - 28 Denman Road, Trevallyn (*electronically distributed*)
-

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston**FILE NO:** SF6903/DA0049/2019**AUTHOR:** Catherine Mainsbridge (Senior Town Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To provide a report, pursuant to section 39(2) and 43F (6) of the former provisions *Land Use and Approvals Act 1993* to the Tasmanian Planning Commission, regarding a draft amendment to the Launceston Interim Planning Scheme 2015.

PLANNING APPLICATION INFORMATION:

Applicant: PDA Surveyors
Property: 1/45-51 Thistle Street, South Launceston
Zoning: Light Industrial and General Residential
Receipt Date: 7 February 2020
Validity Date: 10 June 2020

PREVIOUS COUNCIL CONSIDERATION:

S52/98 - Subdivision - subdivide land into 9 lots (only two lots created) - Permit issued 3 February 1999

Council - 2 December 2002 - Agenda Item 12.1 - DA0473/2002 - Amendment 77 Launceston Planning Scheme 1996 - Combined Re-Zoning and Development Application - Western Title - Coats Patons

DA0246/2005 - Construction of a Caretaker's Dwelling - Permit issued 17 June 2005

Council - 23 July 2020 - Agenda item 9.1 - Amendment 53 SF6903 to initiate rezone part of the site known as 1/45-51 Thistle Street, South Launceston from the Light Industrial Zone to the General Residential Zone; and to make a decision on Development Application DA0049/2019 - Subdivision - subdivide land to create an additional lot at 1/45-51 Thistle Street, South Launceston

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston ...(Cont'd)

RECOMMENDATION:

That Council, in accordance with the former sections 39(2) and 43F(6) of the *Land Use Planning and Approvals Act 1993*:

1. notifies the Tasmanian Planning Commission that no representations were received during the public exhibition period for Amendment 53 and DA0049/2019;
2. recommends to the Tasmanian Planning Commission that Amendment 53 be approved with minor change to location of the future zone boundary.
3. pursuant to the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Mayor and the Chief Executive Officer its functions under section 35(1) of the *Land Use Planning and Approvals Act*, to certify Amendment 53 to the Launceston Interim Planning Scheme 2015,
4. recommends to the Tasmanian Planning Commission that DA0049/2019 be modified by an alteration to the proposed Plan of subdivision and adding the following condition to the permit.

PART 5 (SECTION 71) AGREEMENTS

Prior to sealing of a final plan of survey, the property owner is to enter an agreement with the Launceston City Council with the objective of preventing activity on Lot 1 that may undermine the structural integrity of the building marked SELF STORAGE UNITS on plan L18023-P01C and the retaining walls marked EXISTING RETAINING WALL HEIGHT 2-7.5m and EXISTING RETAINING WALL - height 2-5m on plan L18023-P01C. The agreement must:

- be prepared in accordance with Part 5 of the *Land Use Planning and Approvals Act 1993*;
 - bind all present and future owners and must be registered with the Land Titles Office on the affected titles;
 - clearly define the area of influence behind the retaining walls and self storage units and must designate that area as a *controlled area*;
 - identify the property owners responsible for management and maintenance of the retaining walls and the controlled areas;
 - provide a finite and specific list of permitted activities within the controlled area to the exclusion of all other activity;
 - provide measures for the establishment and maintenance of physical barriers to prevent prohibited activity within the controlled area;
 - be certified to be in accordance with the objectives stated herein by an appropriately qualified engineer;
 - be prepared, certified by an engineer and registered on title at the developer's cost;
-

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston ... (Cont'd)

- be to the Council's satisfaction including as to its certainty and operability.

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

All costs associated with preparing and registering the Agreement must be borne by the applicant.

REPORT:

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.

1. Purpose of Report

At its Meeting on 23 July 2020, Council resolved to:

1. *pursuant to the former section 33(3) and 34 of the Land Use Planning and Approvals Act 1993, initiates Amendment 53 to the Launceston Interim Planning Scheme 2015 to rezone part of 1/45-51 Thistle Street, South Launceston from the Light Industrial Zone to the General Residential Zone.*
2. *pursuant to the former section 6(3) of the Land Use Planning and Approvals Act 1993, delegates to the Mayor and the Chief Executive Officer its functions under section 35(1) of the Land Use Planning and Approvals Act, to certify Amendment 53 to the Launceston Interim Planning Scheme 2015 ...*
3. *pursuant to the former section 43A of the Land Use Planning and Approvals Act 1993, approves DA0049/2019 Subdivision - subdivide strata lot to create and additional lot at 1/45-51 Thistle Street, South Launceston subject to conditions.*

The draft amendment, planning permit and all associated documentation were placed on public exhibition and there were no representations received.

At the same time, concern was raised in respect of the retaining wall along the common boundary of Lot 1 and Lot 2 and with the Door of Hope. The applicant was requested to provide further clarification on the structural integrity of particularly the section of wall along the common boundary and of its ongoing management and maintenance.

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston ...(Cont'd)

Information provided, which includes a report from an engineer, states that the new boundary is a suitable distance from the retaining wall along the new boundary, which is constructed in two sections. It is 2.4m from the higher section of the wall and 3.6m from the lower section of the retaining wall. The distance is considered to be adequate to maintain the wall over the duration of its expected 100 year life.

Comments within the report from the engineer note that the retaining wall and the storage sheds have been designed to retain earth only. An area of influence extends a horizontal distance from the bottom of the wall that is approximately equal to the height of the wall at that location. Activity within that area must be limited to domestic fencing, gardens, lawns and small trees up to 3m in height. It should not be loaded with activities including any building and parking. The area must not be landscaped with species that require continuous high concentrations of water. The report suggests that a Part 5 agreement be applied which includes a description of activities the area is to be limited to. The applicant has provided the wording.

Further discussion with the applicant to minimise any adverse impact on the owner of Lot 1, the residential property, the boundary has been altered to contain the area of influence within Lot 2. At section B on the plan, the boundary has been altered to result in the setback from the base of the wall increasing from 5.2m to 8m and the residential lot being reduced by a triangular area of approximately 136m². This subsequently reduces the area of land to be rezoned to General Residential.

The proposed condition states:

PART 5 (SECTION 71) AGREEMENTS

Prior to sealing of a final plan of survey, the property owner is to enter an agreement with the Launceston City Council with the objective of preventing activity on Lot 1 that may undermine the structural integrity of the building marked SELF STORAGE UNITS on plan L18023-P01C and the retaining walls marked EXISTING RETAINING WALL HEIGHT 2-7.5m and EXISTING RETAINING WALL - height 2-5m on plan L18023-P01C. The agreement must:

- be prepared in accordance with Part 5 of the *Land Use Planning and Approvals Act 1993*;
 - bind all present and future owners and must be registered with the Land Titles Office on the affected titles;
 - clearly define the area of influence behind the retaining walls and self storage units and must designate that area as a *controlled area*;
 - identify the property owners responsible for management and maintenance of the retaining walls and the controlled areas;
 - provide a finite and specific list of permitted activities within the controlled area to the exclusion of all other activity;
-

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston ...(Cont'd)

- provide measures for the establishment and maintenance of physical barriers to prevent prohibited activity within the controlled area;
- be certified to be in accordance with the objectives stated herein by an appropriately qualified engineer;
- be prepared, certified by an engineer and registered on title at the developer's cost;
- be to the Council's satisfaction including as to its certainty and operability.

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

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

2. Discussion

The proposal plan included the 'building exclusion area' without sufficient explanation of its purpose and the ability for it to be implemented and observed in perpetuity. The controlled area is necessary to have activity and use limited in order to protect the integrity of the existing and substantial retaining wall between the proposed lots. The applicant was requested to provide a qualified engineering assessment of the proposed *building exclusion area* in regard to which lot it should be contained on and what extent of loading it might be able to sustain. Following a further engineering assessment and negotiation the boundary between the lots has been altered to contain the *area of influence* which is an engineering term as a *building exclusion area* on the industrial lot.

Part 5 of the *Land Use Planning and Approvals Act 1993* agreement, which is clearly documented on title and contains mandatory covenants on the registered proprietors, is considered an efficient and capable means of addressing the matter along with a fixed and permanent identification on site along with slight change to the boundary.

3. Conclusion

As no representations were received there are no reasons for Council not to proceed with the Amendment and planning permit subject to the minor changes noted above. The Amendment should be forwarded to the Tasmanian Planning Commission with a recommendation that the amendment and DA0049/2019 be slightly modified and otherwise approved.

ECONOMIC IMPACT:

Not considered relevant to this report.

9.5 Amendment 53 - 45-47 Thistle Street, South Launceston ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015
Land Use Planning and Approvals Act 1993
City of Launceston Corporate Strategic Plan 2014-2024
Northern Regional Land Use Strategy

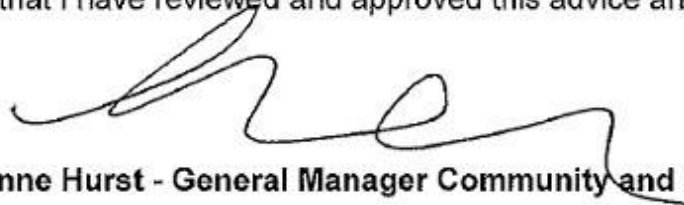
BUDGET & FINANCIAL ASPECTS:

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 - 45-47 Thistle Street, South Launceston (*distributed electronically*)
 2. Amended Plans to be Endorsed - 45-47 Thistle Street, South Launceston (*distributed electronically*)
 3. Engineer's Report and Supporting Diagrams
 4. Amended Amendment Instrument - 45-47 Thistle Street, South Launceston (*distributed electronically*)
 5. Planning Amendment Maps - 45-47 Thistle Street, South Launceston 2020 (*distributed electronically*)
 6. TasWater SPAN - 45-47 Thistle Street, South Launceston 2020 (*distributed electronically*)
-

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings

FILE NO: DA0412/2020

AUTHOR: Maria Lasso (Graduate Town Planner)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

1. To decide whether to reject or exhibit Amendment 65 to the Launceston Interim Planning Scheme 2015, to insert a site specific qualification for Assisted Housing at 49 Amy Road, Newstead and 18-20 Ellison Street, Newstead under the discretionary use class column of the Community Purpose Zone.
2. To determine Development Application DA0412/2020 for the construction of 15 housing units, a multi-purpose building, an administration building, extension of an existing crossover and to consolidate four lots into three.

PLANNING APPLICATION INFORMATION:

Applicant:	6ty Pty Ltd
Property:	49 Amy Road Newstead and 18-20 Ellison Street, Newstead
Zoning:	Community Purpose
Receipt Date:	21/07/2020
Validity Date:	21/08/2020
Further Information Request:	30/07/2020
Further Information Received:	05/10/2020
Deemed Approval:	16/11/2020

RECOMMENDATION:

That Council, pursuant to:

1. the former section 33(3) and Section 34 of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 65 to insert a site specific qualification for Assisted Housing at 49 Amy Road and 18-20 Ellison Street, Newstead under the discretionary use class column of the Community Purpose Zone.
-

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

2. the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Mayor and the Chief Executive Officer its functions under section 35(1) of the *Land Use Planning and Approvals Act*, to certify Amendment 65 to the Launceston Interim Planning Scheme 2015, as shown below:

LAUNCESTON INTERIM PLANNING SCHEME 2015	
<u>AMENDMENT 65</u>	
The text provisions of the Community Purpose Zone Use Table (17.2) are to be amended to insert a site specific qualification under the Residential use class for Assisted Housing at 49 Amy Road and 18-20 Ellison Street, Newstead.	
Discretionary	
Use Class	Qualification
Residential	If for Assisted Housing* at 22 Hoblers Bridge Road, Newstead If for Assisted Housing* at 49 Amy Road and 18-20 Ellison Street, Newstead. *means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services

3. the former section 38(1)(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
4. the former section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0412/2020 for the construction of 15 housing units, a multi-purpose building, an administration building, extension of an existing crossover and to consolidate four lots into three at 49 Amy Road and 18-20 Ellison Street, Newstead 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. Part Site Plan, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap01, Revision A, Dated 23.09.20.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

- b. Unit type 1 & 1A Plans and elevations, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap02, Revision A, Dated 23.09.20.
- c. Unit type 2 & 2A Plans and elevations, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap03, Revision A, Dated 23.09.20.
- d. Unit type 3 & 3A Plans and elevations, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap04, Revision A, Dated 23.09.20.
- e. Staff & Multi-use buildings plans and elevations, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap05, Revision A, Dated 23.09.20.
- f. Site elevations & Sections, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. Ap06, Revision A, Dated 23.09.20.
- g. Proposed subdivision Plan, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. CP01, Dated 21.09.20.
- h. Proposed subdivision Plan - Services Layout Plan, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. CP02, Revision B, Dated 21.09.20.
- i. Proposed subdivision 8.8m Service Vehicle Turn Paths, Prepared by 6ty Pty Ltd, Project No. 19.257, Drawing No. CP03, Dated 21.09.20.

2. FOOTPATH WIDTH

The section of the footpath providing access to Unit 4 from the nearest accessible space must have a minimum width of at least 1.5m in accordance with A1.2 under clause E6.6.3.

3. BICYCLE PARKING - LIGHTING

Bicycle parking must 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.

4. BICYCLE PARKING - DIMENSIONS

Bicycle parking spaces must:

- (a) have minimum dimensions of: 1.7m in length; 1.2m in height; and 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.

5. CAR PARKING

Prior to the commencement of the use, areas set aside for parking vehicles and access lanes must be constructed as shown on the endorsed plans.

6. 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.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

7. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA2020/01104-LCC and attached to the permit.

8. 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

9. AMENDED PLAN - FLOODING IMPACTS

Prior to the commencement of any work on the site, amended plans must be submitted to show detailing of the shaping of the internal driveway and communal area as outlined in the planning submission. This documentation must include the approximate boundaries of the revised flood extent and FFLs of the buildings. Once approved by the Manager City Development, these amended plans will be endorsed and will then for part of the Permit and shall supersede the original endorsed plans.

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 with specific reference to AS2890.1 Clause 6.6.2;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property; and
- 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.

11. REFUSE AND RECYCLING COLLECTION ARRANGEMENT

Prior to the commencement of works, the applicant must provide written evidence of an agreement between the owner and a relevant contractor for the collection of refuse and recycling from the site. The relevant contractor may be the Council appointed contractor for refuse and recycling collection or other contractor engaged in the collection of refuse and/or recycling.

Collection will not be permitted to occur directly from Amy Road and bins must be located within the property boundary in the areas set aside for collection.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(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

A single stormwater connection is permitted for each of the resultant lots of the final plan of survey. All proposed new pipelines within a lot are to be connected to the existing internal drainage network for that lot. It is not permitted to have multiple connections to Council's stormwater mains without the express written permission of the Chief Executive Officer.

15. 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.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

16. VEHICULAR 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.

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 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.

17. 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.

18. PROTECTION OF PIPELINES (GENERAL)

The Council's 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.
-

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

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*.

19. SUBMISSION AND APPROVAL OF PLANS

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

- a. include all public infrastructure works required by the permit or shown in the endorsed plans and specifications.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

20. CONSTRUCTION OF WORKS

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

- a. Stormwater
 - i. All necessary alterations to existing stormwater manhole levels to suit the design levels of the development,
 - ii. Upgrading of all trenches that are to be subject to vehicle loading due to the construction and ongoing use of the development
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
 - b. Road/Access
 - i. Widening of the existing vehicle access to proposed Lot 3 including kerb layback and upgrading of the footpath to driveway apron standard,
 - ii. Reinstatement of all new service trenches within the road pavement and footpath.
-

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

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

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

21. CONSTRUCTION DOCUMENTATION

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

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

22. AMENITY - COMMERCIAL/INDUSTRIAL USE

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

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0412/2020. 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.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ... (Cont'd)

This permit takes effect after:

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

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.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

E. Heat Pump Use

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

F. Inner City Residential Design Consideration

Inner city residential use may be subject to background noise and/or odour associated with commercial activity. It is recommended that consideration be given to appropriate measures being incorporated in the design of the development to minimise such intrusions.

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1. INTRODUCTION

An application was lodged under section 31(1) and section 43A of the *Land Use Planning and Approvals Act 1993* (the Act), by 6ty Pty Ltd, for:

- a text amendment to the Launceston Interim Planning Scheme, proposing to insert a site specific qualification for Assisted Housing; and
- a planning permit seeking approval for the construction of 15 housing units, a multi-purpose building, an administration building, extension of an existing crossover and to consolidate four lots into three lots.

The Planning Submission, Architectural drawing set, the Civil engineering drawing set and the applicant's response to the Council's request for further information, are contained in Attachment A.

The *Launceston Interim Planning Scheme 2015* will be generally referred to as the Scheme in this report. *The Land Use Planning and Approvals Act 1993* will be generally referred to as the Act.

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.

References to the relevant requirements of the Act in this report are references to the requirements in the former provisions of the Act (Version current from 1 April 2015 to 16 December 2015).

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

1.2 Act Requirements

The planning legislation allows for a combined application for a permit and a planning scheme amendment to be considered jointly in accordance with section 43A of the Act.

43A. Application for a permit when amendment requested

(1) A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider, in accordance with this Division, an application for a permit which would not be allowed if the planning scheme were not amended as requested.

(2) Where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit referred to in subsection (1) concurrently with the preparation of the requested amendment to the planning scheme.

(3) An application may be made for a permit under this section even if it could not be granted under the existing planning scheme.

The amendment must be decided under section 33(3) which reads:

33. Request for amendment of planning scheme

(3) A planning authority must, within 42 days of the receipt of a request or such longer time as the Commission may allow, make a decision as to whether or not to initiate an amendment of the planning scheme and serve on the person who made the request notice of its decision within 7 days of making the decision.

(3AA) If the planning authority decides under subsection (3) to initiate an amendment of a planning scheme after receipt of a request from a person under subsection (1), it must -

(a) initiate the amendment under section 34; and

(b) certify the draft amendment under section 35 -

within 42 days of receiving the request or such longer time as the Commission allows.

The matters which Council must consider when making a decision whether to reject or exhibit the application are listed in sections 32 and 43C of the Act and are set out in detail in Sections 4 and 5 of this report.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

Section 38 of the Act sets out that after initiating the combined permit and draft amendment, the draft amendment is to be publicly advertised for a period of 28 days:

38. Public exhibition of draft amendment

(1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in section 32, the planning authority must –

(a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and

(b) advertise, as prescribed, the exhibition of the draft amendment.

(2) If the period referred to in subsection (1)(a) includes any days on which the office of the planning authority is closed during normal business hours in that part of the State where the planning scheme to be amended applies, that period is to be extended by the number of those days.

2. SITE ANALYSIS

The subject site is located between Amy Road and Ellison Street in Newstead. The site includes four lots with a combined area of 1.307ha. Three of these lots front Ellison Street and the remaining lot has access to Amy Road.

49 Amy Road or Lot 4 in CT 65161 is developed with office buildings and residential units used for assisted housing purposes; short-term crisis accommodation and support facilities. 18-20 Ellison Street comprises three lots: Lot 3 in CT 29331, an internal lot, developed and used for aged care purposes and two vacant lots, Lot 1 in CT 250331 and Lot 25 in CT 13276.

All lots subject to this application are owned and managed by the Department of Communities Tasmania - Housing Tasmania.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ... (Cont'd)



Figure 1. Subject site (Lot 4 in red, Lot 3 in orange, Lot 1 in green and Lot 25 in blue)

2.1 Site history

The existing use at 49 Amy Road has been operating as an ancillary use under permit DA.00.98.551 issued on 27/1/99. The permit allows:

Education centre (special school for people with disabilities) with ancillary administration and residential accommodation.

2.2 Characteristics

The three lots fronting Ellison Street are mostly flat whilst the undeveloped land to the south of 49 Amy Road has a fall of approximately 4.5m across 72m from the middle of the site to the south boundary. Some small to medium-sized trees are found to the front of Ellison Street and along lot boundaries of Lot 4 and Lot 3. All lots are fully serviced.

2.3 Natural values and hazards

The subject site is not located within a bushfire prone area and there are no landslide hazards shown on Council's GIS system. The land, however, is subject to flooding as outlined in the urban (stormwater) flood modelling adopted by Council.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ... (Cont'd)

The planning submission outlines:

To mitigate against flood risk, the finished floor levels (FFLs) of each building have been designed to be above the 1% AEP flood level. Further, it is intended to shape the internal driveway and communal area to enable a flow path for stormwater to travel in the event of a 1% AEP so that it, as far as practical, avoids buildings. It is proposed to undertake this during detailed design and documentation of civil drawings.

The proposed approach to mitigate flood risk is considered acceptable by the Council's Water Engineer subject to conditions.

The subject site is not within a scenic management area and does not contain significant biodiversity values as there are no priority habitat overlays near the site and no areas of threatened vegetation community are shown on the TASVEG 3.0¹ mapping.

(¹TASVEG is a resource that underpins legislated native vegetation conservation provisions, policy, vegetation management agreements and monitoring at both State and Commonwealth levels. TASVEG is a vital tool for biodiversity research and monitoring, land use planning and sustainable management of Tasmania's unique natural resources).

2.4 Surrounding area

The subject site is zoned Community Purpose Zone, although the majority of nearby land is zoned General Residential Zone, except for some properties to the west of the site (Figure 2).

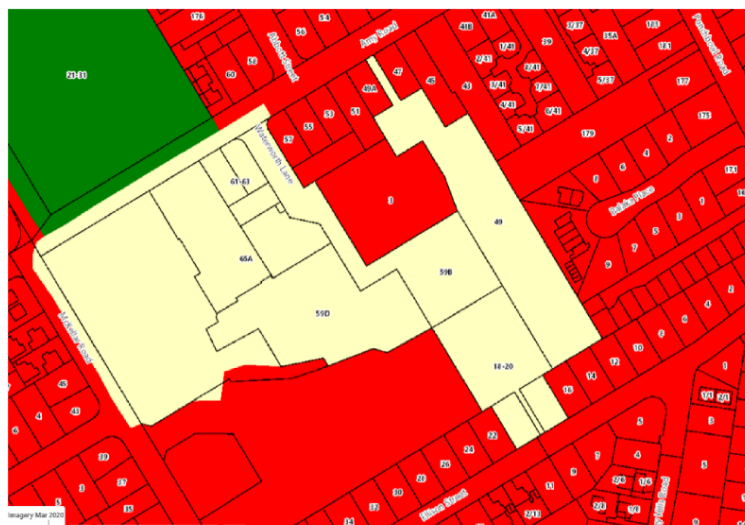


Figure 2 - Zone controls

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

Residential

Adjoining 49 Amy Road to the north, north-east and north-west are a row of residential properties, developed and used for residential purposes (No. 43 - 47 Amy Road to the east and No. 49A to 51 Amy Road to the west).

The east boundaries of the site adjoin the rear of No. 179 Punchbowl Road, an internal lot used and developed for residential purposes, and the rear of No. 11 Balaka Place developed with five multiple units. Further to the south east, 49 Amy Road abuts the side boundaries of Units 11 and 12 at 167A Punchbowl Road. More residential uses are found to the south east of the site, No. 12 and No.16 Ellison Street, developed each with a single dwelling.

Educational and occasional care

59B Amy Road to the west is developed and used as a childcare centre trading as Newstead Child Care Centre. 3 Waterworth Lane to the west is developed with a large building previously used as a primary school. This site has a recent planning approval for a change of use to a day respite facility.

3. DRAFT TEXT AMENDMENT

3.1 Why is the amendment required?

The text amendment is required in order to allow the use and development of the site for assisted housing. The site is zoned Community Purpose Zone, under this zone the residential use class has a discretionary status limited to the following qualifications:

If for Assisted Housing at 22 Hoblers Bridge Road, Newstead*

**means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services*

If for:

- (a) a residential aged care facility; or*
- (b) a retirement village*

As the proposed change of use to assisted housing and associated development is not for any of the above, it has a *prohibited* status under the Scheme. To allow the development of the site for assisted housing units, the amendment would introduce the qualification below which would give the proposal a *discretionary* status under the Scheme:

If for Assisted Housing at 49 Amy Road and 18-20 Ellison Street, Newstead.*

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

Please note that an application for intensification of the existing use is not possible. Special Provision 9.1 *Changes to an existing non-conforming use* does not allow the *substantial intensification of the use of any land, building or work* pursuant to 9.1.1(c). Accordingly, the applicant cannot apply to intensify the existing non-conforming use at 49 Amy Road, the only avenue available to the applicant to obtain planning approval for the use and development proposed is via a planning scheme amendment.

3.2 Landowner Consent

Requests for draft amendments or combined permit applications require owners' consent. The Tasmanian Planning Commission has issued a form which must be completed if the person making the request is not the owner, or the sole owner. This form has been effective since 30 March 2020.

The applicant has provided a complete owners' consent form including an attachment of a letter signed by the Director, Portfolio and Supply Unit of the Department of Communities Tasmania dated 18 June 2020.

The application includes the extension of a crossover over Ellison Street, therefore, road owners' consent for lodging the combined amendment and development application is also required. This consent was issued by Council's General Manager Infrastructure and Assets Network on 20 August 2020.

4. CONSIDERATIONS FOR THE AMENDMENT

4.1 Assisted housing

Assisted housing is not defined under section 4.1 of the Scheme and has been instead introduced via scheme amendments 50 and 59. The definition of assisted housing has been derived from the State Planning Provisions under the Tasmanian Planning Scheme (TPS). The TPS includes the definition of assisted housing under Table 3.1 Planning terms and Definitions. Further, this definition is included within the definition of the Residential Use Class as follows:

Residential:

use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

The TPS provisions also set out a qualification for assisted housing under the *Permitted* use table of the Community Purpose Zone as follows:

Use class	Qualification
Permitted <i>Residential</i>	<i>If for:</i> <i>(a) a residential care facility, respite centre, retirement village or <u>assisted housing</u>; or</i> <i>(b) accommodation for staff or students of a use on the site.</i>

Once the TPS comes into effect and replaces the Launceston Interim Planning Scheme, changes of use to assisted housing and associated development will be classified as a *permitted* use class under the Community Purpose Zone (CPZ).

The TPS provisions are considered relevant and hold significant weight in the assessment of the proposed site-specific amendment. The introduction of the assisted housing sub class within the residential use class demonstrates that residential uses are not only compatible with assisted housing uses but considered part of the same use class definition.

In conclusion, under the Launceston Interim Planning Scheme *assisted housing* remains a sub class use not included in the Residential Use Class, which is the result of an amendment to the Launceston Planning Scheme 1996. In practice *assisted housing* is a residential use where land is used for accommodation purposes similarly to a residential care facility or a retirement village where in addition to self-contained or shared living accommodation associated support services are required, such as administration buildings for office uses and shared facilities like laundry services and communal open space.

4.1 Regional Land Use Strategy of Northern Tasmania

Pursuant to section 300(1), an amendment may only be made under Division 2 or 2A to a local provision if the amendment is, as far as is practicable, consistent with the regional land use strategy. Relevant to this amendment is the Regional Land Use Strategy of Northern Tasmania (RLUS).

The RLUS sets out policy basis and strategies to manage change, growth and development to 2032 including land use, development and infrastructure decisions made by local government. The version used for this assessment is dated 27 June 2018.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

4.1.1 Regional Strategic Planning Framework

Strategic direction C.4.2 'Goal 2: Liveability' is considered relevant to the proposed amendment. C.4.2 reads:

To promote liveability measures for social and community development and the betterment of healthy, strong and vibrant urban and rural settlements.

Within Goal 2, the following strategic directions are considered relevant:

G2.1 - Identify Urban Growth Areas to enhance a sustainable urban settlement pattern.

(c) Coordinate investment of services to existing and future settlements and plan to maximise integration, community benefit, efficiency and long-term sustainability of service provision.

G2.2 - Plan for socio-demographic changes.

(a) Promote and plan for a diverse range of dwelling types and sizes, including small lot housing and multiple dwellings (to match changes in household size and composition) in locations highly accessible to community services.

G2.4 - Enhance social inclusion

(b) Provide a mix of integrated and complementary land uses.

The applicant submits:

The site is located within a supporting consolidation area within an established urban settlement. The draft amendment will be consistent with the identified Strategic Directions by facilitating social integration within an established urban settlement in a way that will benefit vulnerable groups within the community. The draft amendment will facilitate the expansion of an established assisted housing use and development and will provide a mixture of dwelling sizes and types. The draft amendment will contribute to the established mix of integrated and complementary land uses in the surrounding area which include various residential, community service and educational uses.

Response:

The draft amendment is considered consistent with the relevant strategic directions of the Regional Strategic Planning Framework as it allows land use and development for quasi-residential uses in established urban settlements.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ... (Cont'd)

(i) Regional Planning Policies - Regional Settlement Network Policy (RSNP)

The relevant Regional Settlement Network Policies are reproduced below:

RSN-P1 Urban settlements are contained within identified Urban Growth Areas. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage).

RSN-A1 Provide an adequate supply of well-located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand.

RSN-A2 Land supply will be provided in Urban Growth Areas identified as:

Priority Consolidation Areas; Supporting Consolidation Areas; or Growth Corridor.

RSN-A3 Apply zoning that provides for the flexibility of settlements or precincts within a settlement and the ability to restructure under-utilised land.

RSN-P2 Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life.

RSN-A4 Provide for the long term future supply of urban residential land that matches existing and planned infrastructure capacity being delivered by TasWater, specifically in parallel with existing water and sewerage capacity and required augmentation to meet urban development growth and capacity - both residential and industrial.

RSN-A5 Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; *ageing in home* options should be provided.

RSN-P5 Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region's Urban Growth Areas to meet residential demand.

RSN-A10 Apply zoning provisions which provide for a higher proportion of the region's growth to occur in suitably zoned and serviced areas. The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ... (Cont'd)

RSN-P20 Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.

RSN-A19 Review the community needs for housing provision and affordability.

The applicant submits:

The key themes in the desired regional outcome and the relevant principles, policies and actions broadly relate to managing settlement growth within Urban Growth Areas, aligning growth with the capacity of infrastructure and providing a diverse housing choice. The assessment of the proposed amendment against the relevant provisions of the RLUS is undertaken having regard to these key themes.

Urban Growth Areas

Urban Growth Areas are intended broadly to identify land that can meet the urban development needs of the region to 2032 in a sustainable form that reflects the projects population growth in an orderly urban form.

The subject land is located within the established suburban settlement of Newstead. It is primarily a residential area. According to the Regional Framework Plan Map D.1, Newstead is also identified as a supporting consolidation area. Urban settlements are contained within Urban Growth Areas. The subject land is therefore contained within an Urban Growth Area. It involves land that is designated although and partially developed for community purposes.

The draft amendment will enable expansion of the established assisted housing use which will result in consolidation and infill within an Urban Growth Area. The draft amendment will also enable the underutilised vacant land within the site to be developed for social housing purposes.

On this basis, it is considered that the draft amendment is consistent with the relevant Regional Settlement Policies and Actions reproduced in Table 2, particularly those associated with Policy RSN-P1 and RSN-P2.

Infrastructure Capacity

The subject land is located within an established urban settlement which is fully serviced by reticulated infrastructure. Future development of the subject site for residential purposes would assist with maximising the utilisation of existing infrastructure capacity. The subject land is also located along an existing public transport route.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

On this basis, it is considered that the draft amendment is consistent with the relevant Regional Settlement Policies and Actions reproduced in Table 2, particularly those associated with Policies RSN-P1, RSN-P2 and RSN-P5.

Housing Choice and Affordability

The vast majority of dwellings within Newstead comprise detached houses. Multiple dwelling development is also present within the surrounding area. The subject land represents an existing social housing use that has been integrated with surrounding land uses. The draft amendment is required to facilitate additional social housing stock on the site which is intended to meet the demand for community and social housing.

On this basis, it is considered that the draft amendment is consistent with the relevant Regional Settlement Policies and Actions reproduced in Table 2, particularly those associated with RSN-P2, RSN-P5 and RSN-P20.

Response:

The assessment presented by the applicant demonstrates that the proposed draft amendment is consistent with the relevant Regional Settlement Network Policies. The amendment will allow expansion of existing uses within established urban settlements and will contribute to the provision of housing options that meet diverse community needs as per RSN-P20.

(ii) Regional Planning Policies - Social Infrastructure and Community Policy (RSNP)

The relevant Social Infrastructure and Community Policies are reproduced below:

SI-PO1 Coordinate planning for social infrastructure with residential development.

SI-PO2 Provide social infrastructure that is accessible and well-located to residential development, public transport services, employment and educational opportunities.

SI-PO3 Provide multi-purpose, flexible and adaptable social infrastructure that can respond to changing and emerging community needs over time.

The relevant actions reproduced below:

SI-A04 Planning schemes are to support the provision of social housing in residential areas.

SI-A05 Planning schemes are to support the co-location of community facilities and services, while encouraging multi-purpose, flexible and adaptable social infrastructure.

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

The applicant submits:

The draft amendment will bring the existing use of the site into greater conformity with this policy action and will facilitate expansion of an existing social housing use within an established supporting consolidation area.

Response:

The Social Infrastructure and Community Policies are particularly relevant to the proposed amendment. The proposed amendment allows the provision of social housing in well-located residential areas.

4.2 City of Launceston Corporate Strategic Plan 2014-2024

Pursuant to section 20(1) of the *Local Government Act 1993* (Tas) an amendment must have regard to the strategic plan of a council referred to in Division 2 of Part 7 of *Local Government Act 1993* (Tas) as adopted by Council at the time the planning scheme is prepared. The relevant strategy is the City of Launceston Corporate Strategic Plan 2014-2024.

The City of Launceston Corporate Strategic Plan 2014-2024 is structured upon overarching goals of the Greater Launceston Plan. The strategic plan outlines eight goals, of these the following key directions are considered relevant:

Goal 4 - A diverse and welcoming city

Key direction No. 4 -To work in partnership with community organisations and other levels of government to maximise participation opportunities for vulnerable and diverse members of the community.

Goal 6 - A city building its future

Key Direction No. 2 - To develop and take a strategic approach to development sites to maximise public benefits of development.

The applicant's submission recognises Goals 2, 5, 6 and 7 as relevant. This assessment only considers Goal 4 and Goal 6 relevant to the proposed draft amendment.

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The draft amendment is consistent with the overarching principles and goals of the Strategic Plan. It relates to land that accommodates existing residential use and development within the Newstead urban settlement. It will provide for consolidation and infill of underutilised vacant land within the site within an Urban Growth Area and will not significantly impact natural or ecological values. The draft amendment is consistent with the relevant framework established by the planning system and State and regional planning objectives and strategies. The draft amendment will enable the subject land to be allocated to and expansion of an existing social housing use (and to reflect the existing use of the land) and provide additional opportunities to provide social housing to support current demand.

Response:

The Council's support to the proposed amendment would result in the integration of State and local government efforts to enable participation opportunities for vulnerable members of the community by providing housing assistance in accordance with the above key directions.

4.3 Section 32 - Requirements for preparation of amendments

The relevant requirements of Section 32(1) of the Act are outlined below:

Section 32(1) (e)

32. Requirements for preparation of amendments

(1)A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A):

- (a)*
- (b)*
- (c)*
- (d)*

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

Response:

The proposed amendment allows the use of the site for assisted housing uses within a residential area. This location avoids as far as practicable the potential for land use conflict due to the compatibility of the uses. As previously mentioned, the compatibility of residential uses and assisted housing uses is demonstrated by the State Provisions under the TPS.

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The TPS includes the definition of assisted housing under Table 3.1 Planning terms and Definitions. Further, this definition is included within the definition of the Residential Use Class. The TPS provisions also set out a qualification for assisted housing under the *Permitted* use table of the Community Purpose Zone.

Section 32(1) (ea)

32. Requirements for preparation of amendments

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

- (a)*
- (b)*
- (c)*
- (d)*

(ea) must not conflict with the requirements of section 300; and

Section 300 (1)

(1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the scheme applies.

Response:

The proposed amendment is made under Division 2A to a local provision of a planning scheme, the local provision being a site-specific qualification under the Community Purpose Zone. The relevant regional land use strategy is the Regional Land Use Strategy of Northern Tasmania (RLUS), an assessment has been undertaken against the RLUS in the following section of the report where it is determined to be consistent.

Section 300 (2)

(2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if :

- (a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section, or an overriding local provision; and*

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

Response:

The proposed text amendment will not be inconsistent with any common provision or an overriding local provision.

(b) the amendment does not revoke or amend an overriding local provision; and

Response: Item (b) is not applicable as the proposed amendment does not revoke or amend an overriding local provision.

(c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme.

Response:

The proposed amendment will not introduce a conflicting local provision into the Scheme.

Section 30O (3)

(3) Subject to section 30EA, an amendment may be made to a local provision if –

(a) the amendment is to the effect that a common provision is not to apply to an area of land; and

(b) a planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.

Response:

Section 30O (3) is not applicable to the proposed amendment as it does not change the areas of land covered by a common provision or planning directive.

Section 30O (4)

(4) An amendment may not be made under Division 2 or 2A to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provision to be contained in the planning scheme.

Response:

Section 30O (4) does not apply. The proposal is not for the amendment to a common provision.

Section 30O (5)

(5) Subject to section 30EA, an amendment of a planning scheme may be made under Division 2 or 2A if the amendment consists of:

(a) taking an optional common provision out of the scheme; or

(b) taking the provision out of the scheme and replacing it with another optional common provision.

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Response:

Section 30O (5) does not apply as the proposed amendment does not involve any of the above.

Section 32(1) (f)

32. Requirements for preparation of amendments

(1)A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

- (a)*
- (b)*
- (c)*
- (d)*

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

Response:

The amendment will allow the intensification of an existing assisted housing use within an area developed, used and zoned for compatible residential and educational uses. The development permissible under the proposed text amendment is quite limited: it only allows for an additional use class qualification (assisted housing) within an established use class (residential) and a specific area of land (the subject site). The proposed amendment will not result in negative environmental, economic and social impacts.

As discussed previously, the proposed amendment is particularly consistent with the Tasmanian Planning Scheme (TPS) as the qualification of the Residential use class in the Community Purpose Zone will include *assisted housing* in the TPS. In other words, the use and development of land for assisted housing uses within the Community Purpose Zone will have a *permitted* status under the TPS.

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4.4 Section 20(1) of the Act

A response to the requirements of section 20(1) of the Act is provided in the table below:

Requirement	Response
<i>(a) seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and</i>	Section 5
<i>(b) prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and</i>	Section 6
<i>(c)</i>	Not applicable
<i>(d) have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and</i>	Section 4.2
<i>(e) have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.</i>	The subject land is not covered by the gas pipeline corridor.

5. Schedule 1 Objectives

Sections 20(1) and 43C(1)(a) requires the objectives set out in Schedule 1 to be considered. A response to the objectives has been provided by the applicant and are included in the Tables below:

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Part 1 - Objectives of the Resource Management and Planning System of Tasmania

Objective	Applicant's response
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The subject land is located within the suburb of Newstead and is already in a modified state. It does not contribute significantly to ecological processes or genetic diversity within the local area.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The draft amendment will provide for fair, orderly and sustainable use and development. It will provide an ability to unlock underutilised land within an established urban settlement for residential use. Given the location of the subject land it is well suited to residential development. There are no particular natural or cultural values associated with the land, and future use and development permitted by the draft amendment would be unlikely to impact air and water resources.
<i>(c) to encourage public involvement in resource management and planning; and</i>	Public involvement will be facilitated through the exhibition of the draft amendment. Future applications for use and development of the subject land may also require public exhibition, depending upon the specific provisions in the Scheme that are relevant.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	The draft amendment will facilitate economic development through the future development of the subject land for residential purposes. This will assist in accommodating the population of the settlement and will broadly support the functioning of the activity centre.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>	The amendment process represents a sharing of responsibility for resource management and planning between Council, the Tasmanian Planning Commission, stakeholders and the community.

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Part 2 - Objectives of the Planning Process Established by this Act

Objective	Response
<i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i>	The draft amendment is consistent with the Regional Land Use Strategy of Northern Tasmania. It, therefore, represents coordinated and sound strategic planning.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and</i>	The amendment process is part of the system involved in establishing and reviewing planning instruments in Tasmania. The proposed amendment involves inserting a new qualification into Table 17.2 of the Community Purpose zone. The relevant zone and Code provisions of the Scheme will continue to apply.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i>	There are no particular natural values associated with the subject land and future use and development permitted by the draft amendment would be unlikely to have significant environmental, social or economic impacts.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and</i>	The draft amendment is consistent with the relevant State, regional and local strategic planning and policy directions which broadly seek to achieve sustainable development that does not compromise environmental, social, economic, conservation and resource management objectives.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and</i>	Application for the draft amendment is being made concurrently with a proposed development for an assisted housing development on the subject land. This is enabled by section 43A of the Act which provides for the consolidation of approvals for amendments and other use and development. The application therefore represents a coordinated approach to planning approvals.

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<p><i>(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and</i></p>	<p>The draft amendment will allow residential development within an established urban settlement in a sustainable manner which will broadly support the functioning of the activity centre. It will, therefore, assist with the creation of a secure, pleasant, efficient and safe built environment.</p>
<p><i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i></p>	<p>The proposed amendment will not result in any impact on a place listed or identified as significant for its scientific, aesthetic, architectural, historical or cultural value.</p>
<p><i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i></p>	<p>The future development of the subject land is capable of being fully serviced by reticulated infrastructure. This will likely involve the orderly extension of services in accordance with the requirements of the relevant infrastructure authorities. It will also assist in maximising the utilisation of capacity within the existing systems.</p>
<p><i>(i) to provide a planning framework which fully considers land capability.</i></p>	<p>The subject land is located within an urban environment and is not zoned for agricultural purposes and the objective is therefore not relevant.</p>

Based on the assessment provided by the applicant above, it is considered that the proposed draft amendment complies with the objectives set out in Schedule 1.

6. State Policies

The subject site is not located within land zoned or set out for agricultural purposes, the site is located more than 1km from the coastal zone and not within 30m from a wetland or watercourse. Therefore, the following state policies are not applicable to the assessment of the draft amendment:

- State Policy on the Protection of Agricultural Land 2009
- State Coastal Policy 1996
- State Policy on Water Quality Management 1997

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The applicant submits the following response to the *National Environmental Protection Measures*:

The National Environmental Protection Measures (NEPMs), which have been adopted as State Policies, relate to ambient air quality, diesel vehicle emissions, assessment of site contamination, used packing material, movement of controlled waste between States and Territories and the national pollutant inventory. The NEPMs therefore relate to matters that are not affected by the proposed amendment.

Response:

The proposed amendment will not directly affect the NEPMs due to the location of the subject site and the proposed use.

PART B. DEVELOPMENT APPLICATION

STANDARDS REQUIRING COUNCIL DISCRETION

- 17.4.1 Building height, setback and siting
- 17.4.3 Frontage and access
- E4.5.1 Existing road accesses and junctions
- E6.5.1 Car parking numbers
- E6.6.2 Design and layout of parking areas
- E6.6.5 Bicycle facilities

1. THE PROPOSAL

The proposal is for the construction of 15 assisted housing units, two ancillary buildings and the consolidation of four lots into three lots. The proposed units are all single-storey units and their configuration is described below:

- Four 1-bedroom units with a total area of 57m² and 50m²
- Seven 2-bedroom units with a total area of 81m² and 87m²
- Four 3-bedroom units with a total area of 93m² and 95m²

Two additional buildings are proposed, an administration building (133m²) and a communal multi-purpose building (81m²) to be used in association with the assisting housing use. The development provides a total of 17 car parking spaces, 15 spaces for residents and two visitor spaces. Incidental development includes a 2.1m-high timber paling fence to all boundaries of proposed Lot 2 and a retaining wall between 1m and 1.5m along the south and east boundaries of proposed Lot 2.

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Four lots comprise the site (CT65161/4; CT13276/25; CT29331/3 and CT250331/1) as seen in Figure 3.

In order to facilitate the development and the provision of service infrastructure, it is proposed to consolidate these four lots into three lots with the following areas:

- Lot 1 - 4955m²
- Lot 2 - 5029m²
- Lot 3 - 3069m²

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

17.0 Community Purpose Zone

<p>17.1.1 Zone Purpose Statements</p> <p>17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.</p> <p>17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.</p>
<p>Consistent</p> <p>The proposal provides assisted housing units and associated services within an area of compatible educational and residential uses. It contributes to the provision of social housing in residential areas. The proposed use class <i>Residential - if for assisted housing</i> is a discretionary use class subject to the proposed text amendment.</p>

17.3 Use Standards

17.3.1 Hours of operation

<p>Objective:</p> <p>To ensure that non-residential uses do not cause an unreasonable loss of amenity to nearby sensitive uses.</p>
<p>Not Applicable</p> <p>Assisted housing at 49 Amy Road and 18-20 Ellison Street, Newstead falls under the <i>Residential</i> use class of the Community Purpose Zone. The use standard A1 under this clause only applies to non-residential uses.</p>
<p>A1 Operating hours, except for office and administrative tasks, must be between:</p> <p>(a) 6.00am and 10.00pm, where adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; or</p> <p>(b) 6.00am to midnight otherwise.</p>
<p>Not Applicable</p> <p>This standard only applies to non-residential uses.</p>

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<p>P1 Uses must not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and intensity of the proposed use; (b) the characteristics and frequency of any emissions generated; (c) the extent and timing of traffic generation; (d) the hours of delivery and despatch of goods and materials; and (e) the existing levels of amenity.
<p>Not Applicable</p>

17.3.2 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>Not Applicable The proposal does not include the external storage of goods, materials or waste.</p>

17.3.3 Commercial vehicle parking

<p>Objective: To ensure that parking of commercial vehicles does not detract from the amenity of the area.</p>
<p>Consistent The acceptable solution is met.</p>
<p>A1 Commercial vehicles must be parked within the boundary of the site.</p>
<p>Complies The assisted housing complex is unlikely to require the operation of commercial vehicles. In the event that commercial vehicles need to access the premises, the proposed driveway and parking areas provide ample space for loading and unloading activities within the boundaries of the site. Turning paths for an 8.8m service vehicle have been provided to cater for onsite collection of recycling and general waste.</p>

17.4 Development Standards

17.4.1 Building height, setback and siting

<p>Objective: To ensure that building bulk and form, and siting:</p> <ul style="list-style-type: none"> (a) is compatible with the streetscape and character of the surrounding area; (b) protects the amenity of adjoining lots and surrounding uses.
<p>Consistent The proposed dwellings are designed having regard to the amenity of adjoining properties, the units will be cut into the site between 400 and 700mm allowing adjoining properties to sit at a higher level. The majority of the proposed development will not be visible from the street due to the shape of the site.</p>
<p>A1 Building height must be no greater than 8.5m.</p>

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<p>Complies The maximum building height proposed is approximately 5.8m.</p>
<p>A2.1 Setback from a primary frontage must be no less than (a) 6m; or (b) for infill lots, within the range of the setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below; and Figure 17.4.1 - Primary Frontage Setback for Infill Lots.</p>
<p>A2.2 Setback from a frontage other than a primary frontage must be no less than 3m.</p>
<p>Relies on Performance Criteria A2.1 The proposed front setback of Unit 1 and the administration building to Ellison Street is 5.5m. Assessment against the performance criteria is required. A2.2 The setback from Amy Road is not altered by the proposal.</p>
<p>P2 Buildings must be sited to be compatible with the streetscape and character of the surrounding area, having regard to: (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public places; (e) the retention of vegetation; (f) the existing or proposed landscaping; and (g) the safety of road users.</p>
<p>Complies The proposed buildings facing Ellison Street are considered compatible with the streetscape and character of the area. Adjoining buildings at No. 22 and No. 16 Ellison Street have front setbacks of 4.5m and 6m respectively, the proposed setback of 5.5m fits within the range of these setbacks (b). The land is mostly flat within the front setback to Ellison Street, Unit 1 and the administration building are single-storey buildings separated by approximately 9m. When viewed from Ellison Street, these buildings will appear as two individual properties with ample setbacks to nearby buildings: approximately 4m to the dwelling to the east (16 Ellison Street) and 9m to the dwelling to the west (22 Ellison Street) (a, c and d). The existing vegetation within the front setback is to be retained, no additional landscaping is proposed (e, f).</p> <p>Incidental development includes a 2.1m fence to all boundaries of Lot 2 which is an uncommon feature along Ellison Street. Notwithstanding, due to the needs and nature of the use the proposed fence is considered acceptable.</p>
<p>A3 Setback from side and rear boundaries must be no less than 3m.</p>
<p>Relies on Performance Criteria The communal multi-purpose building, the administration building and units 7, 8 and 10 are setback less than 3m from proposed lot boundaries. Reliance on performance criteria is required.</p>

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P3 Buildings must be sited so that there is no unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:

- (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
- (i) the character of the surrounding area.

Complies

The proposed location of buildings is not considered to result in unreasonable loss of amenity for the reasons below:

Administration building

The administration building has a setback of less than 1m to proposed Lot 3 which is developed with an aged care facility. The administration building will be located to the north of the existing driveway servicing the aged care facility. As it is not located near their private open space or windows to habitable rooms, the proposed variation to the acceptable solution is considered acceptable.

Communal multi-purpose building

The multi-purpose building has a setback of 1.8m to the property to the east - 11 Balaka Place. The building is to be setback approximately 11m to the rear of the existing unit complex at No. 11. It is considered that due to the location of the proposed building in respect to the existing units, the variation to the standard is acceptable.

Unit 7

Unit 7 has a setback of 2.4m to the rear boundary of No. 14 Ellison Street. The proposed unit will have a finished floor level of 44.7 AHD whilst the finished floor level of the adjoining property is approximately 47 AHD (based on contour lines). Therefore, the proposed setback variation of 0.6m is considered acceptable given that the proposed dwelling will sit at a lower level when compared with the properties to the south.

Unit 8

Unit 8 is located directly behind an existing dwelling at 12/167A Punchbowl Road. The proposed unit will be located 4.3m from the existing dwelling. A section of the private open space of Unit 12/167A Punchbowl Road is located facing the subject site, however, due to the slope across both sites, the existing dwelling has a greater finished floor level of approximately 46.35 in comparison with 45.250 AHD of Unit 8.

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Unit 10
 Unit 10 is setback 1.4m from the property to the east - 11 Balakla Street and approximately 5m from the nearest structure which is a row of garages associated with the multiple units. The reduced setback of Unit 11 will not impact the amenity of the property to the east.

17.4.2 Lot size and dimensions

<p>Objective: To ensure:</p> <ul style="list-style-type: none"> (a) the area and dimensions of lots are appropriate for the zone; and (b) adjoining land, especially residential zones, is protected from adverse impacts.
<p>Consistent The acceptable solutions are met.</p>
<p>A1.1 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>A1.2 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 A1.1 Each lot proposed is the result of the consolidation of lots within the same zone as per item (c). A1.2 The proposed lot boundaries will be setback over 3m from existing buildings.</p> <ul style="list-style-type: none"> • The southern boundary of Lot 1 is setback approximately 3.6m from the closest building over this lot. • There are no existing buildings on Lot 2. • The northern boundary of proposed Lot 3 is setback over 13m from the existing aged care building over Lot 3.
<p>A2 Subdivision must not be located on the boundary of the General Residential, Inner Residential, Low Density Residential, Environmental Living, Rural Living, Urban Mixed Use or Village zones.</p>
<p>Complies The proposed consolidation of lots does not alter a boundary adjacent to any of the above zones. The existing zone boundaries between the Community Purpose Zone and the General Residential Zone will not be altered by the proposed lot consolidation.</p>

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17.4.3 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 proposed lots have an ample frontage to Ellison Street which allows reasonable vehicular access.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>
<p>Complies Each resulting lot has a frontage to a road of no less than 3.6m as follows: Lot 1 will have a frontage of 6.1m to Amy Road. Lot 2 will have a frontage of 33m to Ellison Street. Lot 3 will have a frontage of 7.4m to Ellison Street.</p>
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria P2 Each lot is provided with reasonable vehicular access from a carriageway 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, including pedestrians; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies Vehicular access to Lot 1 is not altered by the proposal. The proposal includes the construction of a driveway to access Lot 2 via Ellison Street and the construction of a new crossover and driveway to access Lot 3 via Ellison Street.</p> <p>Lot 2 will contain all units and ancillary buildings, a driveway will be constructed south-to-north with a maximum gradient of 10% in accordance with the requirements of the parking code provisions. The proposed driveway allows vehicles to be parked within close distance to the proposed units and ancillary buildings. In addition, as discussed later in this report the proposed driveway complies with the requirements of E4. Road and Railway Assets Code.</p> <p>The changes to the crossover and driveway of Lot 3 are considered acceptable subject to conditions.</p> <p>The applications has been referred to the Council's Infrastructure and Assets department which has provided conditions to ensure the proposed parking areas comply with Australian Standards AS 2890.</p>

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17.4.4 Discharge of Storm Water

Objective: To ensure that the subdivision layout, including roads, provides that storm water is satisfactorily drained and discharged.
Consistent The acceptable solutions are met.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public storm water system.
Complies The existing lots are connected to the public storm water system. The proposed lots are capable of being connected as well. A condition has been included to ensure a single storm water connection is provided for each proposed lots.
A2 The Council's General Manager has provided written advice that the public storm water system has the capacity to accommodate the storm water discharge from the subdivision.
Complies The applications has been referred to the Council's Infrastructure and Assets Department which has provided the following statement: <i>The City of Launceston stormwater system modelling has been considered in light of the proposed development. It has been determined that the Council storm water system has capacity to accommodate the stormwater load associated with the proposed subdivision.</i>

17.4.5 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent The acceptable solutions are met.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies The application is for the consolidation of existing lots within fully serviced areas, the proposed lots are capable of being connected to water supply and wastewater disposal.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The application is for the consolidation of existing lots within fully serviced areas, the proposed lots are capable of being connected to a reticulated sewerage system.

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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 increase in vehicle traffic is not considered to unreasonably impact on the safety and efficiency of Ellison Street.

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 safety and efficiency of Ellison Street is not reduced by the increased number of vehicle movements.

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

Not Applicable

The AADT of vehicle movements onto Amy Road is not altered by the proposal. The proposed use and development increases the AADT of vehicle movements onto Ellison Street, however, the speed limit of Ellison Street is 50km/h and therefore, A1 does not apply to the proposal.

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

Not Applicable

The proposed use and development increases the AADT of vehicle movements onto Ellison Street, however, the speed limit of Ellison Street is 50km/h and therefore A2 does not apply to the proposal. The AADT of vehicle movements onto Amy Road is not altered by the proposal.

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.

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<p>Relies on Performance Criteria</p> <p>The AADT of vehicle movements onto Amy Road is not altered by the proposal, however, the proposal does increase the AADT of vehicle movements onto Ellison Street, a Council-maintained road with a speed limit of 50km/h.</p> <p>The applicant estimates that the proposal will generate approximately 44 daily vehicle movements. Movements generated by support services, six movements by employees and 32 movements generated by residents. The proposal needs to be assessed against the relevant performance criteria.</p>
<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.
<p>Complies</p> <p>The increase in vehicle traffic is not considered to unreasonably impact on the efficiency of the road. Ellison Street is a local no-through road that serves residential uses. The variation sought is for four movements generated by residents and employees working in the assisted housing complex, this is considered consistent with the existing residential nature of the road and the traffic movements of adjoining residential and educational uses. The application has been referred to the Council's Infrastructure and Assets Department who has no objections to the additional number of vehicles using Ellison Street.</p>

E4.5.2 Existing level crossings

<p>Objective:</p> <p>To ensure that the safety and the efficiency of the rail network is not reduced by access across part of the rail network.</p>
<p>A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.</p>
<p>Not Applicable</p> <p>The subject site is not within 50m of a Utilities zone.</p>

9.6 49 Amy Road and 18-20 Ellison Street, Newstead - Planning Scheme Text Amendment to Include Site Specific Qualification for Assisted Living; Construction of 15 Housing Units and Associated Buildings ...(Cont'd)

E4.6 Development Standards

E4.6.2 Road accesses and junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.
Complies The acceptable solutions are met.
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.
Complies The new access is proposed over Ellison Street which has a speed limit of 50km/h.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Complies No more than one access is provided per lot.

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

Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.
Consistent The acceptable solution is met.
A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
Complies The proposed access provides sight distances to intersections in accordance with Table E4.6.4. The application has been referred to the Council's Infrastructure and Assets Department which has no objections to the proposed access over Ellison Street.

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

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(f) provide for the implementation of parking precinct plans.

Consistent
Throughout the assessment of this code it is demonstrated the provision of car parking areas and bicycle spaces comply with the relevant standards under this 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
It is demonstrated that the level of car parking spaces is appropriate for 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

A residential use in the General Residential Zone requires one car space per bedroom or two spaces per three bedrooms plus one visitor space for every five dwellings. The proposed units require 26 car spaces for residents plus three car spaces for visitors to meet the requirements of Table E6.1 (see estimation below):

No. of units	No. of bedrooms	No. of car spaces
4	1	4 (4 x 1)
7	2	14 (7 x 2)
4	3	8 (4 x 2)
		26 spaces + 3 visitor spaces

The proposal provides 15 car parking spaces for residents and two car parking spaces for visitors. A variation of 12 car spaces is sought.

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:

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- (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;
 - (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 Council's Infrastructure and Assets Department has no objections with the parking provision and considers that it will not cause any significant issues on the road network.

The applicant has provided the following assessment:

The number of car parking spaces that will be provided will be appropriate to meet the reasonable needs of the assisted housing dwellings having regard to the following:

- (a) *The RMS guide to Traffic Generating Developments recommends minimum off-street parking rates for units, including:*
 - *one space per each unit; plus*
 - *one space per each 5 x 2-bedroom units (or part thereof); plus*
 - *one space per each 2 x 3-bedroom units (or part thereof); and*
 - *one space per 5 units.*

Based on the RMS guidelines, the proposed new assisted housing facility requires 20 off-street parking spaces. A total of 17 car parking spaces are proposed. This equates in a shortfall of 12 spaces compared to Table E6.1 and three spaces compared to the RMS guidelines.

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Whilst there is a recognised shortfall in car parking space, the proposed 17 car parking spaces are considered commensurate to the intensity and requirements of the proposed assisted housing use. Due to the nature of the use, many residents will not have motor vehicles. Because the new facility will be operated by the adjoining facility (off Amy Road), the ability to share spaces between the two sites for employee and resident parking will exist if needed.

The site is located within 300m of two Metro bus stops which are located outside and opposite Punchbowl Primary School which is located on Punchbowl Road. There is also a Metro bus stop located outside the Amy Road facility. Convenient access to public transport will assist with reducing the necessity and demand for residents to use private motor vehicles.

(b) the size of the buildings and number of bedrooms will not have a material impact on car parking demand.

(c) the development has been designed to enable vehicles to be parked on-site.

This form of car parking is compatible with the established pattern of residential parking in the locality.

The initial proposal included 12 car spaces for the units and two spaces for visitors/employees. This was considered insufficient given that future residents are likely to own a car. This is based on the current use at 49 Amy Road, where all residents use at least one car space. After discussions with the applicant, the provision of car spaces was increased to 15 spaces for residents and two for visitors. This outcome is considered acceptable given that at least one parking space is provided per unit. The site is also within an area within walking distance to main services as well as bus stops. Although on-street parking is not a preferred option for new uses, there is availability for on-street parking along Ellison Street.

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.

Complies

The National Construction Code 2014 requires the proposal to provide four accessible parking spaces, the proposal includes the provision of four accessible spaces.

E6.5.2 Bicycle parking numbers

Objective:

To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

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<p>Complies The acceptable solution is met.</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.</p>
<p>Complies <i>Any other residential use</i> in the General Residential Zone requires one bicycle space per five bedrooms. The proposed units provide a total of 30 bedrooms, which in turn requires six bicycle spaces. A bicycle rack to accommodate six bicycle spaces is proposed.</p>

E6.5.3 Taxi spaces

<p>Objective: To ensure that access for taxis is provided to meet the needs of the use.</p>
<p>A1 Except for dwellings in the General Residential zone, uses that require greater than 50 car spaces by Table E6.1 must provide one parking space for a taxi on site, with one additional taxi parking space provided for each additional 50 car parking spaces required.</p>
<p>Not Applicable The proposed use requires less than 50 car spaces.</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>A1 A loading bay must be provided for uses with a gross floor area greater than 1 000m² in a single occupancy.</p>
<p>Not Applicable</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>Complies The acceptable solution is met.</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 storm water system, or contain storm water 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
 The proposed driveway and parking areas will be formed and paved. These areas will have a maximum gradient of 8.05% (Drawing CP03) and will be drained to the existing public storm water 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
 Throughout the assessment of the performance criteria P1 it is demonstrated that the proposed parking areas are to be constructed to provide convenient, safe and efficient parking.

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

A1.1

- (a) The parking areas proposed allow vehicles to enter and exit the site in a forward direction.
- (b) The proposed driveway has a minimum width of at least 4.5m in accordance with Table E6.2.
- (c) The parking spaces do not comply with the car park width requirements of Table E6.3 and therefore, assessment against the performance criteria is required.
- (d) Access and manoeuvring width of at least 6.4m is proposed
- (e) Not applicable

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<p>A1.2 All accessible spaces are located close to the proposed accessible dwellings (Type 1A, 2A and 3A).</p> <p>A1.3 Accessible spaces will be signed and marked as accessible spaces in accordance to Australian Standards.</p> <p>A1.4 Accessible parking spaces are to be constructed in accordance with AS/NZ2890.6.</p>
<p>P1 Car parking, access ways, manoeuvring and circulation spaces must be convenient, safe and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (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.
<p>Complies</p> <p>The only acceptable solution under this clause not met by the proposal is that related to the dimensions of car parking spaces as they do not comply with Table E6.3. The applicant has provided the assessment below which is considered acceptable:</p> <p><i>In this instance, discretion is invoked on the basis that the width of the car parking spaces do not satisfy the requirements of Table E6.3 with respect to their angle and the width of the access isle and there is a section of the internal driveway that will have a width of 5m which does not satisfy the minimum requirements of Table E6.3.</i></p> <p><i>The car park has been designed to meet the applicable requirements of AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking which will ensure its configuration will provide convenient, safe and efficient car parking. Further, the driveway will allow two way traffic and will have a separate pedestrian footpath which will allow safe movements of vehicles and pedestrian along the driveway.</i></p>

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The following condition has been included to ensure parking areas are built to appropriate standards:

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 with specific reference to AS2890.1 Clause 6.6.2;
- 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. Parking areas and access lanes must be kept available for these purposes at all times.

E6.6.3 Pedestrian access

Objective:

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

Consistent

The acceptable solution is met.

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
- (b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and

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.

Complies

A1.1 A 1.2m wide footpath is proposed from the parking areas to the front of Ellison Street to be signed and line marked.

A1.2 The proposal includes a footpath having a minimum width of 1.5m in accordance with this acceptable solution from spaces associated with Units 5 and 9. However, this footpath has not been provided from the accessible spaces closest to Unit 4 and the entrance to Unit 4. The following condition is included to ensure compliance with the standard:

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FOOTPATH WIDTH
The section of the footpath providing access to Unit 4 from the nearest accessible space must have a minimum width of at least 1.5m in accordance with A1.2 under clause E6.6.3.

E6.6.4 Loading bays

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

Not Applicable

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.

Not Applicable
 The proposal does not require the provision of a loading bay.

E6.6.5 Bicycle facilities

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

Consistent
 Due to the residential nature of the use, showers and change rooms are not required.

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.

Relies on Performance Criteria
 No shower or change room facility is proposed.

P1 Shower and change room facilities must be provided at adequate level to cater for the reasonable needs of cyclists, having regard to:

- (a) the location of the proposed use;
- (b) the existing network of cycle paths and bicycle lanes and other means of access to the site for cyclists;
- (c) the nature of the proposed use;
- (d) the number of employees;
- (e) the users of the site and the likelihood of travel by bicycle;
- (f) whether there are facilities on the site for other reasons that could be used by cyclists; and
- (g) the opportunity for sharing bicycle facilities on nearby sites.

Complies
 Residential use - every resident will have a shower and change room facilities within their respective dwellings.

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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 acceptable solution is met.</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 proposed bicycle rack will be accessible from a private road, located within 50m from the main entrance and will be visible from the main entrance. A condition has been included to ensure compliance with item (d).</p> <p>BICYCLE PARKING - LIGHTING Bicycle parking must 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>
<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 A condition has been included to ensure compliance with item (C).</p> <p>BICYCLE PARKING - DIMENSIONS Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have minimum dimensions of: 1.7m in length; 1.2m in height; and 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.

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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 TWDA2020/01104-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

6. CONCLUSION

Subject to the recommended conditions, it is considered that the proposal for the construction of 15 housing units, a multi-purpose building, an administration building, extension of an existing crossover and the consolidation of four lots into three 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.

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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:

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 - 49 Amy Road and 18-20 Ellison Street, Newstead (*electronically distributed*).
 2. Planning Submission - 49 Amy Road and 18-20 Ellison Street, Newstead (*electronically distributed*).
 3. Architectural Drawing Set - 49 Amy Road and 18-20 Ellison Street, Newstead (*electronically distributed*).
 4. Civil Engineering Drawing Set - 49 Amy Road and 18-20 Ellison Street, Newstead (*electronically distributed*).
 5. Response to Further Information Request - 49 Amy Road and 18-20 Ellison Street, Newstead (*electronically distributed*).
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Saturday 31 October 2020

- Attended the *Thrills and Spills* Roller Derby at the Elphin Sports Centre
- Participated in the Remade 2020 - *Main Event* at the Albert Hall

Thursday 5 November 2020

- Presented awards at Launceston College Special Awards evening

Friday 6 November 2020

- Welcomed delegates to the 41st Lions Convention

Monday 9 November 2020

- Attended the *2020 Christmas Appeal* launch for City Mission
- Officiated at the NAIDOC flag raising ceremony at Tasmanian Aboriginal Centre

Wednesday 11 November 2020

- Officiated at the Remembrance Day Service, Launceston Cenotaph
-

11 COUNCILLORS' REPORTS

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

12 QUESTIONS BY COUNCILLORS**12.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

12.11 Councillors' Questions on Notice - Councillor P S Spencer - Invermay Traffic Issues - Council Meeting - 29 October 2020**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Council and Committees Officer)**CHIEF EXECUTIVE OFFICER:** Michael Stretton

QUESTIONS and RESPONSES:

The following question, asked at the Council Meeting on 29 October 2020 by Councillor P S Spencer, has been answered by Mr Shane Eberhardt (General Manager Infrastructure and Assets Network).

Questions:

1. Would it be possible to open up Gleadow Street, Invermay off the new traffic lights?

Response:

The connection of Gleadow Street to Goderich Street, Invermay from the eastern approach was considered as part of investigations for the Invermay Traffic Plan. Technically this can be achieved, however, it was not included in the plan because:

- *facilitated turns at this location would result in a decline of level of service for Goderich Street; and*
 - *there would be a significant impact on amenity of Gleadow Street due to the additional traffic.*
-

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 Heritage Advisory Committee Meeting - 22 October 2020****FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive and consider a report from the Heritage Advisory Committee Meeting held on 22 October 2020.

RECOMMENDATION:

That Council receives the report from the Heritage Advisory Committee Meeting held on 22 October 2020.

REPORT:

It was noted the Heritage Advisory Committee meeting scheduled for 27 August 2020 did not proceed for lack of a quorum.

The Heritage Advisory Committee, at its Meeting on 22 October 2020, discussed the following items:

1. Heritage Planning Review

- New Local Heritage Place listings from Stage 1 of the Review are still with the Tasmanian Planning Commission (TPC) awaiting formal advertising together with the rest of the new planning scheme.
 - The brief for the Stage 4 Places Consultancy has been revised to bring forward priority nominations originally proposed for Stage 5 (Places outside of Precincts). This includes the properties recommended for State level listing as first priority.
 - The *fast tracking* of the heritage precinct work is being investigated internally and with assistance from students in the University of Tasmania School of Architecture and Design *Work Integrated Learning* program. A 4th year Masters of Architecture student with an interest in heritage architecture is to start working with us in November.
-

13.1 Heritage Advisory Committee Meeting - 22 October 2020 ...(Cont'd)

2. 2020 Heritage Snap! Awards

- This year's Heritage Snap! photographic awards program for students was run over September and October with voting for a *Peoples' Choice* award being facilitated via Council's social media platforms.
- A small 'COVID-19 safe' event is proposed for Thursday, 19 November 2020 to allow for presentation of prizes to award winners and commended entrants.

3. Franklin Village Sign

- The Franklin Village Heritage Project Committee approached the Council's Officers for assistance in developing *welcome* type signage at Franklin Village's entry points in order to *bring back the identity of Franklin Village and to promote the area in which Franklin House 1838, St James Anglican Church 1845 and Kerry Lodge Bridge 1835 are situated*.
- The Committee supported the idea of recognition of the area via a signage proposal which is to be developed in association with the Council's Officers.

4. Margaret Street Archaeology Findings

- The archaeologist responsible for the recent investigations on the development site on the north-western corner of Margaret and Balfour Streets is eager to share the findings with interested people and has approached the Council's Officers for assistance in finding a suitable venue for a presentation.
- It was suggested that a gathering of up to 60 people could be held in the Town Hall Reception Room during normal work hours and the Committee was supportive of this proposal.
- More information about the dig is available on the Heritage Tasmania web page via the following link: <https://heritage.tas.gov.au/news/residential-excavation-uncovers-past>.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

13.1 Heritage Advisory Committee Meeting - 22 October 2020 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Area:

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

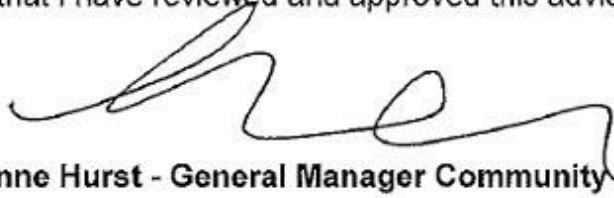
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst - General Manager Community and Place Network

13.2 Audit Panel Meeting - 26 October 2020**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive a report from the Audit Panel Meeting held on 26 October 2020.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 26 October 2020.

REPORT:

The following is a precis of the substantive Agenda Items dealt with at the Meeting:

6.1 Internal Audit Report

Details - Two Internal Audit Reviews were provided to the Panel for noting, being Immunisation Review and Lean Efficiency Review including responses from management.
Action - Issues identified in both reviews have either been resolved or will appear as outstanding issues to be resolved and progress reported to the Panel until the Panel approves that they have been satisfactorily resolved.

7.1 External Audit Report

Details - The following reports were provided to the Panel for noting:

1. Interim Management Letter - Financial Statements for the year ending 30 June 2020;
2. Interim Memorandum of Audit Findings for the year ending 30 June 2020;
3. Report to Those Charged with Governance for the year ended 30 June 2020;
4. Final Management Letter for the year ended 30 June 2020;
5. Independent Auditor's Report for the year ended 30 June 2020;
6. Final Memorandum of Audit Findings for the year ended 30 June 2020;
7. City of Launceston Financial Statements for the year ended 30 June 2020 - signed.

Action - Noted.

14.1 Chief Executive Officer's Risk Certification

Details - The Chief Executive Officer's priority list of risk issues were presented and discussed.

Action: The Audit Panel noted and discussed the various issues raised.

13.2 Audit Panel Meeting - 26 October 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:

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

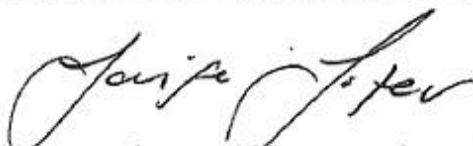
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

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

13.3 Tender Review Committee Meeting - 5 November 2020**FILE NO:** SF0100/024/2020/043/2020**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. BridgePro Engineering Pty Ltd for the Upper Blessington Bridge 666 - Design and Construct, Contract Number CD.024/2020 for \$261,800.00 (exclusive of GST); and
 2. Terrior for the Architectural Professional Services Macquarie House Stage 2 Development, Contract Number 043/2020 for \$418,954.00 (exclusive of GST).
-

REPORT:

The Tender Review Committee Meeting, held on 5 November 2020, determined the following:

That the sums submitted by:

1. BridgePro Engineering Pty Ltd for the Upper Blessington Bridge 666 - Design and Construct, Contract Number CD.024/2020 for \$261,800.00 (exclusive of GST); and
2. Terrior for the Architectural Professional Services Macquarie House Stage 2 Development, Contract Number 043/2020 for \$418,954.00 (exclusive of GST)

be accepted.

ECONOMIC IMPACT:

Not considered relevant to this report.

13.3 Tender Review Committee Meeting - 5 November 2020 ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

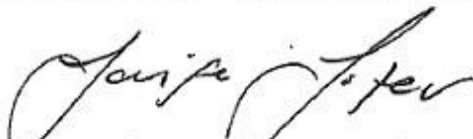
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



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 5 and 12 November 2020

Regional Collaboration Framework

Councillors received a presentation on the draft Regional Collaboration Framework and its objectives.

Launceston CBD Bus Exchange

Councillors received a briefing on the Launceston CBD Bus Interchange.

Royal Park Exhibitions Program

Councillors received information regarding the forward exhibition program at Royal Park.

Planning Scheme Area Specific Plan

Councillors received a briefing on the Planning Scheme specific area plan process.

Albert Hall Renewal Project

Councillors discussed the Albert Hall Renewal Project and future operating model.

Launceston North East Rail Proposed Projects

Councillors were provided with an update on Launceston and North East Rail proposed projects.

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

University of Tasmania Newnham Masterplan

Councillors were provided with an update on the development of the University of Tasmania's Masterplan for the Newnham campus.

Launceston Airport Update

The Chief Executive Officer of the Launceston Airport provided Councillors with a business and recovery status update for the Launceston Airport.

REPORT:

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

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

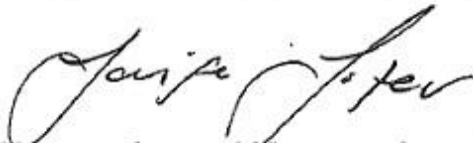
Not considered relevant to this report.

14.1 Council Workshop Report ...(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

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 Update on Impact of COVID-19 Pandemic on Events Sponsorship****FILE NO:** SF5892/SF6823/SF6825**AUTHOR:** Tracey Mallett (Manager Liveable Communities)**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To receive a report on the COVID-19 pandemic related impacts on events facilitation and events sponsorship.

PREVIOUS COUNCIL CONSIDERATION:

Council - 2 April 2020 - Agenda Item 21.1 - Notice of Motion - Councillor A M van Zetten - Community Care and Recovery Package

RECOMMENDATION:

That Council agrees to support organisers of events by authorising the General Manager Community and Place to implement the following actions:

1. Not seeking reimbursement of sponsorship funds for events that have already been sponsored but rescheduled for another date in 2020/2021.
 2. Seeking a return of uncommitted sponsorship funds only for events that have already been sponsored but the event has not yet been rescheduled, and encouraging the event organiser to reapply for event sponsorship in the appropriate future round.
 3. Showing flexibility for events that have already been (or are about to be) sponsored but have needed to adapt the event as a result of COVID-19 pandemic, and request that the organiser submit a proposal for revised event and budget, addressing the following criteria:
 - Community Participation
 - this should indicate that the event will provide a meaningful experience based on Department of Health attendance requirements. The event organiser should provide a measure of that *meaningful experience* which may include online events in lieu of the original in-person event.
 - Economic
 - flow on effect to local businesses - to demonstrate that suppliers are still being engaged in the modified event.
-

16.1 Update on Impact of COVID-19 Pandemic on Events Sponsorship ...(Cont'd)

- Tourism
 - this should include a local marketing plan for the currently approved Department of Health attendance guidelines.
-

REPORT:

The number of events being held in Launceston is increasing in both numbers and diversity. In 2018/2019, this peaked at 145 events facilitated through the Council and 106 events sponsored by the Council. These numbers do not include the very many sporting, cultural and community events that do not require the Council's support or facilitation.

In 2019/2020, this was predicted to be even higher until the onset of the COVID-19 pandemic. In March 2019, event organisers started notifying the Council of cancellations and postponements. This came with questions about sponsorship funds, which led to the 2 April 2020 Council resolution to *actively work with event organisers to reschedule all events and not require the return of any event sponsorship funds* for a period of six months. That period has now passed.

Despite the easing of restrictions, it is still very difficult for event organisers to plan an event in line with the regular update of State Government requirements. Attendance at events is also difficult to predict so the desire to hold events is reduced. This has resulted in an ongoing increase in the number of events postponing and cancelling. This is having a significant flow-on effect to suppliers, caterers and ancillary businesses.

The Council's Events Facilitation Team is supporting event organisers in rescheduling, finding alternate suitable venues and now providing a pool of COVID-19 safe collateral for event organisers to use. However, there is a danger that a future events calendar (of new and rescheduled events) could become congested which will put pressure on venues.

In terms of sponsorship, the Council still encourages event organisers to apply for event sponsorship and the most recent round of event sponsorship applications was of a number comparable to pre-COVID-19 times.

This report's proposal for managing event sponsorship in this changing world demonstrates flexibility and adaptability. It is proposed, that for:

1. Events that have already been sponsored but not yet held:
 - a. those who have or will reschedule this financial year, can retain funding and carry on.
 - b. those who have not rescheduled but may not this financial year, can return uncommitted funds, and then reapply for sponsorship in the appropriate round.
-

16.1 Update on Impact of COVID-19 Pandemic on Events Sponsorship ...(Cont'd)

2. Events that have already been (or are about to be) sponsored but are going to change the event are to submit a proposal for revised event and budget (addressing the criteria below) for approval by General Manager Community and Place to determine whether any appropriate change in sponsorship is warranted.

Events that have to modify their event in order to comply with a COVID-19 safe event will need to meet criteria in order to retain the same level of funding (or be approved for a different amount). Event organisers will be asked to submit a revised event plan, a revised budget and address the two criteria below:

Criteria for assessment of COVID-19 impacted events:

- Community Participation
 - this should indicate that the event will provide a meaningful experience based on the current Department of Health attendance requirements. The event organiser should provide a measure of that 'meaningful experience' which may include online events in lieu of the original in-person event.
- Economic
 - flow on effect to local businesses - event organisers to demonstrate that suppliers are still being engaged in the modified event (to ensure flow-on effect to supply chain businesses).
- Tourism
 - this should include a local marketing plan for the currently approved Department of Health attendance guidelines (whether this is intrastate or nominated interstate).

The Council's Grants and Sponsorship Officer can provide a checklist for this assessment for event organisers to submit with their revised budget.

The Council recognises the importance to the economy and to community participation of events, particularly in a COVID-impacted world. It has been heartening to see event organisers working on alternatives to ensure their events are COVID-19 safe, and to provide a safe and appealing proposition for community attendance. The Council is also aware that City of Launceston event sponsorship enables event organisers to attract other funding so it is important that this continue during COVID-19 impacted events, whilst recognising the need to be responsible with all funds.

By the Council demonstrating a flexible approach to sponsorship in the current COVID-19 impacting climate, the upcoming events calendar will continue to provide a rich offering for the community, in a safe and supportive manner.

16.1 Update on Impact of COVID-19 Pandemic on Events Sponsorship ...(Cont'd)

ECONOMIC IMPACT:

Events are major contributors to the local economy. The City of Launceston is keen to see as many events as possible return to the calendar. Not seeking the return of uncommitted event sponsorship funds in the event of cancellation demonstrates Council's commitment to these economy boosting activities.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Facilitating an events calendar - and providing sponsorship to assist in the organising of such events - is very important for the resilience and social engagement of our community. If Council adopts a flexible approach to sponsorship it will ensure the social impact of events continues to be positive.

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:

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

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

BUDGET & FINANCIAL ASPECTS:

Event sponsorship is currently within budget provisions for this financial year.

16.1 Update on Impact of COVID-19 Pandemic on Events Sponsorship ...(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

16.2 Community Grants 2020/2021 Round 1

FILE NO: SF6941

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider applications for Community Grants received in Round 1, 2020/2021.

PREVIOUS COUNCIL CONSIDERATION:

Council - 22 October 2019 - Agenda Item 15.2 - Community Grants (Organisations) Policy Review (05-PI-018)

Council - 22 October 2019 - Agenda Item 15.1 - Community Grants (Individuals/Teams/Groups) Policy Review (05-PI-017)

RECOMMENDATION:

1. That the following organisations receive the recommended grant amounts:

Organisation	Project/Activity	Score	Requested \$	Recommended \$
Migrant Resource Centre Northern Tasmania (MRCN)	<i>Playing Up</i>	92%	\$4,348	\$4,348
Nepali Society of Northern Tasmania Incorporated	<i>Active and Creative Kids Launceston</i>	84%	\$5,000	\$5,000
Pet Health and Family Planning	<i>Pets In The Park</i>	80%	\$5,000	\$3,750
Rotary Club of Tamar Sunrise	<i>Launceston Community Reflections 2020</i>	77%	\$5,000	\$3,750
Cancer Patients Foundation	<i>Look Good Feel Better</i>	75%	\$5,000	\$3,750
Tamar Bicycle Users Group (TBUG)	<i>Bike Week March 2021</i>	73%	\$4,000	\$3,000

16.2 Community Grants 2020/2021 Round 1 ...(Cont'd)

Launceston Field Naturalist Club Incorporated	Launceston Field Naturalist Club - Loop Track Upgrade	72%	\$5,000	\$3,750
Reclink Australia	Reclink Bike Riding Confidence Program	68%	\$5,000	\$3,750
Edmund Rice Camps Tasmania	Eddie Rice Camps Northern Tasmania	62%	\$5,000	\$3,750
TOTAL			\$43,384	\$11,250.00
TOTAL AVAILABLE				\$35,000
BALANCE				\$152

* Deputy Mayor Gibson abstained from assessment of Launceston Community Reflections 2020 (Rotary Club of Tamar Sunrise).

** Ella Dixon abstained from assessment of Playing up (Migrant Resource Centre Northern Tasmania (MRCN)).

2. notes the following Community Grant application will not be funded by Council, as the application received a score less than the recommended level for funding (ie. <50%).

Organisation	Event	Score	Requested \$	Recommended \$
Gateway Baptist Church Launceston	Community Arts Experience	48%	\$5,000	\$0
Total			\$5,000	\$0

REPORT:

Organisation Applications

The Community Grants Assessment Panel assessed each application against the assessment criteria (detailed below):

Assessment Points

- Identifies a clear community need for the project;
- Outcomes directly benefit the Launceston Community;
- Outlines clear engagement and collaboration with the community, enabling social connections and community participation;

16.2 Community Grants 2020/2021 Round 1 ...(Cont'd)

- Project plan demonstrates good organisational planning for the project/activity; and
- The project budget is detailed, realistic and:
 - demonstrates the applicant is co-contributing at least 20% towards the project in addition to the funding requested (co-contribution can be either in-kind or financial);
 - outlines how the City of Launceston funding will be utilised.

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

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

The total value of eligible requests received for Community Grants Round 1 2020/2021 is \$48,384. Based on the assessment results, the recommended allocation of funds for Round 2 2019/2020 is \$34,848.

Individual/Team/Group Applications

No Individual/Teams/Groups applications for Community Grants have been received in the period since the last Council resolution.

ECONOMIC IMPACT:

Approval of the recommended grants will result in a positive economic impact for those organisations by enabling projects and activities to be undertaken.

ENVIRONMENTAL IMPACT:

Approval of the recommended grants will have minimal impact on the environment.

SOCIAL IMPACT:

Approval of the recommended grants will provide a number of valuable educational, social, health and lifestyle benefits to the Launceston community.

16.2 Community Grants 2020/2021 Round 1 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

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:

Community Grants - Organisations

Available Funds for Round 1	\$35,000
Amount Recommended for Round 1	\$34,848
BALANCE	\$152*

* unallocated funds of \$152 from Community Grants (Organisations) 2020/2021 Round 1 to be allocated to Community Grants (Organisations) 2020/2021 Round 2.

Community Grants - Individual/Team/Group

Available Funds	\$10,000
Amount Allocated	\$0
BALANCE	\$10,000*

**Allocated to Community Grants (Individual/Team/Group) for remainder of the 2020/2021 Financial Year.*

The total budget for Community Grants for 2020/2021 is \$80,000. There are two funding rounds per year. As per the Community Grants (Organisations) Policy (05-PI-018), normally no more than one half of the budget will be recommended for approval in each funding round. Any funds left from one funding round will be allocated in the remaining funding rounds for that financial year.

The budget adjustment consideration of this item has been approved by the General Manager Organisational Services Network.

16.2 Community Grants 2020/2021 Round 1 ...(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

16.3 Small Event Sponsorship Round 2 2020/2021

FILE NO: SF6943

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider event sponsorship support for Small Events (Round 2) 2020/2021.

PREVIOUS COUNCIL CONSIDERATION:

Council - 24 January 2019 - Agenda Item 15.2 - Event Sponsorship Policy Review (05-PI-012)

RECOMMENDATION:

That Council:

1. approves the following Small Event Sponsorship Applications to receive the recommended sponsorship amount, from the 2020/2021 Small and Celebratory Event Sponsorship Budget.

Organisation	Event	Score	Requested \$	Assessed \$	Recommended \$
Tasmanian Brick Enthusiasts Inc.	<i>Brixhibition</i> Launceston 2021	85%	\$5,000	\$5,000	\$5,000
Van Diemens Street Rod Club Inc.	Launceston City Car Show	81%	\$5,000	\$5,000	\$5,000
Tasmanian Poetry Festival Inc	Tasmanian Poetry Festival 2021	76%	\$5,000	\$5,000	\$3,750
Cancer Council Tasmania	<i>Relay For Life</i> Launceston	76%	\$5,000	\$5,000	\$3,750

16.3 Small Event Sponsorship Round 2 2020/2021 ...(Cont'd)

Harvest Launceston Community Farmers' Market	<i>Celebrating Tasmanian Women</i>	75%	\$5,000	\$5,000	\$3,750
S & I Styling	<i>Autumn Fashion Festival</i>	74%	\$12,500	\$5,000	\$3,750
Jackie Anifandis	<i>Launceston Ukulele Jamboree</i>	73%	\$5,000	\$5,000	\$3,750
RSPCA Tasmania	<i>Million Paws Walk 2021</i>	71%	\$5,000	\$5,000	\$3,750
Little Italy Festival - Marcel Ritchie	<i>Little Italy</i>	70%	\$5,000	\$5,000	\$3,750
Jeremy Torr, Storylocker	<i>Tasmanian Storytelling Festival</i>	64%	\$5,000	\$5,000	\$3,750
Launceston and Henley Regatta Association	Launceston and Henley Regatta	63%	\$5,000	\$5,000	\$3,750
Launceston Alive Ltd	<i>Launceston Alive Easter Community Festival</i>	60%	\$5,000	\$5,000	\$2,500
Northern Tasmanian Croquet Centre Inc.	NTCC Easter Croquet Tournament	51%	\$1,250	\$1,250	\$625
Pony Club Tasmania Northern Zone	State 3 day Event Championships (State Trials)	50%	\$12,500	\$5,000	\$2,500
Total			\$81,250	\$66,250	\$49,375

* Applications assessed as Small Events, not Major Events Level 1 (\$12,500) as the Panel deemed the events to be Small Events.

16.3 Small Event Sponsorship Round 2 2020/2021 ...(Cont'd)

2. notes the following event sponsorship applications will not be funded by Council, as the applications received a score less than the recommended level for funding (ie. <50%).

Organisation	Event	Score	\$Request	\$Assess	\$Recom
East Launceston Bowling and Community Club	Bill Springer Invitational Mad Dog Singles Bowls	48%	\$2,000	\$2,000	\$0
Vietnam Veterans' Association Launceston Sub-Branch	Forty Years of Supporting Each Other	36%	\$5,000	\$5,000	\$0
Total			\$7,000	\$7,000	\$0

** Councillor Daking abstained from assessment of Bill Springer Invitational Mad Dog Singles Bowls (East Launceston Bowling and Community Club).

REPORT:

The Events Sponsorship Assessment Panel assessed each application against the assessment criteria (detailed below) and provided the recommendations:

Assessment Criteria

Participation - Enables social connections to take place within the community, including volunteering and participation opportunities.

Creativity and Innovation - Encourages and supports creativity, innovation and local talent.

Community Spirit - Builds community spirit, fosters pride and a sense of place.

Inclusiveness - Inclusive and accessible to residents within our community.

Asset Usage - Utilisation and activation of community facilities including cultural, entertainment, sport and recreation venues, including Council owned and managed facilities.

***New Events** - Demonstrate strategies for sustainability and a vision for growth.

**Note: to encourage new events (events that have not been held in the City of Launceston municipality previously) there will be an additional question in the application. Answers to the question will be assessed and will enable bonus points to be awarded.*

16.3 Small Event Sponsorship Round 2 2020/2021 ...(Cont'd)

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

81-100% = 100% of requested funds

61-80% = 75% of requested funds

50-60% = 50% of requested funds

<50% = No funding provided

The Event Sponsorship Policy (05-PI-012) states that Round 2 of the Small Event Sponsorship program covers a seven-month period (1 January - 31 July) and will be allocated 60% of the annual budget.

Based on the 2020/2021 budget adopted by Council, available funds for Small Event Sponsorship Round 2 2020/2021 is \$80,227 (*includes \$14,827 of remaining funds from the Small Event Sponsorship Round 1 2020/2021*).

The total funds requested in Small Event Sponsorship Round 2 2020/2021 is \$88,250. Based on the assessment results, the recommended allocation of funds is \$49,375 (Recommendation 1).

It is acknowledged that two applications are recommended not to receive funding as they received a score less than the recommended level for funding (ie. <50%) (Recommendation 2).

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

16.3 Small Event Sponsorship Round 2 2020/2021 ...(Cont'd)

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.

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

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

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:

The budget for Small Events Sponsorship Round 2 2020/2021 is:

	Budget \$	Budget Round 2 \$	Additional Funds from Round 1 \$	Total Available Funds \$	Recom. for Round 2 \$	Balance \$
Small Sponsorship Events Budget	\$109,000*	\$65,400	\$14,827	\$80,227	\$49,375	\$30,852

**\$20,000 of the 2020/2021 Small and Celebratory Event Sponsorship budget is allocated to Small Signature Events (previously referred to as Celebratory Events). The remaining \$109,000 is allocated to the Small Event Sponsorship Program.*

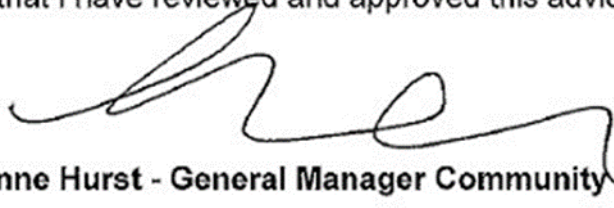
The budget adjustment consideration of this item has been approved by the General Manager Organisational Services Network.

16.3 Small Event Sponsorship Round 2 2020/2021 ...(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

16.4 Special Event Sponsorship 2020/2021

FILE NO: SF5892

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider Special Event Sponsorship for the *Gorge by Night* - light and sound installation at Cataract Gorge (Mona Foma) and Ten Days on the Island events.

PREVIOUS COUNCIL CONSIDERATION:

Council - 24 January 2019 - Agenda Item 15.2 - Event Sponsorship Policy Review (05-PI-012)

RECOMMENDATION:

That Council approves the following Special Event Sponsorship Applications to receive the recommended sponsorship amount, from the 2020/2021 Special Event Sponsorship Budget and \$80,000 of un-utilised funds remaining in the Major Event Sponsorship 2020/2021 budget.

Organisation	Event	Score	\$Request	\$Assess	\$Recom
Mona (a trading name of Moorilla Estate Pty Ltd)	<i>Gorge by Night</i> - light and sound installation at Cataract Gorge	94%	\$50,000	\$50,000	\$50,000
Ten Days on the Island	Ten Days on the Island	84%	\$50,000	\$50,000	\$50,000
Total			\$100,000	\$100,000	\$100,000

16.4 Special Event Sponsorship 2020/2021 ...(Cont'd)

REPORT:

Gorge by Night - light and sound installation at Cataract Gorge

Mona Foma is seeking sponsorship for an element of the proposed 2021 Mona Foma festival *Gorge by Night*, a spectacular new light, laser and sound installation created by Robin Fox as the centre piece of the Launceston festival in January 2021. Robin Fox is Australia's leading audio-visual artist and a long-time Mona Foma collaborator. Fox has created incredible site specific works for iconic Launceston spaces - Albert Hall, QVMAG, Penny Royal and now, the Gorge.

Gorge by Night will realise the City of Launceston's aspiration to create an evening experience in the Gorge's first basin (as identified in the 2015 *Future Proofing our Icons* Report, the 2016 *Reimagining the Gorge* and feasibility tested in 2018 with the *Projected Storytelling* study). But, importantly, it will be a temporary event. The benefit of this is two-fold. It will draw locals and visitors, whilst test driving the concept of a short-term evening experience at the Gorge.

Ten Days on the Island

For two decades Ten Days on the Island has celebrated Tasmania's unique identity and offered a platform from which to profile Tasmania's innovative, creative and resourceful character. Over this period, Ten Days' programs of performances and exhibitions have provided opportunities for hundreds of Tasmanian artists to show case their work and brought high quality arts experiences to Tasmanians, building a vital legacy within Tasmania's arts infrastructure. Ten Days on the Island's *pan-Tasmanian Festival 2021* will be presented in more than a dozen towns and will feature signature projects such as site-specific experiences in 10 rural halls connecting with local communities, a focus on Tasmanian creativity and First Nation's artists, alongside regional performances from the Tasmanian Symphony Orchestra and Tasdance. In Launceston, Ten Days will mount the world premiere of *The Marvellous Corricks*, a celebration of the iconic vaudeville family the Corricks. The family settled in Launceston after extensive national and international touring in the early 20th Century, devoting themselves to the community, with many of their instruments and much of their ephemera now in the collection of the QVMAG. The full Festival program for Launceston is in development and will include *Big HART's HYDRO*, a capacity-building project with young people culminating in a free concert at Cataract Gorge.

Assessment Criteria

The Events Sponsorship Assessment Panel assessed each application within the sponsorship levels and against the assessment criteria (detailed below) and provided the recommendations.

16.4 Special Event Sponsorship 2020/2021 ...(Cont'd)

Participation - Enables social connections to take place within the community, including volunteering and participation opportunities.

Creativity and Innovation - Encourages and supports creativity, innovation and local talent.

Community Spirit - Building community spirit, pride and a sense of place.

Economic - Demonstrates positive economic benefits through visitor spend, employment and/or investment.

Tourism and profile - Demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation.

Asset Usage - Utilisation and activation of community assets including cultural, entertainment, sport and recreation venues, including Council owned and operated assets.

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

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

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.

16.4 Special Event Sponsorship 2020/2021 ...(Cont'd)

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:

The budget for Special Events Sponsorship 2020/2021 is:

Event	\$Budget available 2020/2021	\$Approved/Recom funds 2020/2021	Balance
Transplant Games	\$70,000	\$50,000	\$20,000
<i>Gorge by Night</i> - light and sound installation at Cataract Gorge	\$20,000	\$50,000	\$-30,000
Ten Days on the Island	\$-30,000	\$50,000	\$-80,000
2020/2021 Major Events Sponsorship Budget - Surplus Funds Transfer			\$80,000
2020/2021 Special Event Sponsorship Budget (remaining)			\$0
2020/2021 Major Events Sponsorship Budget (remaining)			\$60,000

The budget for 2020/2021 Special Event Sponsorship is \$70,000. Should the recommendation for \$50,000 for *Gorge by Night* - light and sound installation at Cataract Gorge and \$50,000 for Ten Days on the Island be approved, there will be an \$80,000 shortfall in the 2020/2021 budget for Special Events Sponsorship.

The 2020/2021 Major Events Budget has excess funds remaining of \$140,000 with all funding rounds now closed for the 2020/2021 financial year. The number of sponsored events is significantly down on previous years due to the impact of the COVID-19 pandemic, resulting in this surplus. It is recommended to utilise \$80,000 from the remaining 2020/2021 Major Events Budget to supplement the 2020/2021 Special Event Sponsorship, resulting in sufficient funding for *Gorge by Night* - light and sound installation at Cataract Gorge and Ten Days on the Island.

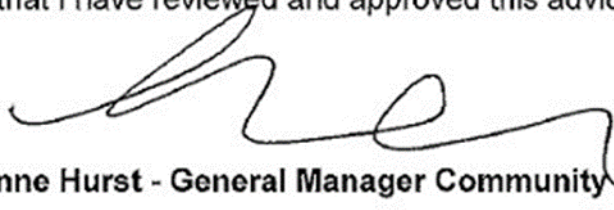
The budget adjustment consideration of this item has been approved by the General Manager Organisational Services Network.

16.4 Special Event Sponsorship 2020/2021 ...(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

16.5 Major Event Sponsorship Round 2 2020/2021

FILE NO: SF6942

AUTHOR: Stephanie Berns (Grants and Sponsorship Officer)

GENERAL MANAGER: Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider event sponsorship support for Major Events (Round 2) 2020/2021.

PREVIOUS COUNCIL CONSIDERATION:

Council - 24 January 2019 - Agenda Item 15.2 - Event Sponsorship Policy Review (05-PI-012)

RECOMMENDATION:

That Council approves the following Major Event Sponsorship Applications to receive the recommended sponsorship amount, from the 2020/2021 Major Event Sponsorship Budget.

Organisation	Event	Score	\$Request	\$Assess	\$Recom
Panama Productions	<i>A Festival Called PANAMA 2021</i> (Level 1)	81%	\$12,500	\$12,500	\$12,500
BOFA Ltd	<i>Tasmanian Breath of Fresh Air</i> (BOFA) Film Festival (Level 2)	69%	\$20,000	\$20,000	\$15,000
Bass Radio Pty Ltd	<i>Chilli Skylight</i> (Level 1)*	69%	\$20,000	\$12,500	\$9,375
Total			\$52,500	\$45,000	\$36,875

Note: there are two levels in this category

Level 1 - \$5,001 up to \$12,500 and Level 2 - \$12,500 up to \$20,000

* *Application assessed at Level 1 \$12,500, not Level 2 \$20,000 as the panel deemed the event to be a Level 1 event.*

16.5 Major Event Sponsorship Round 2 2020/2021 ...(Cont'd)

REPORT:

The Events Sponsorship Assessment Panel assessed each application within the sponsorship levels and against the assessment criteria (detailed below) and provided the recommendations.

Sponsorship Levels

Funding is available under two levels:

- Level 1 \$5,001 up to \$12,500
- Level 2 \$12,501 up to \$20,000

Level 1 would typically be an event held in the Launceston municipality attracting audiences from local and intrastate areas.

Level 2 would typically be an event held in the Launceston municipality attracting larger audiences from local, intrastate, interstate and/or international areas.

Assessment Criteria

Participation - Enables social connections to take place within the community, including volunteering and participation opportunities.

Creativity and Innovation - Encourages and supports creativity, innovation and local talent.

Community Spirit - Builds community spirit, fosters pride and a sense of place.

Economic - Demonstrates positive economic benefits through visitor spend, employment and/or investment.

Tourism and profile - Demonstrates positive tourism benefits, through the promotion of Launceston and the region, building our profile and reputation.

Asset Usage - Utilisation and activation of community facilities including cultural, entertainment, sport and recreation venues, including Council owned and managed facilities.

***New Events** - Demonstrate strategies for sustainability and a vision for growth.

**Note: To encourage new events (events that have not been held in the City of Launceston municipality previously) there will be an additional question in the application. Answers to the question will be assessed and will enable bonus points to be awarded.*

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

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

16.5 Major Event Sponsorship Round 2 2020/2021 ...(Cont'd)

The Event Sponsorship Policy (05-PI-012) states that Round 2 of the Major Event Sponsorship program covers a seven-month period (1 January - 31 July) and will be allocated 60% of the annual budget.

Based on the 2020/2021 budget adopted by Council, available funds for Major Event Sponsorship Round 2 2020/2021 is \$176,875 (*includes \$50,875 of remaining funds from the Major Event Sponsorship Round 1 2020/2021*).

The total funds requested in Major Event Sponsorship Round 2 2020/2021 is \$52,500. Based on the assessment results, the recommended allocation of funds is \$36,875 (Recommendation 1).

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

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.

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

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

16.5 Major Event Sponsorship Round 2 2020/2021 ...(Cont'd)

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:

The budget for Major Events Sponsorship Round 2 2020/2021 is:

	Budget \$	Budget Round 2 \$	Additional Funds from Round 1 \$	Total Available Funds \$	Recom. for Round 2 \$	Balance Remaining \$
Major Sponsorship Events Budget	\$210,000	\$126,000	\$50,875	\$176,875	\$36,875	\$140,000

The budget adjustment consideration of this item has been approved by the General Manager Organisational Services Network.

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

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 Launceston Flood Authority Quarterly Report - July to September 2020****FILE NO:** SF4493**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To receive the Launceston Flood Authority Quarterly Report - July to September 2020.

RECOMMENDATION:

That Council, in accordance with Rule 26 of the *Launceston Flood Authority Rules, April 2020*, receives the Launceston Flood Authority Quarterly Report, July to September 2020 (ECM Document Set ID 4439476).

REPORT:

In accordance with the Rule 26 of the *Launceston Flood Authority Rules, April 2020*, the Authority must submit a quarterly report to the Council for the periods ending March, June, September and December.

The report for the period ending September 2020 provides an overview of the Launceston Flood Authority's operational activities, financial position and key priorities for the next quarter (Attachment 1).

ECONOMIC IMPACT:

The provision and continued maintenance of the Launceston flood levees has significant benefit to the broader community.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

**18.1 Launceston Flood Authority Quarterly Report - July to September 2020
...(Cont'd)**

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Shane Eberhardt - General Manager Infrastructure and Assets Network

ATTACHMENTS:

1. Launceston Flood Authority Quarterly Report - July to September 2020
-

Attachment 1 - Launceston Flood Authority Quarterly Report - July to September 2020**Quarterly Report - July to September 2020**

In accordance with the Rule 26 of the *Launceston Flood Authority Rules, April 2020* the Authority must submit a quarterly report to Council for the periods ending March, June, September and December.

This report is for the period ending September 2020.

Key priorities for the coming quarter

- 2020/21 operational and capital budget
- Development of Budget forecasts for the next three years
- Finalise LFA Annual Report (awaiting audited financial statements)
- Asset Management Plan and long-term Financial Plan to be developed over this calendar year.

Operational activities undertaken

- All required inspections have been undertaken and defects prioritised through an improvement plan. Remote inspections have been introduced using drones for some of the difficult-to-access Inveresk tide flaps.
- Flood emergency preparedness: three high volume pumps acquired in 2016 were successfully tested in September in Royal Park. A floodgate installation exercise will be conducted on the evening of 22 October; this will require a full road closure on Charles Street Bridge.
- Plans have advanced for replacement of the existing sliding floodgate with a widened Bauer floodgate at Taroon Street. Construction will commence end of October and expected to be completed by end of January 2021.

Financial Position

- For the three months to 30 September 2020 operational grant revenue received of \$205,035 was in line with budget.
 - Expenditure was also in line with budget except for Levee Management costs which were \$44,445 under-spent, Sediment Management expenses \$19,115 underspent and depreciation which was \$31,119 better than budget. The favourable depreciation expense came from recently recognising the reusability of materials from existing earthen levees, effectively creating a residual value that does not need to be depreciated. The existing budget did not factor in this residual value.
 - Overall to 30 September 2020 the LFA achieved a result \$96,854 better than budget.
-



Quarterly Report - July to September 2020

Summary of performance

The Authority has held three Board meetings this year to consider reports relating to UTAs, other developments and operational matters. The inspection and maintenance program of the flood protection infrastructure has been completed as programmed and annual supply contracts for grass cutting and weed spraying of the levees have been awarded.

Minor capital works as programmed, development of the Strategic Plan, Asset Management Plan, Long Term Financial Plan, and budget forecasts have been undertaken. The LFA reviewed and adopted a new Instrument of Delegations to Council staff.

As TEMT is a significant body in the future management of the Estuary, the Authority has contacted the TEMT to discuss the role of the LFA and willingness to work with them as required.

A handwritten signature in black ink, appearing to read "Greg Preece", with a long horizontal line extending to the right.

Greg Preece
Chairperson - Launceston Flood Authority

18.2 Myrtle Park Recreation Ground Re-Opening**FILE NO:** SF0895/SF0896**AUTHOR:** Phil Bonney (Manager Parks and Sustainability Manager)**GENERAL MANAGER:** Shane Eberhardt (Infrastructure and Assets Network)

DECISION STATEMENT:

To consider the proposal to re-open the Myrtle Park Recreation Ground for camping in Summer 2020/2021 as an interim option.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 10 September 2020 - Myrtle Park

RECOMMENDATION:

That Council:

1. makes Myrtle Park Recreational Ground available for camping only between December 2020 to March 2021.
 2. supports Myrtle Park Recreational Ground day use and Hall use to remain unavailable.
 3. under section 205 of the *Local Government Act 1993* (Tas), approves a fee of \$20 a night per site, with a limit of 10 patrons.
 4. considers a budget adjustment for the 2020/2021 financial year at a future Meeting for additional expenditure of \$60,206.
-

REPORT:

Myrtle Park (the Park) is a large regional recreation area situated around the St Patrick's River. The Park has many recreational features, including a tennis court, play space, cricket pitch, camping spots and associated amenities (showers and toilets).

The Park has most recently been operating under a commercial and residential lease agreement, expiring in July 2020. The Park closed in March 2020 in response to the COVID-19 pandemic.

18.2 Myrtle Park Recreation Ground Re-Opening ...(Cont'd)

On 10 September 2020, the Council's Officers presented to a Workshop on the work undertaken to date around the Park. The presentation also included the findings of the independent report undertaken by Newton and Henry (2020). During the Workshop, it was indicated by Councillor's that they would like to see the Park re-open for campers this year. An interim re-opening proposal for the Park has been developed.

Further analysis and planning is required for successful implementation of the longer term management of Myrtle Park and this is expected to continue through to 2021.

Plan for interim camping arrangements

Myrtle Park will re-open for camping from December 2020 - March 2021.

Strict security, COVID-19 restrictions and people capacity measures will be observed to ensure the highest level of safety for patrons. Accordingly, the following operating arrangements will occur throughout the interim period:

Patrons

- Park open for camping only.
- Twenty sites will be available, with a limit of 10 patrons per site.
- Bookings can be made available on-line, over the telephone or in person at the Visitor Information Centre from mid-November 2020.
- Advance bookings are essential.

Facilities

- Public day use access to the site will not be permitted.
- The hall and kiosk facilities will be unavailable.
- Site closed gate policy applies (not locked but closed).

Staff

- Park open and staffed seven days a week.
 - Park to be staffed through external labour hire during the day.
 - Security contractor to make callouts to the park each evening.
 - Cleaning contractor to provide professional cleaning once per day as per the Park's COVID-19 plan.
-

18.2 Myrtle Park Recreation Ground Re-Opening ...(Cont'd)

Benefits and Risks

The following benefits and risks have been identified in the re-opening of the Park:

Benefits

- The Park will provide our family community with a cost-effective opportunity to enjoy our City's recreational spaces during this important time of year.
- The Park will cater for up to 200 individuals per night.
- The successful operation of the site will signify the Park's commercial viability to future operators.

Risks

- Revenue figures are derived from occupancy assumptions as per Newton and Henry's Myrtle Park report. Decreases in occupancy will be reflected in revenue accordingly.
- Changes to COVID-19 restrictions will impact the capacity, financial and operational feasibility of operating the Park.
- The Park has previously been subjected to poor visitor behaviour. If re-established, this behaviour may cause reputational damage to the Council.
- Corresponding unscheduled security callouts will incur additional cost.

Financial

Myrtle Park incurs an operational cost of approximately \$11,000 per quadrimester (four month period) whilst closed.

Re-opening the Park incurs a cost of \$71,206 for the same period. Consequently, re-opening the Park will require a budget amendment increase of \$60,206.

18.2 Myrtle Park Recreation Ground Re-Opening ...(Cont'd)

The following table provides a detailed budget estimate to re-open the site as per the proposed plan:

Type	Item	4-month total (\$)
Revenue	Fees and Charges* Kiosk (nil) Hall Hire (nil)	26,666
Total Revenue		26,666
Expenditure	Cleaning and Cleaning Consumables Waste Removal Electricity Other expenses (marketing, telephone etc.) External Labour (including security)	21,840 3,333 3,333 2,500 66,865
Total Expenditure		97,872
Estimated quadrimester surplus/(deficit)		- 71,206

* Revenue derived from Newton and Henry's Myrtle Park report

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

The City of Launceston will work to ensure minimal impact techniques are used to reduce the effects that people have on the environment whilst camping.

SOCIAL IMPACT:

Camping has a positive effect on the whole community providing an opportunity to connect as a family and with nature. Myrtle Park Camping Ground provides for many recreational activities to improve health and create social inclusion.

18.2 Myrtle Park Recreation Ground Re-Opening ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Strategic Plan 2014-2024
Priority Area 8 - A secure, accountable and responsive Organisation
Ten-year goal - To communicate and engage consistently and effectively with our community and stakeholders
Key Direction -
5. To strategically manage our assets, facilities and services

BUDGET & FINANCIAL ASPECTS:

Under the proposed interim planning arrangements, re-opening the park will require a budget amendment increase of \$60,206.

Should the item under consideration be approved by Council the necessary budget amendment will be prepared and presented to Council as part of the monthly budget amendment process.

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 Council Appointments to Internal and External Committees

FILE NO: SF0106/SF0095/SF2233

AUTHOR: Kelsey Hartland (Team Leader Governance)

GENERAL MANAGER: Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To approve Council appointments in respect of committees, authorities, specific purpose committees and external organisations.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 22 October 2020 - Councillor Committee Representation on Internal and External Committees - 2020-2022

RECOMMENDATION:

That Council:

1. pursuant to section 23(2) of the *Local Government Act 1993* (Tas), makes the following appointments:

COUNCIL COMMITTEE
established under section 23(1) of the Local Government Act 1993 (Tas)

Committee	Number of Vacancies	Nominations
Chief Executive Officer's Contract and Performance Review Committee	5 (including Mayor of the Day)	Councillor A M van Zetten Councillor J G Cox Councillor P S Spencer Councillor D C Gibson Councillor T G Walker

19.1 Council Appointments to Internal and External Committees ...(Cont'd)

2. pursuant to section 24(2) of the *Local Government Act 1993* (Tas), makes the following appointments:

SPECIAL COMMITTEES
established under section 24(1) of the *Local Government Act 1993* (Tas)

Committee	Number of Vacancies	Nominations
Access Advisory Committee	1	Councillor A E Dawkins
Cataract Gorge Reserve Advisory Committee	2	Councillor T G Walker Councillor A G Harris
Community Grants (Organisations) Program	3	Councillor T G Walker Councillor K P Stojansek Councillor P S Spencer
Community Recognition Awards (formerly Australia Day Committee)	3	Councillor R I Soward Councillor D C Gibson Councillor A E Dawkins
Events Sponsorship Assessment Panel	3	Councillor N D Daking Councillor K P Stojansek Councillor A G Harris
Heritage Advisory Committee	2	Councillor T G Walker Councillor D H McKenzie
Launceston City Heart Reference Group	3 (including one as Chair)	Councillor A M van Zetten Councillor N D Daking Councillor A G Harris Councillor K P Stojansek Councillor J Finlay
Launceston Sister City Committee	3	Councillor D C Gibson Councillor R I Soward Councillor J G Cox Councillor K P Stojansek
Northern Youth Coordinating Committee	1	Councillor D C Gibson
NTCA Ground Management Committee	1 (Mayor of the Day)	Councillor A M van Zetten
Pedestrian and Bike Committee (to be known as Transport Committee)	2	Councillor A G Harris Councillor D H McKenzie

19.1 Council Appointments to Internal and External Committees ...(Cont'd)

Committee	Number of Vacancies	Nominations
Queen Victoria Museum and Art Gallery Governance Advisory Board	2 (including Mayor of the Day and Deputy Mayor of the Day (proxy with voting rights))	Councillor A M van Zetten Councillor D C Gibson
Scholarships and Bursary Committee	2	Councillor A E Dawkins Councillor D C Gibson
Tender Review Committee	4 (including one as Chair)	Councillor J G Cox Councillor N D Daking Councillor P S Spencer Councillor D H McKenzie
Youth Advisory Group	Up to 3	Councillor D C Gibson Councillor T G Walker

3. pursuant to order 5(4) of the *Local Government (Audit Panels) Order 2014*, makes the following appointments:

AUDIT PANEL

established under section 85(1) of the *Local Government Act 1993 (Tas)*

Audit Panel	2	Councillor D H McKenzie Councillor J Finlay
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4. pursuant to section 21(2) of the *Emergency Management Act 2006 (Tas)*, makes the following appointment:

MUNICIPAL EMERGENCY MANAGEMENT COMMITTEE

established under section 20(A) of the *Emergency Management Act 2006 (Tas)*

Committee	Number of Vacancies	Nomination
Municipal Emergency Management Committee	1 as Municipal Chairperson	Councillor J G Cox

19.1 Council Appointments to Internal and External Committees ...(Cont'd)

5. makes the following appointments to committees and organisations external to the Council:

**COUNCILLORS' EXTERNAL COMMITTEE MEMBERSHIP
from resolutions of Council**

Committee	Number of Vacancies	Nomination
Australian Pacific Airports Launceston Board	1	Nominations through the Chief Executive Officer Australian Pacific Airports Launceston; Councillor D H McKenzie currently holds this position
Cityprom Limited	1	Councillor N D Daking
Design Tasmania	1	Councillor A E Dawkins
Economic Development Working Group	4	Councillor J Finlay Councillor N D Daking Councillor D H McKenzie Councillor T G Walker
Enterprize Tasmania Limited Board	1	Nominated Council Representative to be Chief Executive Officer
Franklin House Management Committee	1	Councillor A G Harris
Launceston College Association	1	Councillor D C Gibson
Launceston Safer Communities Partnership	2	Councillor J Finlay Councillor P S Spencer
Launceston Tamar Valley Communities for Children Council	1	Councillor D C Gibson
Local Government Association of Tasmania	2 (Mayor of the Day and Deputy Mayor of the Day (as proxy))	Councillor A M van Zetten Councillor D C Gibson
Newstead College Association	1	Councillor A G Harris
Ravenswood Action Group	1	Councillor K P Stojansek

19.1 Council Appointments to Internal and External Committees ...(Cont'd)

Committee	Number of Vacancies	Nomination
Tamar NRM Reference Group	1	Councillor T G Walker
TasWater Owners Representative	1 (Mayor of the Day)	Councillor A M van Zetten
Theatre North Inc.	1	Councillor D H McKenzie
University of Tasmania Northern Campus Engagement and Advisory Group	3	Councillor J Finlay Councillor D H McKenzie Councillor A G Harris

6. notes that the appointments made at Recommendations 1-5. above will be incorporated in the Committee Representation Details Procedure 14-HLPrx-012.
7. notes that the appointments made at Recommendations 1-5. will next be reviewed following the Local Government elections in 2022.
8. notes, for the avoidance of doubt, that 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:

The purpose of this report is to finalise Council's appointments of representatives to committees, authorities, specific purpose committees and external organisations.

Preliminary discussions were conducted at a Workshop Meeting held on 22 October 2020. Tentative nominations received for each committee and external organisation representation did not exceed the number of Councillors required for each group. The tentative nominations require endorsement and the finalised representations adopted will be incorporated into Committee Representation Details Procedure (14-HLPrx-012).

Appointments were last reviewed after the 2018 local government elections. The next review will occur after the 2022 local government elections.

ECONOMIC IMPACT:

Not considered relevant to this report.

19.1 Council Appointments to Internal and External Committees ...(Cont'd)

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

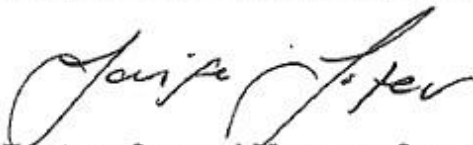
BUDGET & FINANCIAL ASPECTS:

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

19.2 Financial Report to Council - 30 September 2020**FILE NO:** SF3611**AUTHOR:** Nathan Williams (Manager Finance)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To consider the Council's financial performance for the period ended 30 September 2020.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 26 October 2020 - Agenda Item 9.4 - Financial Statements Analysis and Commentary

RECOMMENDATION:

That Council adopts the financial report for the period ended 30 September 2020 and notes the report discloses an underlying deficit of \$4.574 million, of which \$2.235 million relates to a timing variance of a Financial Assistance Grant.

REPORT:

The report discloses an underlying deficit of \$4.574m. This includes a \$2.235m unfavourable variance due to a timing difference in receiving 2020/2021 Financial Assistance Grants (FAGs) in advance in the prior financial year. Assuming that 2021/2022 FAGs will be received in June 2021, this would result in a favourable underlying result variance of \$1.462m to 30 September 2020.

Budgeted income for Fees and Charges were reduced significantly in response to COVID-19 pandemic and includes significant reductions in budgeted income for Parking, Launceston Aquatic, City Development, QVMAG and Building Surveying. The Waste Centre Budget was reduced in consideration of a decrease in construction. The favourable variance is reflective of most the Council's facilities and sites being able to operate in a relatively normal manner so far this financial year.

Due to the high value of rates income, 1/12th of annual rates revenue is recognised as income on a monthly basis, with the annual budget phased in a corresponding manner. However, significant annual expenses are incurred and budgeted for in the first three months, including insurances, annual software licences and motor vehicle and plant registration fees. These annual costs total \$1.735m and were paid in the September quarter.

19.2 Financial Report to Council - 30 September 2020 ...(Cont'd)

Employee Benefits favourable variance is due to vacancies across the organisation.

Materials and Services favourable variance is attributable to reduced insurance premiums and savings in water and electricity costs.

CITY OF LAUNCESTON
Statement of Comprehensive Income
For Year to Date 30 September 2020

	2020/21 YTD \$ Actual	2020/21 YTD \$ Budget	Variance YTD \$ Fav/(Unfav)
REVENUES FROM ORDINARY ACTIVITIES			
Rates	17,816,508	17,734,551	81,957
Fees and Charges	5,895,066	4,714,341	1,180,726
Revenue Grants			
Financial Assistance	548,946	2,807,093	(2,258,147)
Other Grants	531,807	468,453	63,354
Interest	204,055	196,271	7,784
Interest Committed	-	-	-
Investment Revenue	-	-	-
Bequests	44,932	40,000	4,932
Other Income	536,352	552,437	(16,085)
	<u>25,577,666</u>	<u>26,513,146</u>	<u>(935,481)</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Maintenance of Facilities and Provision of Services			
Employee Benefits	10,539,944	10,731,922	191,979
Materials and Services	8,775,710	9,135,922	360,212
Impairment of Debts	3,550	6,375	2,825
Finance Costs			
Interest on Loans	49,589	49,589	0
Provision for Rehabilitation	12,500	12,500	-
Change in Rehabilitation Provision	-	-	-
Depreciation	5,938,131	5,521,703	(416,427)
State Government Fire Service Levy	2,077,430	2,077,430	0
Rate Remissions and Abatements	2,626,779	2,779,860	153,081
Write Down of Assets Held For Sale	-	-	-
	<u>30,023,632</u>	<u>30,315,302</u>	<u>291,669</u>
OPERATING SURPLUS / (DEFICIT)	(4,445,967)	(3,802,155)	(643,811)
Capital Grants	1,127,708	450,684	677,024
Infrastructure Take Up	-	-	-
Other Comprehensive Income	-	-	-
	<u>1,127,708</u>	<u>450,684</u>	<u>677,024</u>
Non-Operating Expenses			
Loss on Disposal of Fixed Assets	128,108	-	(128,108)
Comprehensive Result	(3,446,367)	(3,351,471)	(94,895)
Underlying Result (excl Capital Grants)	(4,574,075)	(3,802,155)	(771,919)

COUNCIL AGENDA

Thursday 12 November 2020

**CITY OF LAUNCESTON
STATEMENT OF FINANCIAL POSITION
As at 30 September 2020**

	2020/21 YTD \$	2019/20 YTD \$	2018/19 YTD \$
EQUITY			
Capital Reserves	216,781,254	213,757,950	199,658,861
Revenue Reserves	1,031,679,000	1,020,966,286	1,017,401,548
Asset Revaluation Reserves	686,351,864	655,175,927	663,164,898
Investment Reserves	(44,153,432)	19,084,960	(15,478,099)
Trusts and Bequests	2,362,739	2,356,681	2,196,206
Operating Surplus	<u>(3,446,367)</u>	<u>(582,413)</u>	<u>(268,774)</u>
TOTAL EQUITY	<u><u>1,889,575,059</u></u>	<u><u>1,910,759,390</u></u>	<u><u>1,866,674,640</u></u>
Represented by:-			
CURRENT ASSETS			
Cash at Bank and on Hand	1,025,822	1,471,964	1,758,642
Rates and Sundry Receivables	41,998,693	45,813,518	43,987,485
Less Rates not yet Recognised	(53,347,164)	(52,591,509)	(50,598,606)
Short Term Investments	78,078,478	83,827,310	71,352,066
Inventories	713,880	739,332	701,387
Assets Held for Sale	<u>3,401,885</u>	<u>3,401,885</u>	<u>4,242,217</u>
	<u>71,871,593</u>	<u>82,662,500</u>	<u>71,443,191</u>
NON-CURRENT ASSETS			
Deferred Receivables	257,556	257,556	257,556
Investments	208,956,687	272,195,078	237,631,020
Superannuation Surplus	-	-	622,000
Intangibles	5,055,450	5,088,009	4,887,525
Infrastructure and Other Assets	1,409,811,876	1,352,133,074	1,348,840,545
Right of Use Assets	258,413		
Museum Collection	<u>240,782,757</u>	<u>237,817,922</u>	<u>237,624,029</u>
	<u>1,865,122,737</u>	<u>1,867,491,639</u>	<u>1,829,862,674</u>
TOTAL ASSETS	<u><u>1,936,994,330</u></u>	<u><u>1,950,154,139</u></u>	<u><u>1,901,305,865</u></u>
CURRENT LIABILITIES			
Deposits and Prepayments	467,589	498,323	557,076
Employee Provisions	7,683,503	7,231,430	6,714,814
Rehabilitation Provision	-	-	-
Interest-bearing Liabilities	-	-	769,413
Lease Liabilities	26,586	-	-
Sundry Payables and Accruals	<u>5,289,603</u>	<u>9,529,061</u>	<u>8,855,218</u>
	<u>13,467,281</u>	<u>17,258,815</u>	<u>16,896,521</u>
NON-CURRENT LIABILITIES			
Employee Provisions Non Current	942,964	790,709	919,357
Superannuation Obligation	2,906,000	1,814,000	-
Interest-bearing Liabilities Non Current	15,000,000	9,000,000	9,000,000
Lease Liabilities	263,497	-	-
Rehabilitation Provision	<u>14,839,528</u>	<u>10,531,225</u>	<u>7,815,348</u>
	<u>33,951,989</u>	<u>22,135,934</u>	<u>17,734,704</u>
TOTAL LIABILITIES	<u><u>47,419,270</u></u>	<u><u>39,394,749</u></u>	<u><u>34,631,225</u></u>
NET ASSETS	<u><u>1,889,575,059</u></u>	<u><u>1,910,759,390</u></u>	<u><u>1,866,674,640</u></u>

19.2 Financial Report to Council - 30 September 2020 ...(Cont'd)

Loan Balances

The loan balance as at 30 September 2020 is \$15.0m (interest free). This is comprised of \$9.0m borrowed in 2016/2017 for the CH Smith Car Park project (due to be repaid in February 2022) and \$6.0m borrowed in 2019/2020 for the Paterson Street Central Carpark Development/Bus Interchange (due to be repaid in 2025).

Council has approval to borrow an additional \$20m on interest free terms, repayable in three years as a result of the Tasmania Government's Local Government loans COVID-19 pandemic stimulus package. The funds will be used on both capital and operational expenditure. This funding will be drawn down as required.

The Council has sufficient cash reserves to repay loans as they fall due.

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.

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Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

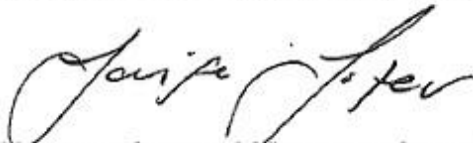
As per the report.

19.2 Financial Report to Council - 30 September 2020 ...(Cont'd)

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

19.3 Annual Financial Statements for Year Ended 30 June 2020**FILE NO:** SF2633**AUTHOR:** Paul Gimpl (Chief Financial Officer)**GENERAL MANAGER:** Louise Foster (Organisational Services Network)

DECISION STATEMENT:

To receive the annual financial statements for the year ended 30 June 2020.

PREVIOUS COUNCIL CONSIDERATION:

Audit Panel - 26 October 2020 - Agenda Item 7.1 - External Audit Report (acceptance of final audited financial statements for year ended 30 June 2020)

RECOMMENDATION:

That Council, pursuant to:

1. section 84(4) of the *Local Government Act 1993* (Tas), receives the audited financial statements for the year ended 30 June 2020 and notes that:
 - (a) the Acting Chief Executive Officer has certified the financial statements (ECM Document Set ID 4424328) in accordance with section 84(3); and
 - (b) the financial statements have been audited by the Auditor General (ECM Document Set ID 4427401) in accordance with section 84(1) and the statements have received an unqualified audit opinion.
2. section 72 of the *Local Government Act 1993* (Tas), notes the financial statements will be included in the Annual Report.

REPORT:

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

19.3 Annual Financial Statements for Year Ended 30 June 2020 ...(Cont'd)

The financial statements for the year ended 30 June 2020 were signed by the Acting Chief Executive Officer, Louise Foster, on 1 October 2020 and the Independent Auditor's Report was signed by the Delegate of the Auditor General on 7 October 2020. The opinion was issued without qualification.

The statements will be incorporated into the Council's Annual Report which will be presented at the Council's Annual General Meeting on Thursday, 3 December 2020. The financial statements and the Annual Report will be a public document available in hard copy and on the Council's website.

A briefing on the financial statements was provided to the Council's Audit Panel on 26 October 2020. The impact of the COVID-19 pandemic was a key factor driving significant unfavourable variances to revenue and expense elements of the Council's budget. A summary of some of the key financial variances is as follows:

Statement of Financial Position

The Council's Statement of Financial Position shows the net assets of \$1.893b compared to \$1.897b in 2019. The major changes in the Council's financial position are:

1. infrastructure assets have increased by \$47.9m primarily due to the revaluation of land and land under roads assets. Investments decreased by \$63.2m as a result of TasWater asset revaluations in 2019/2020.
2. current assets have decreased by \$11.8m with cash and investments being the main change which was the result of the financial impact of the COVID-19 pandemic on Council revenues, the purchase of the Birchall's building and the cost of the Community Care and Recovery Package approved by Council in early April 2020.
3. current liabilities are lower by \$2.25m due mainly to Sundry Payables and Accruals.
4. non-current liabilities have increased by \$11.88m primarily as a result of an increase in the waste rehabilitation provision of \$4.27m, an increase in superannuation obligation of \$1.09m and an extra \$6.0m in loans (all of which are currently interest free loans).

Statement of Comprehensive Income

The Statement of Comprehensive Income shows both the Operating Results and also other non-operating items such as valuation adjustments. The Council's underlying result for the year ending 30 June 2020 was a deficit of \$7.21m which compares unfavourably to the underlying budget deficit of \$2.66m. The deterioration from budget was entirely due to the impact of the COVID-19 pandemic.

Recurrent operating revenues of \$109.6m were less than budget by \$2.16m.

Recurrent operating expenses of \$116.8m were \$2.39m greater than budget.

19.3 Annual Financial Statements for Year Ended 30 June 2020 ...(Cont'd)

Significant recurrent items that varied from budget were:

- Fees and Charges Revenue (\$2.14m) unfavourable
- Operating Grant Revenue \$0.61m favourable
- Investment Revenue (\$1.11m) unfavourable
- Interest Revenue (\$0.59m) unfavourable
- Other Revenue \$0.68m favourable
- Materials and Services Expenses (\$0.46m) unfavourable
- Change in Provision for Waste Cell Rehabilitation (\$2.84m) unfavourable
- Remissions and Abatements including COVID remissions (\$2.34m) unfavourable
- Scheduled Loss on Disposal of fixed assets (\$0.8m) unfavourable

The Council remains in a strong financial position despite the underlying deficit of \$7.21m. The Long Term Financial Plan for the Council is being regularly updated to model the ongoing impact of the pandemic on the Council's financial position and the decisions required to return the Council to small surpluses as well as restoring the Council's cash position.

Operating Summary

	Actual	Budget	Variance
	\$'000	\$'000	\$'000
Revenue	109,606	111,771	(2,165)
Less Expenses	<u>116,822</u>	<u>114,431</u>	<u>(2,391)</u>
Underlying Surplus/(Deficit)	(7,216)	(2,660)	(4,556)
Add			
Capital Grants	34,977	2,834	32,143
Bequests	134	188	(54)
Less			
Finance Assistance Grants 2018/2019	(2,261)	-	(2,261)
Finance Assistance Grants for 2017/2018 paid in June 2017	2,235	-	2,235
Unscheduled Loss on Disposal of Fixed Assets	(12,079)	-	(12,079)
Organisational Restructure Redundancies	(1,381)	-	(1,381)
COVID-19 pandemic costs	(3,581)	-	(3,581)
Surplus/(Deficit)	10,827	362	10,466
Other Adjustments	(14,846)	-	(14,846)
Comprehensive Result	(4,019)	362	4,381

Capital Result

The following figures summarise the 2019/2020 Capital Program:

19.3 Annual Financial Statements for Year Ended 30 June 2020 ...(Cont'd)

	Total \$'m
Assets Capitalised in 2019/2020	58.6
2019/2020 Capital Spending	34.7
Gross Capital Budget Carried Over to 2020/2021	30.6
Actual Spending Carried Over to 2020/2021	8.2
Net Capital Budget Carried Over to 2020/2021	22.4

- The Council's balance sheet continues to be in accordance with the current and long term budgets after factoring in the forecast impact of the COVID-19 pandemic.
- Loan balances are in accordance with the budgeted loan balance.
- Cash balances remain in accordance with long term strategy and are consistent with budget project requirements after factoring in the forecast impact of the COVID-19 pandemic.
- The Council's balance sheet continues to be in a sound position.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

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

19.3 Annual Financial Statements for Year Ended 30 June 2020 ...(Cont'd)

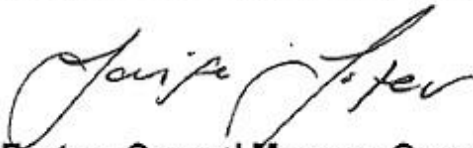
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

ATTACHMENTS:

1. Independent Auditor's Report for the year ending 30 June 2020 (ECM Document Set ID 4427401) (*electronically distributed*)
 2. City of Launceston Audited Financial Statements - Year Ended 30 June 2020 (ECM Document Set ID 4424328) (*electronically distributed*)
-

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS**20.1 Attendance at LGAT One Day Conference 2020 *Reconnection* - Councillor Andrea Dawkins****FILE NO:** SF0121**CHIEF EXECUTIVE OFFICER:** Michael Stretton

DECISION STATEMENT:

To consider a request from Councillor Andrea Dawkins to attend the LGAT one day conference *Reconnection* in Hobart on 3 December 2020.

RECOMMENDATION:

That Council agrees to Councillor Andrea Dawkins' request to attend the LGAT One Day Conference *Reconnection* in Hobart on 3 December 2020.

REPORT:

Councillor Dawkins has indicated an interest in attending the LGAT *Reconnection* Conference in Hobart on 3 December 2020. Councillor Dawkins has not attended a Conference in the current financial year.

Neither the Mayor nor the Deputy Mayor are available to attend this Conference being that it clashes with Council Workshop and City of Launceston Annual General Meeting.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.1 Attendance at LGAT One Day Conference 2020 *Reconnection* - Councillor Andrea Dawkins ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

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

BUDGET & FINANCIAL ASPECTS:

The costs associated with attendance at this conference are estimated at:

\$275.00 - Registration for Conference Only

which can be accommodated within existing budgets.

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

20.2 Council Meeting Schedule 2021

FILE NO: SF0095

AUTHOR: Anthea Rooney (Council and Committees Officer)

CHIEF EXECUTIVE OFFICER: Michael Stretton

DECISION STATEMENT:

To consider the Council Meeting, Workshop and Annual General Meeting Schedule for 2021.

Pursuant to Regulation 6(1) of the Local Government (Meeting Procedures) Regulations 2015 Recommendation 2. requires an absolute majority of Council.

RECOMMENDATION:

That Council:

1. approves the following Council Meeting, Workshop and Annual General Meeting Schedule for 2021:

DAY	DATE	MEETING	TIME
Council in Recess from 11 December 2020 to 27 January 2021			
JANUARY			
Thursday	28 January	Council	1.00pm
FEBRUARY			
Thursday	4 February	Workshop	9.15am
Thursday	11 February	Council	1.00pm
Thursday	18 February	Workshop	9.15am
Thursday	25 February	Council	1.00pm
MARCH			
Thursday	4 March	Workshop	9.15am
Thursday	11 March	Council	1.00pm
Thursday	18 March	Workshop	9.15am
Thursday	25 March	Council	1.00pm
APRIL			
Thursday	1 April	Workshop	9.15am
Friday 2 April to Tuesday 6 April - PUBLIC HOLIDAYS - Easter			
Thursday	8 April	Council	1.00pm
Thursday	15 April	Workshop	9.15am
Thursday	22 April	Council	1.00pm
Thursday	29 April	Workshop	9.15am
MAY			
Thursday	6 May	Council	1.00pm
Thursday	13 May	Workshop	9.15am
Thursday	20 May	Council	1.00pm
Thursday	27 May	Workshop	9.15am

20.2 Council Meeting Schedule 2021 ...(Cont'd)

DAY	DATE	MEETING	TIME
JUNE			
Thursday	3 June	Council	1.00pm
Thursday	10 June	Workshop	9.15am
Thursday	17 June	Council	1.00pm
Thursday	24 June	Workshop	9.15am
JULY			
Thursday	1 July	Council	1.00pm
Thursday	8 July	Workshop	9.15am
Thursday	15 July	Council	1.00pm
Thursday	22 July	Workshop	9.15am
Thursday	29 July	Council	1.00pm
AUGUST			
Thursday	5 August	Workshop	9.15am
Thursday	12 August	Council	1.00pm
Thursday	19 August	Workshop	9.15am
Thursday	26 August	Council	1.00pm
SEPTEMBER			
Thursday	2 September	Workshop	9.15am
Thursday	9 September	Council	1.00pm
Thursday	16 September	Workshop	9.15am
Thursday	23 September	Council	1.00pm
Thursday	30 September	Workshop	9.15am
OCTOBER			
Wednesday	6 October	Council	1.00pm
7 October - PUBLIC HOLIDAY - Launceston Show Day			
Thursday	14 October	Workshop	9.15am
Thursday	21 October	Council	1.00pm
Thursday	28 October	Workshop	9.15am
NOVEMBER			
Thursday	4 November	Council	1.00pm
Thursday	11 November	Workshop	9.15am
Thursday	18 November	Council	1.00pm
Thursday	25 November	Workshop	9.15am
DECEMBER			
Thursday	2 December	Council	1.00pm
Thursday	2 December	Annual General Meeting	5.30pm
Thursday	9 December	Workshop	9.15am
Thursday	16 December	Council	1.00pm

- pursuant to regulation 6(1) of the *Local Government (Meeting Procedures) Regulations 2015*, determines by absolute majority that the start time of Council Meetings is 1.00pm.

20.2 Council Meeting Schedule 2021 ...(Cont'd)

3. notes that the Council Meeting Schedule for 2021 has been prepared in keeping with the Council Meetings Policy (Frequency and Commencement Time) 14-Plx-001, with the exception of the Council Meeting to be held on 6 October 2021 as discussed at the Workshop on 22 October 2020.
-

REPORT:

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

The proposed Council Meeting Schedule for 2021 was discussed at a Council Workshop on 22 October 2020.

Councillors are asked to note that the Council Meetings Policy (Frequency and Commencement Time) 14-Plx-001 says that:

2. *Subsequent Council Meetings will be held on alternate Thursdays. If the Council Meeting falls on a Thursday that is a public holiday, the Council Meeting is held on the following Thursday and alternate Thursdays after that.*

At the Workshop on 22 October 2020, it was agreed that the Council Meeting that would have fallen on the public holiday for Launceston Show Day, Thursday, 7 October 2020 be held on Wednesday, 6 October 2020 to allow for a Council Meeting in that fortnight.

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

20.2 Council Meeting Schedule 2021 ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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Focus Areas:

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

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

No Closed Items have been identified as part of this Agenda

22 MEETING CLOSURE