



City of
LAUNCESTON

COUNCIL AGENDA

**COUNCIL MEETING
WEDNESDAY 6 OCTOBER 2021
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: 6 October 2021

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.



Leanne Hurst
Acting Chief Executive Officer

AUDIO of COUNCIL MEETINGS

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

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

The following information was provided to members of the public in respect of attendance at the Council Meeting.

PUBLIC ATTENDANCE AT THE COUNCIL MEETING

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. Members of the public will be required to check in on arrival via the *Check In Tas App* as per the Direction Under Section 16 - Contact Tracing - No. 9 - *Public Health Act 1997*.

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 attending 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.

19 January 2021

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 dates for 2021:

28 January	11 February	25 February	11 March
25 March	8 April	22 April	6 May
20 May	3 June	17 June	1 July
15 July	29 July	12 August	26 August
9 September	23 September	6 October	21 October
4 November	18 November	2 December	16 December

commencing at 1.00pm in the City of Launceston Council Chambers, Town Hall, St John Street, Launceston.

Yours sincerely



Councillor A M van Zetten
MAYOR

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1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

2 MAYORAL ACKNOWLEDGEMENTS

3 DECLARATIONS OF INTEREST

Local Government Act 1993 (Tas) - 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 23 September 2021 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 (Tas) - sections 57 and 58

No Petitions have been identified as part of this Agenda

7 COMMUNITY REPORTS

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

7.1 Mr Jeremy Torr (Festival Director) - Tasmanian Storytelling Festival

Mr Torr will provide Council with a report covering the outcomes and benefits of this year's Festival, including lead up, funding and support and feedback from attendees. The report will also outline opportunities, improvements and ongoing plans for the 2022 Festival.

8 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

8.1 Public Questions on Notice

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

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

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021

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 23 September 2021 by Mr Robin Smith, have been answered by Mr Michael Stretton (Chief Executive Officer).

Questions:

1. What documents were used to come to the decision to relocate the bus interchange from St John Street to Dechaineux Way?

Response:

In late 2017, the Council engaged GHD to undertake a technical feasibility assessment of relocating the existing Launceston Central Bus Interchange from St John Street (between York Street and Brisbane Street) to 12 potential locations around Launceston.

In December 2017, GHD released its final report entitled, Launceston Central Bus Interchange Options Technical Feasibility Assessment, which is available on the Council's website. This report documented the potential issues associated with the bus stop relocation including a review of the operational feasibility of each option, the resulting transport impacts and the design considerations required to achieve a workable solution.

The following options were investigated (shown in Figure 1):

1. St John Street North	7. Cameron Street East
2. Paterson Street Central	8. Cameron Street West
3. Paterson Street East	9. Charles Street North B
4. Charles Street North A	10. Paterson Street West
5. Brisbane Street West	11. Kingsway Northbound
6. Dechaineux Way	12. Kingsway Southbound

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

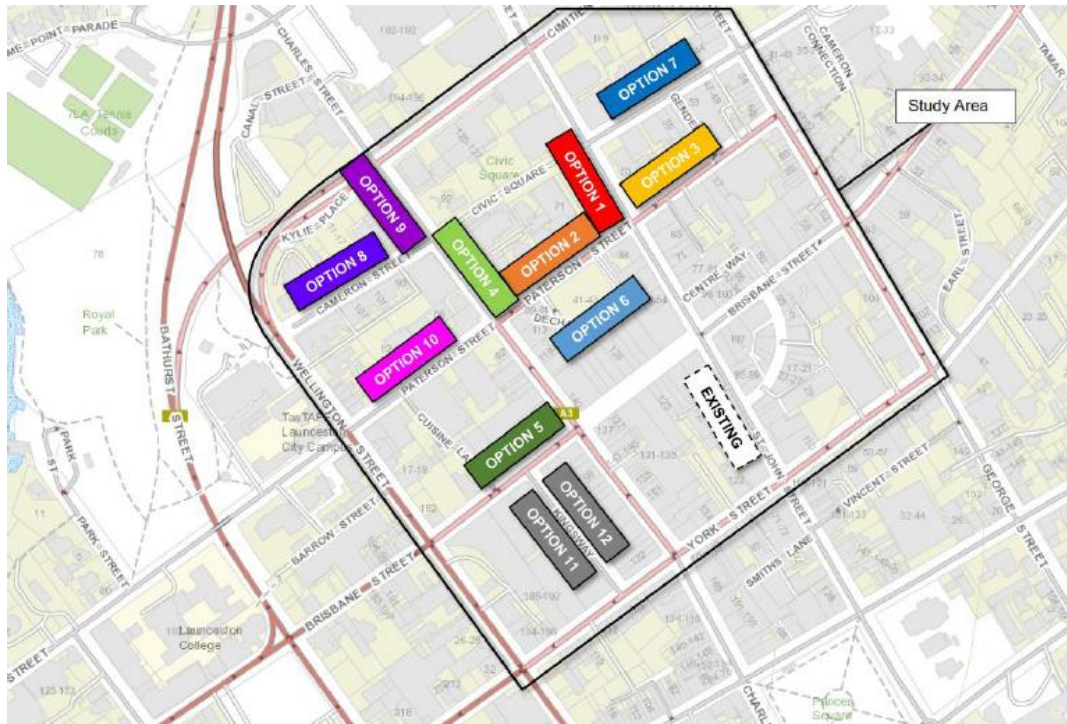


Figure 1: Bus Interchange Location Options

Outside of these 12 options, all other potential locations within the Launceston City Heart boundaries were eliminated on the basis of gradient, accessibility, road use or function and/or active street frontages. It should be noted, however, that while Dechaineux Way was considered in the assessment, the Paterson Street Central (Myer) Carpark was not because it is not currently a publicly owned asset.

Each of the options were assessed in detail with respect to the following key constraints and criteria:

- **Roadway cross section** - The physical dimensions of the road including footpaths, parking bays, traffic lanes and other infrastructure.
- **Operating space** - The ability for buses to physically manoeuvre into and out of bus stops, and around parked buses.
- **Accessibility** - Primarily relating to access for people with disabilities including gradients and proximity to key demand generators.
- **Impacts on bus routing** - Any change to existing bus routes and potential impacts to travel times.
- **Impacts on dead running services and circulation** - Circulation for dead running services introduces additional operating costs, which should be minimised as far as practicable.
- **Impacts on network operation** - Includes a rough overview of intersection delays.

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

- **Impacts on road safety** - Includes a review of safety hazards associated with each option.
- **Impacts on other operators** - Includes impacts on other operators such as regional services and the Tiger Bus.
- **Impacts on parking** - On-street car parking is affected for all options, however the amount of parking required to be removed depends on a range of factors.

Based on the investigations, GHD concluded that the shaded areas in Figure 2 were not appropriate for further consideration due to unsuitable gradient, accessibility, road use or function, and/or active street frontages.

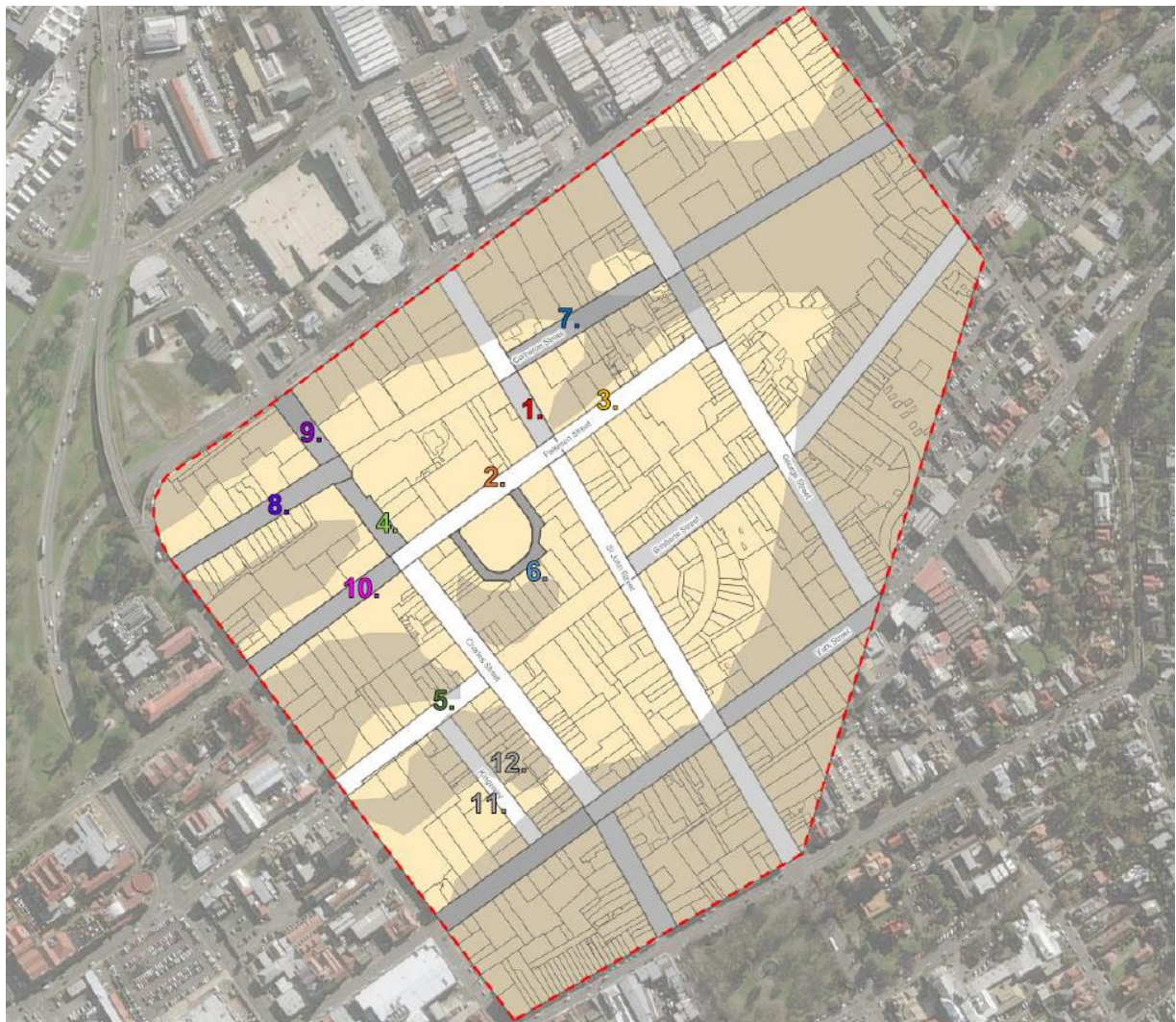


Figure 2: Suitability of Options

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

For each option, a rating has been assigned against the relevant constraints and criteria.

✓	○	Can comply with minimum requirements
	○	Nil or minor impacts only
-	○	Could be feasible subject to relaxation of design standards
	○	Moderate impacts only
×	○	Option not feasible
	○	Major impacts which may be prohibitive for the option

The ratings are broadly described as follows:

Option		Technical Feasibility			Overall Traffic and Safety Impacts					
		Roadway Cross Section	Operating Space	Accessibility	Bus Routing	Dead Running Services	Intersection Operation	Road Safety	Parking	Other Bus Operators
1	St John Street North	✓	×	✓	✓	-	×	×	×	×
2	Paterson Street Central	✓	✓	✓	✓	-	-	-	-	✓
3	Paterson Street East	✓	✓	✓	-	✓	-	✓	✓	✓
4	Charles Street North A	-	-	-	-	×	×	×	×	✓
5	Brisbane Street West	✓	✓	✓	-	×	✓	-	-	×
6	Dechaineux Way	-	×	✓	✓	-	✓	×	×	✓
7	Cameron Street East	-	-	✓	-	-	✓	✓	×	-
8	Cameron Street West	✓	-	×	✓	×	-	×	-	✓
9	Charles Street North B	✓	-	×	✓	×	✓	-	-	✓
10	Paterson Street West	×	-	-	-	×	✓	-	×	✓
11	Kingsway Northbound	✓	✓	-	×	✓	-	✓	×	×
12	Kingsway Southbound	✓	✓	-	✓	×	✓	-	×	✓

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

Only three options were found to comply with the minimum design standards and are not considered to result in major detrimental impacts:

- 1. Paterson Street Central (option 2)*
- 2. Paterson Street East (option 3)*
- 3. Brisbane Street West (option 5)*

Of these three options, the two Paterson Street options were found to be the most compliant sites in terms of both technical feasibility and the overall traffic and safety impacts. The Brisbane Street option was ruled out because it was deemed that it would not be acceptable to Metro given the dead running service and the lack of capability for accommodating other bus operators.

The GHD assessment quite rightfully focused on the technical, traffic and safety impacts of a re-located bus interchange, however, it could not assess the community and/or political implications of their recommendations. Whilst these sites are technically compliant and suitable to house a bus interchange, they pose significant community and political issues. The Paterson Street Central option is located immediately adjacent a church and child care business, both of whom advised the Council that they would strongly oppose any proposal to re-locate the bus interchange onto this site. Similarly, the Paterson Street East option is located immediately adjacent the State Government Office building who were equally emphatic that they would strongly oppose any proposal to relocate the bus interchange onto this site.

Following completion on the GHD review, it was clear that none of the options considered in the assessment could achieve community support and in actual fact, would cause acrimony and resistance within the community. This caused the Council to re-consider its options and it became apparent that the Paterson Street Central (Myer) Carpark would deliver the same attributes as the two identified Paterson Street options in terms of both technical feasibility and the overall traffic and safety impacts, and would not present any significant issues in terms of compatibility with adjacent businesses.

The appropriateness of the Paterson Street Carpark for locating the bus interchange is demonstrated by considering the assessment of option 2 (Paterson Street Central) which was examined by GHD which is reproduced in part below:

...Location and Bus Routing

Option 2 is located at Paterson Street Central, between Charles Street and St John Street, adjacent to the existing Pilgrim Uniting Church and opposite the public car park at Dechaineux Way. The location is provided in Figure 3.

8.1.1 Public Questions on Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)



Figure 3: Location

Bus routing will be as per the existing situation, with buses turning onto St John Street, to travel either northbound or southbound, from Paterson Street near the Option 2 departure points. The Option 2 departure routes are presented in Figure 4.

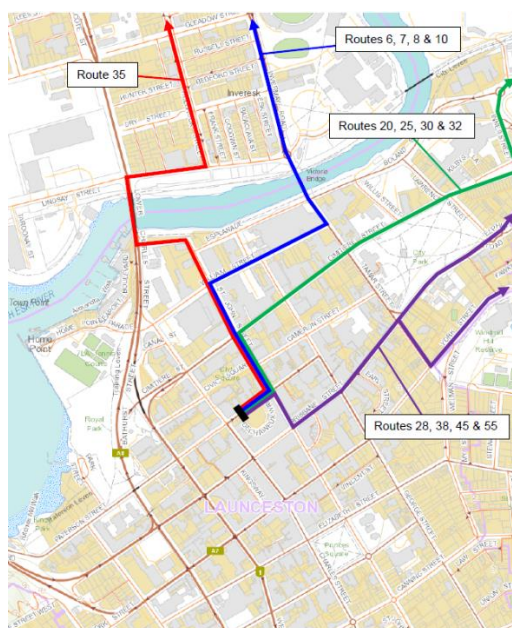


Figure 4: Option 2 Departure Routes

8.1.1 Public Questions On Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

Bus Routing

There are two options for the routing of departing services travelling to the northern suburbs from the proposed bus stops:

- Paterson Street → St John Street → Cimitiere Street or William Street
- Paterson Street → George Street → Cimitiere Street or William Street

The use of St John Street is preferred due to Metro Route 35 (Invermay-Mowbray-Ravenswood Loop) utilising Holbrook Street. In both cases, the intersections of Paterson Street/St John Street and/or Paterson Street/George Street will likely require kerb-line adjustments and other minor modifications to accommodate the swept path of left-turning buses without encroachment into the oncoming traffic lane.

Dead Running Services

The relocation of departure points for northern suburbs services from St John Street to Paterson Street, between Charles Street and St John Street, will result in additional circulation for dead running services traveling to the departure points. Buses would be required to divert via York Street and Charles Street rather than simply turning from York Street directly into St John Street.

The proposed circulation route is presented in Figure 5.



Figure 5: Proposed Circulation Routes

8.1.1 Public Questions On Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

Road Safety

Vehicles are currently required to reverse out of the laneway at 34 Paterson Street (Pilgrim Uniting Church). This laneway is located a short distance in front of the proposed bus stop at Paterson Street West. A stopped bus at this location would severely restrict sight distances for vehicles reversing out onto Paterson Street. No other road safety issues were identified that are specific to the Paterson Street Central option.

Tiger Bus

No impacts to the Tiger Bus service are anticipated as a result of the Paterson Street Central option.

Accessibility

The proposed Paterson Street Central option is located approximately 200 metres walking distance from the CBD centroid as shown in Figure 17. This represents a minor increase compared to the existing location approximately 100 metres from the CBD centroid.

The average gradient at Paterson Street Central is less than 2.5% and is, therefore, considered suitable for public transport accessibility.

Therefore, it is clear that the Paterson Street Central (Myer) Carpark site is the preferred location on which to re-locate the bus interchange from St John Street.

2. By changing the bus stops from St John Street to Dechaineux Way a complicated street pattern occurs. This issue supposed to be eliminated by the City Heart Stage 2 project. Can arrangements regarding this move be clarified?

Response:

The final determination of traffic directions in and around the Launceston CBD are still the subject of the consultation process as part of the City Heart - Stage 2 and are yet to be finalised.

8.1.1 Public Questions On Notice - Mr Robin Smith - Council Meeting - 23 September 2021 ...(Cont'd)

3. Anti-Social Behaviour is given as the reason for relocating the bus stops from St John Street. What considerations were given to the lack of observation for that Dechaineaux Way bus stop?

Response:

A new purpose built bus interchange within the Launceston CBD would serve to create a safer, more desirable public transport experience, which would grow public transport usage from its current low base of around 2%. Similar experiences elsewhere in the world, such as the Christchurch Bus Interchange development in New Zealand, has seen public transport usage in that City grow from a base of 2% to its current level of around 6%.

While the design of the bus interchange has not been finalised at this stage, it is intended that it would be co-located with businesses on the Paterson Street site and would be a very permeable building to facilitate easy access and passive surveillance throughout. The design of the bus interchange will be the subject of further public consultation in due course.

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 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling

FILE NO: DA0422/2021

AUTHOR: Duncan Payton (Town Planner)

ACTING GENERAL MANAGER: David Mullenger (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:	Peter Alister Nicholas and Dianne Day
Property:	5 Welman Street, Launceston
Zoning:	Inner Residential
Receipt Date:	2/08/2021
Validity Date:	13/08/2021
Further Information Request:	18/08/2021
Further Information Received:	24/08/2021
Deemed Approval (extension granted):	20/10/2021
Representations:	Six

STANDARDS REQUIRING COUNCIL DISCRETION

11.4.22 Earthworks and retaining walls
E13.6.1 Demolition
E13.6.4 Site coverage
E13.6.5 Height and bulk of buildings
E13.6.8 Roof form and materials
E13.6.9 Wall materials

9.1 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling ...(Cont'd)

RECOMMENDATION:

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0422/2021 - Residential - construction of alterations and additions to a heritage dwelling at 5 Welman 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. Cover Sheet, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A00, dated 17/06/2021.
 - b. Proposed Site Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A01, dated 17/06/2021.
 - c. Proposed Basement and Ground Floor Plans, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision C, page A02, dated 20/08/2021.
 - d. Proposed First Floor Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A03, dated 17/06/2021
 - e. Proposed Roof Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A04, dated 17/06/2021.
 - f. Proposed Elevations 01, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A05, dated 17/06/2021.
 - g. Proposed Elevations 02, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page A06, dated 17/06/2021.
 - h. Proposed Interior Elevation 01, prepared by David Denman + Associates, upgrade of existing residence for visitor accommodation at 643 Glen Esk Road, Conara, revision B, page A07, dated 17/06/2021 - Amended plan required.
 - i. Proposed Interior Elevation 02, prepared by David Denman + Associates, upgrade of existing residence for visitor accommodation at 643 Glen Esk Road, Conara, revision B, page A08, dated 17/06/2021 - Amended plan required.
 - j. Proposed Interior Elevation 03, prepared by David Denman + Associates, upgrade of existing residence for visitor accommodation at 643 Glen Esk Road, Conara, revision B, page A09, dated 17/06/2021 - Amended plan required.
 - k. Proposed Interior Elevation 04, prepared by David Denman + Associates, upgrade of existing residence for visitor accommodation at 643 Glen Esk Road, Conara, revision B, page A10, dated 17/06/2021 - Amended plan required.
 - l. Existing Site Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page EC01, dated 17/06/2021.
 - m. Existing Basement Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page EC02, dated 17/06/2021.
 - n. Existing First Floor Plan, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page EC03, dated 17/06/2021.
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9.1 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling ...(Cont'd)

- o. Existing Elevations, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page EC04, dated 17/06/2021.
- p. Existing Elevations, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision B, page EC05, dated 17/06/2021.
- q. Proposed Elevation 01, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision C, page A05, dated 20/08/2021.
- r. Proposed Elevation 02, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision C, page A06, dated 20/08/2021.
- s. Proposed Elevation 03, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision A, page A07, dated 20/08/2021.
- t. Demolition Basement and Ground Floor, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision A, page A12, dated 20/08/2021.
- u. Demolition First Floor and Roof, prepared by David Denman + Associates, alterations and additions at 5 Welman Street, Launceston, revision A, page A13, dated 20/08/2021.

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 Plan Required* and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show corrected title blocks.

Amended plans should include identification information such as updated revision numbers, revision date and revision description. The changes are to be highlighted in red clouds or a format agreed with the Planning Officer.

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council's *Notice of Heritage Decision* for THC Works Reference No. 6659, dated 24 September 2021 and attached to the permit.

9.1 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling ...(Cont'd)

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 Infrastructure and Engineering 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. 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. 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.

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10. 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.

11. 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.

12. 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 DA0422/2021. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning staff can be contacted on 6323 3000.

This permit takes effect after:

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

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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.

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. No Approval for Alterations to Driveway Crossover

No approval to install a new, or alter an existing, driveway crossover in any way has been granted or is implied by the issue of this Planning Permit.

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REPORT:**1. THE PROPOSAL**

The proposal seeks to replace the existing 15m² rear extension, described as an orangery, with a new 35m² orangery (total roofed footprint of some 50m²) and to undertake internal alterations and additions to:

- provide a rumpus/bed room, bathroom and cellar at the basement level;
- alter the configuration of rooms at the ground floor to provide for a master bedroom with walk-in robe and ensuite;
- enclose some door and wall openings and create new doorway at the ground floor; and
- install six skylight windows on the eastern side of the roof.

Relevantly, a single dwelling is a no permit required use class within the Inner Residential zone. The application is required as the proposal includes a retaining wall greater than 600mm within 900mm of a boundary and as the site is contained on both the local and State heritage lists and the Local Historic Cultural Heritage Code (clause E13 of the scheme) applies.

Approval of the Tasmanian Heritage Council (THC) is also required and their consent is included with the recommended permit conditions.

2. LOCATION AND NEIGHBOURHOOD CHARACTER

The subject site is an irregularly shaped residential lot of 718m². It is located between Welman Street, to the west and My Street to the east. The land falls some 12.5m from My Street to Welman Street, with an average gradient of 22%.

The site contains a heritage listed dwelling, and is one of a row of similarly listed dwellings constructed by James Bennell around 1860. The surrounding area is dominated by substantial dwellings within the Inner Residential Zone.

The Local Historic Cultural Heritage Code is the only code relevant to the proposal.

The Windmill Hill reserve is some 40m to the north of the site.

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3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

11.0 Inner Residential Zone

11.1.1 Zone Purpose Statements

11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.

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

11.1.1.3 To allow increased residential densities where it does not significantly affect the existing residential amenity, ensure appropriate location of parking, and maintain vehicle and pedestrian traffic safety.

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

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

Consistent

Relevantly, a single dwelling is a no permit required use class within the Inner Residential zone.

The proposed alterations and additions to the existing heritage listed dwelling are to improve its functionality and liveability for the current residents and is consistent with the zone purpose to maintain and develop residential uses.

11.4 Development Standards

11.4.1 Setback from a frontage for single dwellings

Objective:

To ensure that the setback from frontages:

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

Consistent

The proposal is for internal works and the construction of a new orangery to replace the existing rear extension and complies with the acceptable solution.

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

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

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(d) no less than the existing dwelling setback if less than 4.5m.
<p>Complies</p> <p>The proposed external works are at the rear of the existing dwelling and will be some 7.5m from the My Street frontage. It is noted that there is an existing brick outbuilding built to the My Street frontage and for most of its width. The proposed extension to the dwelling is setback some 4.1m from this outbuilding.</p> <p>There is no change to the existing setback of the dwelling from Welman Street of some 31m. It is noted that there is an existing single garage built to the Welman Street frontage.</p>

11.4.2 Site coverage and rear setback for single dwellings

<p>Objective:</p> <p>To ensure that the location and extent of building site coverage:</p> <ul style="list-style-type: none"> (a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; (b) assists with the management of stormwater; (c) provides for setback from the rear boundary; and (d) has regard to streetscape qualities.
<p>Consistent</p> <p>The proposal complies with the applicable acceptable solution.</p>
<p>A1 A site coverage of no more than 50% excluding building eaves and access strips where less than 7.5m wide.</p>
<p>Complies</p> <p>The site coverage will be some 250m² or 35% of the 718m² lot.</p>

11.4.3 Building envelope for single dwellings

<p>Objective:</p> <p>To ensure that the siting and scale of single dwellings:</p> <ul style="list-style-type: none"> (a) allows for flexibility in design to meet contemporary dwelling requirements; (b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and (c) has regard to streetscape qualities.
<p>Consistent</p> <p>The proposal meets the relevant acceptable solutions.</p>
<p>A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:</p> <ul style="list-style-type: none"> (a) determined by a setback of no less than 3m from side boundaries and no less than 4m from the rear boundary and a building height of no more than 5.5m; or (b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to a building height of no more than 8.5m above natural ground level (see Figures 11.4.3 A and 11.4.3 B); and walls are setback: <ul style="list-style-type: none"> (i) no less than 1.5m from a side boundary; or

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- (ii) less than 1.5m, provided the wall is built against an existing boundary wall or the wall or walls have a total length of no greater than 9m or one third of the boundary with the adjacent property, whichever is the lesser.

Complies

Notwithstanding that part of the existing dwelling breaches the prescribed envelope, all of the proposed extension is contained within that envelope.

11.4.5 Privacy for single dwellings

Objective:

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

Consistent

Windows to habitable rooms do not adversely impact the amenity of neighbouring lots and the acceptable solution is met.

A2 Windows of habitable rooms which have a floor level greater than 1m above natural ground level must:

- (a) have a side setback of no less than 3m; or
- (b) be offset no less than 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or
- (c) have a window sill height of no less than 1.7m.

Complies

The proposed orangery does not have a floor level greater than one metre above natural ground level.

The only new windows proposed to rooms with an elevated floor level are the proposed skylights on the eastern side of the roof. These do not have any potential to overlook adjacent properties and have a sill height greater than 1.7m above the floor as required by A2(c).

11.4.6 Frontage fences for single dwellings

Objective:

To ensure that the height and design of frontage fences:

- (a) provides adequate privacy and security for residents while allowing for mutual passive surveillance of the road and dwelling; and
- (b) enhances streetscapes.

Consistent

No changes to the frontage fences are proposed.

11.4.22 Earthworks and retaining walls

Objective:

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

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<p>Consistent Relatively minor excavation is required in proximity to the side boundary and the proposal complies with the relevant performance criteria.</p>
<p>A1 Earthworks and retaining walls requiring cut or fill more than 600mm below or above existing ground level must:</p> <ul style="list-style-type: none"> (a) be located no less than 900mm from each lot boundary; (b) be no higher than 1m (including the height of any batters) above existing ground level; (c) not require cut or fill more than 1m below or above existing ground level; (d) not concentrate the flow of surface water onto an adjoining lot; and (e) be located no less than 1m from any registered easement, sewer main or water main or stormwater drain.
<p>Relies on Performance Criteria The proposal includes an 800mm high retaining wall of approximately one metre behind the proposed orangery to provide a level building area and surround. Performance criteria are relied upon as this retaining wall comes to the side boundary at its northern end.</p>
<p>P1 Earthworks and retaining walls must be designed and located so as not to have an unreasonable impact on the amenity of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the appearance, scale and extent of the works; (c) overlooking and overshadowing of adjoining lots; (d) the type of construction of the works; (e) the need for the works; (f) any impact on adjoining structures; (g) the management of groundwater and stormwater; and (h) the potential for loss of topsoil or soil erosion.
<p>Complies The proposed retaining wall involves a cut of 945mm and lowers the finished ground surface by up to 800mm.</p> <ul style="list-style-type: none"> (a) As the site slopes up from the dwelling to the existing outbuilding on the My Street frontage, it is necessary to provide a level surface for the proposed orangery and surrounding paving. (b) The appearance, scale and extent of the works is not increased as a result of the proposed excavation. (c) The proposed minor excavation lowers the proposed orangery by some 800mm and does not result in increased overlooking or overshadowing. (d) The retaining wall construction will be in concrete blockwork. (e) The excavation is considered necessary to avoid steps up to the resulting floor level of the orangery without the excavation. (f) There will be no impact on adjoining structures as a result of the excavation for the retaining wall.

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- (g) Appropriate drainage will be included behind the proposed retaining wall.
- (h) A standard condition relating to erosion control is proposed.

It is noted that the proposal also includes some internal excavation for the purpose of underpinning and the construction of the proposed cellar at the basement level. This will have no off-site impact. It is considered that the performance criteria are satisfied.

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 site currently includes a single garage on the Welman Street frontage. The proposal does not alter the requirement for, or provision of, car parking on the site and further consideration of this code is not warranted.

E13.0 Local Historic Cultural Heritage Code

E13.1 The purpose of this provision is to:

- (a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;
- (b) encourage and facilitate the continued use of these places;
- (c) encourage the maintenance and retention of buildings and places of assessed historic cultural heritage significance; and
- (d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.

Consistent

The proposed internal works, removal of a previous rear extension and construction of an orangery is consistent with the purpose of the code to encourage and facilitate the continued use of the dwelling and to ensure that development is undertaken in a sympathetic manner that does not detract from the historic cultural heritage significance of the place and its setting.

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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 proposal includes the demolition of a previous rear extension to make way for the proposed orangery and satisfies the relevant performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria 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: (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>
<p>Complies (a) The dwelling is in good physical condition. (b) The proposed demolition of the existing rear extension is to provide for the proposed orangery, the condition of this previous extension is not relevant. (c) There is no impact on the safety of the dwelling. (d) The removal of the previous extension will not be readily visible in the streetscape and does not adversely impact upon the setting - relevantly, a row of Bennell houses - in which the dwelling is located. (e) The existing extension does not relevantly contribute to the cultural heritage values of the place. (f) The proposed new orangery is required to facilitate the continued use of the dwelling by the current residents. (g) Deterioration of the previous extension is not a relevant factor in its removal. (h) Whilst there are always alternatives, the demolition of the previous extension to provide for the proposed orangery is to address the reasonable expectations of the residents for modern day residential amenity and thus secure the long term future of the dwelling. (e) There are no relevant economic considerations.</p>

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Having regard to the above, the demolition of the existing rear extension is not considered to have an unreasonable impact on the historic cultural heritage significance of the dwelling or its setting. The performance criteria are considered to be satisfied.

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 The proposal results in only a minor increase in the site coverage, remains compatible with other properties in the area and complies with the relevant performance criteria.</p>
<p>A1 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<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</p> <ul style="list-style-type: none"> (a) The site slopes from My Street to Welman Street, with a fall of some 12.5m at an average gradient of 22% and results in the need for a cut of less than one metre at the rear of the dwelling to provide for the proposed orangery. (b) The small increase in site coverage of around 50m² does not impact upon the cultural heritage values of the local heritage place or its setting. (c) The proposed development results in a site coverage of around 35%, which is compatible with other properties in the area and those in the row of Bennell houses. (d) The proposed extension to the existing single dwelling on this lot does not alter the surrounding pattern of development, which is for lots to contain a single dwelling. <p>Having regard to the above, the site coverage is considered to be compatible with the historic cultural heritage significance of the local heritage place and its setting and the performance criteria are considered to be satisfied.</p>

E13.6.5 Height and bulk of buildings

<p>Objective: To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.</p>
<p>Consistent The proposed rear extension to the existing three level building is considered to be consistent with the dwelling, its setting and the applicable performance criteria.</p>
<p>A1 No acceptable solution.</p>

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Relies on Performance Criteria

P1 The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:

- (a) the cultural heritage values of the local heritage place and setting;
- (b) the character and appearance of the existing building or place;
- (c) the height and bulk of other buildings in the surrounding area;
- (d) the historic cultural heritage significance of adjacent places; and
- (e) the streetscape.

Complies

- (a) The proposed extension is compatible in height and bulk with extensions on other Bennell buildings within the row and does not adversely impact upon the cultural heritage values of the building as one of a row of dwellings designed and constructed by Bennell around 1860. Noting that all of these dwellings have been altered to a greater or lesser extent over the ensuing years.
- (b) The building continues to present as an historic dwelling and the proposed alterations and additions will serve to promote its continued use and presentation as such.
- (c) The existing dwelling and the proposed orangery are of a compatible height and bulk with the other Bennell dwellings in the row and with many of the surrounding dwellings in the area.
- (d) There will be no impact upon the historic cultural heritage significance of other buildings in the surrounding area by the proposed alterations and additions that will be largely unseen from off-site, other than from the immediately adjoining properties.
- (e) The dwelling presents a brick outbuilding to most of its My Street frontage and the proposed alterations and additions will have no impact upon the streetscape.

Having regard to the above, it is considered that the performance criteria have been met and that the height and bulk of the proposed orangery is compatible with the historic cultural heritage significance of the place and its setting.

E13.6.8 Roof form and materials

Objective:

To ensure that roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The row of Bennell houses contain a consistent roof form for the main buildings, with a variety of forms for later rear additions. Individually the roof materials have also changed over the years from the original timber shingles to a majority of corrugated iron, with grey shingle on the subject dwelling. The proposal complies with the performance criteria.

A1 No acceptable solution.

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Relies on Performance Criteria

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.

Complies

- (a) The cultural heritage value of the building, as one of a row of dwellings designed and constructed by Bennell around 1860, is not diminished by the proposed orangery with its hidden roof form and central gable skylight. It is noted that all of these dwellings have been altered to a greater or lesser extent over the ensuing years and that none retain the existing roof materials - albeit the subject site has retained the shingle form.
- (b) The row of Bennell dwellings were constructed over a number of years in the mid-1800s with roofs of timber shingle. This building material element has not been retained in row or the surrounding area.
- (c) The dominant roofing material in the surrounding area is colorbond, although this has little relevance to the roof of a ground level extension not readily visible from either street frontage.
- (d) The proposed roof form and materials of the orangery will not be readily visible and will have no impact upon the streetscape.

With a total footprint of around 50m, and set lower than the roof of the existing outbuilding fronting most of the My Street frontage, the proposed ground floor extension to the dwelling will have a roof form and materials that are compatible with the historic cultural heritage values of the place and its setting. It is relevant that the THC has not required alteration to the proposed form or materials. The performance criteria are considered to be met.

E13.6.9 Wall materials

Objective:

To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.

Consistent

The wall materials proposed are a mix of brick veneer, render and timber framed glazing and are similar to the existing building. The proposal satisfies the performance criteria.

A1 No acceptable solution.

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<p>Relies on Performance Criteria 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: (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>
<p>Complies (a) The cultural heritage values of the building relate to being one of a row of dwellings designed and constructed by Bennell around 1860. Noting that all of these dwellings have been altered to a greater or lesser extent over the ensuing years. (b) The design period was the mid-1800s and the dominant materials contained stone foundations, brick walls and timber framed glazing. The proposed materials are compatible with these. (c) The dominant wall materials throughout the row of Bennell dwellings is consistent with the subject site. (d) The proposed orangery will be set behind the existing brick outbuilding fronting most of the My Street frontage and will not be readily visible to the streetscape.</p> <p>The selection of wall materials is considered to be compatible with the existing dwelling and the performance criteria are considered to be satisfied.</p>

4. REFERRALS

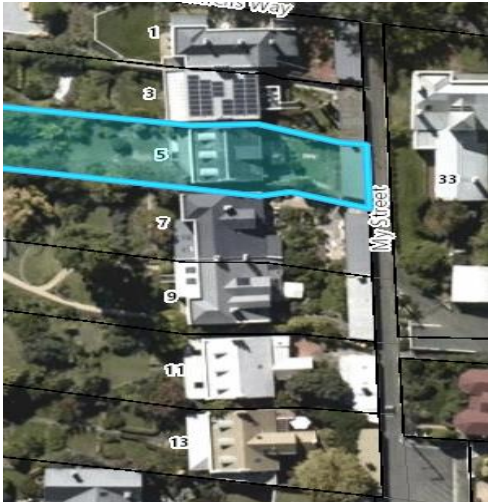
REFERRAL	COMMENTS
	INTERNAL
Infrastructure and Assets	Recommended conditions.
Environmental Health	Recommended conditions.
Heritage/Urban Design	The Council's Place and Heritage Officer has reviewed the proposal and advises that, whilst the proposed alterations and additions - particularly the internal alterations - is subject to assessment and approval by the THC, the proposed new orangery to replace the existing rear extension is consistent with the purpose of the code. The works are at the rear of the building, the proposed orangery presents as a separate structure and is effectively not visible from Welman or My Streets. As such the proposed works are not incompatible with the historic cultural heritage values of the place or its setting.
Building and Plumbing	Standard notes recommended for the permit.

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REFERRAL	COMMENTS
	EXTERNAL
TasWater	N/A
State Growth	N/A
TasFire	N/A
Tas Heritage Council	Notice of Heritage Decision subject to conditions.
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

5. REPRESENTATIONS

Pursuant to section 57 of the *Land Use Planning and Approvals Act 1993*, the application was advertised for a 14 day period from 28 August to 13 September 2021. Six representations were received. The issues raised are summarised in the following table. Whilst the summary attempts to capture the essence of each issue raised it should be read in conjunction with the representations received which are attached to this report.

<p>Issue 1 The addition of an orangery at the rear of the house is not in keeping with the period or the architectural style of this Bennell designed house.</p>
<p><i>Response 1</i> <i>All of the dwellings in this row incorporate various differences, including roof lines, dormers and rear extensions. The proposed new orangery will approximately double the existing orangery, which, whilst larger than that adjoining at 3 Welman Street, has generally the same area as the rear additions at 11 and 13 Welman Street.</i></p>


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Issue 2

To keep the integrity of the home and the area, such additions should not be considered and approved by the planning officers of the Council.

Response 2

The Council's Planning Officers are required to make an assessment of the proposal against the relevant matters of both the planning scheme and any representations received. Approval is granted by Council (acting as a Planning Authority), either at a regular Meeting or through delegation to the Manager City Development.

Notwithstanding this, it is relevant to note that under the State provisions of the new planning scheme, to avoid duplication, heritage consideration of properties contained on the State heritage list (such as the subject site) shall be undertaken solely by the THC. The THC has approved the proposal, subject to conditions, and this approval will be incorporated into the permit if granted.

Issue 3

Any structural changes to the original building's interior should not be allowed when alternatives which don't require permanently changing its historic architectural features can occur.

Response 3

To develop the proposed new orangery at the rear of the building, the existing rear extension structure must be removed. Internally, it is proposed to create a new doorway in the basement to provide for a cellar. On the ground floor, three new door ways are proposed, plus one being widened. These will provide for improved access to the refurbished kitchen, and access between the master bedroom (previously the lounge room) and proposed walk-in robe and hallway accessing the ensuite and a built-in laundry. An existing doorway to the proposed master bedroom will be closed off and the wall between the kitchen and proposed living room (currently dining room) will be reinstated. New skylights are proposed on the eastern side of the roof to provide natural light into the proposed kitchen, ensuite and walk-in robe. Notwithstanding that the local heritage provisions concentrate on external works, the purpose of the code is protect and enhance the local heritage place and to encourage and facilitate its continued use. The proposed works encourage and facilitate the continued use of the dwelling by the current owners. The THC has approved the works subject to conditions.

Issue 4

The design of extensions to heritage listed properties should embrace conservation architecture principles and respect the integrity of the original structure. The proposed design does not, it is too elaborate and of the wrong style.

Response 4

The proposed orangery is a relatively low key structure at the rear of the existing building. Its visibility from off-site, other than the immediate neighbours, is limited and unlikely to be casual. Its respect for the integrity of the original structure is evidenced by its design clearly showing it as an addition rather than an attempt to mimic the original.

9.1 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling ...(Cont'd)

<p>Issue 5 It is a key principle of good heritage architectural practice that, wherever possible, original features in a heritage listed building are retained in-situ.</p>
<p><i>Response 5</i> <i>Whilst an admirable architectural principle, it is not the practice of the planning scheme to regulate the interior design of someone's home.</i></p>
<p>Issue 6 The subject site has only one car parking space on-site and no provision is made to increase this. Some of the plans refer to the upgrading of existing residence for visitor accommodation at 634 Glen Esk Road, Glenara. Existing parking is inadequate for this.</p>
<p><i>Response 6</i> <i>The proposal is not for visitor accommodation and revised plans with corrected title blocks will be required. Whilst the planning scheme would seek the provision of two car parking spaces for the construction of a three bedroom dwelling, the current proposal does not alter the requirement for, or provision of, car parking for the existing dwelling. There is no capacity to require the provision of additional car parking on the site.</i></p>

6. CONCLUSION

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

ECONOMIC IMPACT:

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

ENVIRONMENTAL IMPACT:

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

SOCIAL IMPACT:

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

9.1 DA0422/2021 - 5 Welman Street, Launceston - Residential - Construction of Alterations and Additions to a Heritage Dwelling ...(Cont'd)

STRATEGIC DOCUMENT REFERENCE:

Launceston Interim Planning Scheme 2015.

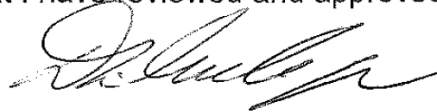
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



David Mullenger: Acting General Manager Community and Place Network

ATTACHMENTS:

1. Locality Map - 5 Welman Street, Launceston (*electronically distributed*)
 2. Plans to be Endorsed - 5 Welman Street, Launceston (*electronically distributed*)
 3. Tasmanian Heritage Council - 5 Welman Street, Launceston (*electronically distributed*)
 4. Representations - 5 Welman Street, Launceston (*electronically distributed*)
-

10 ANNOUNCEMENTS BY THE MAYOR

10.1 Mayor's Announcements

FILE NO: SF2375

Thursday 23 September 2021

- Officiated at *Singfest*

Friday 24 September 2021

- Attended the 30th Anniversary event for *Tasmania Legal Aid*
- Attended the performance of *Midsummer Night's Dream*

Saturday 25 September 2021

- Attended the Northern Championships function for *Football Tasmania*

Tuesday 28 September 2021

- Attended the *Spirit Super Business Excellence Awards* launch

Wednesday 29 September 2021

- Attended *A Not So Traditional Story* by Terrapin Theatre

Thursday 30 September 2021

- Attended the official opening of 13 Dowling Street by *Multicap Tasmania*

Friday 1 October 2021

- Hosted a civic function to welcome delegates to the *Landcare Tasmania* Conference
- Hosted a civic function to celebrate 75th Anniversary of *Launceston Ionian Club*

Saturday 2 October 2021

- Attended the official start of the *Landcare Tasmania* Conference
-

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

Sunday 3 October 2021

- Officiated at the *Run and Walk for your Heart* event held in the UTAS Precinct

Wednesday 6 October 2021

- Attended the opening race meeting for the *Tasmanian Turf Club*
-

11 COUNCILLORS' REPORTS

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

12 QUESTIONS BY COUNCILLORS**12.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

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

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

12.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

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

13 COMMITTEE REPORTS

No Committee Reports have been identified as part of this Agenda

14 COUNCIL WORKSHOPS

Local Government (Meeting Procedures) Regulations 2015 - Regulation 8(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 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshop conducted since the last Council Meeting, for the purposes described:

Workshop conducted on 30 September 2021:

Launceston City Heart - Stage 2 - Consultation

Councillors were provided with an update on the Launceston City Heart - Stage 2 project, in particular, the community consultation outcomes.

eSports Trial - Overview

Councillors were presented with, and discussed, an overview of the e-Sports trial.

Review of the Mobile Vendors Policy

Councillors were provided with an update on the proposed Mobile Vendors Policy.

Community Grants Revitalisation

Councillors provided input in the upcoming community grants program review.

Sale of Council Land

Councillors considered a request to purchase land owned by the Council.

REPORT:

Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* says that the Agenda of an Ordinary Council Meeting is to include the date and purpose of any Council Workshop held since the last Meeting.

14.1 Council Workshop Report ...(Cont'd)

ECONOMIC IMPACT:

Not considered relevant to this report.

ENVIRONMENTAL IMPACT:

Not considered relevant to this report.

SOCIAL IMPACT:

Not considered relevant to this report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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

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

Focus Areas:

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

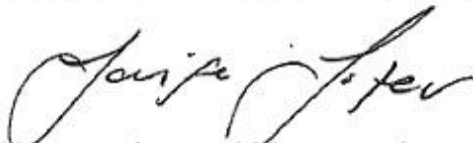
BUDGET & FINANCIAL ASPECTS:

Not considered relevant to this report.

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Louise Foster - General Manager Organisational Services Network

15 NOTICES OF MOTION

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

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

16 COMMUNITY AND PLACE NETWORK ITEMS**16.1 *Ten Days on the Island* - Agreement****FILE NO:** SF3347**GENERAL MANAGER:** Leanne Hurst (Community and Place Network)

DECISION STATEMENT:

To consider a recommendation to enter into a partnership agreement with *Ten Days on the Island*.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 3 June 2021 - *Ten Days on the Island* Partnership Agreement

RECOMMENDATION:

That Council:

1. determines to enter into a multi-year agreement with *Ten Days on the Island* under the following terms:
 - a. A term of four years.
 - b. Sponsorship of \$25,000 per year of the agreement [subject to continued State Government funding for *Ten Days on the Island*].
 - c. Inclusion of a stand-alone weekend in Launceston as part of each *Ten Days on the Island* Festival program.
 - d. Collaboration with cultural institutions, arts and community organisations, artists and communities in Launceston to capitalise on the cultural and creative assets of the city and community.
 - d. Recognition of the contribution of the Council and promotion of Launceston in Festival marketing.
 - e. Provision of a report each year by *Ten Days on the Island* outlining the social, cultural and economic contribution made to Launceston and how the City of Launceston funding was used to support the *Ten Days on the Island* Festival's outcomes.
 2. authorises the Chief Executive Officer to prepare and execute the Agreement on behalf of the Council.
-
-

16.1 Ten Days On The Island - Agreement ...(Cont'd)

REPORT:**Background**

Ten Days on the Island (Ten Days) is a state-wide biennial international arts festival that provides opportunities for Tasmanian artists to present new work in an international program, brings high quality arts experiences to Tasmanians all over the state and helps to build Tasmania's cultural capital. Since 2001, Ten Days has celebrated Tasmania's unique identity and island culture and offered a platform on which to profile Tasmania's innovative, creative and resourceful character.

In its Cultural Strategy for Launceston, Council described its vision for Launceston as a *culturally vibrant community which is an attractive place to establish and grow businesses and to ensure we have events and activities year-round*. The strategic driver for Council is to have a successful city; to make Launceston one of Australia's most liveable and innovative regional cities. The Council supports festivals and events that celebrate, develop and engage the City's communities.

Since its inception in 2001, Ten Days has received financial and other support from the City of Launceston. In recent years Ten Days has been required to seek this support through the Council's Event Sponsorship program.

In July 2020 Ten Days made a presentation to a Workshop of Council which led to the proposal that the Council and Ten Days enter into an agreement. It was agreed that the intent would be to provide surety for the Council that the program of the state-wide Festival presented in Launceston would deliver cultural, social and economic returns on the Council's investment and better resources for Ten Days to contribute to its Festival program for residents of and visitors to Launceston.

The Council has supported the Ten Days in a number of different ways since its inception in 2001 as Tasmania's biennial international arts festival. Previously, sponsorship funding has been provided for individual program performances and the Festival itself has also been supported under both the Major Event and Special Event categories of the Events Sponsorship program. Given the nature and format of the event, it has often proved challenging for the event to fit comfortably within the Council's funding programs.

As a State-wide event, demonstrating the specific benefit to and outcomes for Launceston has been a particular focus of the Festival's board and organisation over recent years. The Festival has successfully changed the format to hold the event over three weekends, with the program focus shifting to a different region for each of those weekends. This has also enabled the development of content that is more context-specific, such as the *Marvelous Corricks* experience at the Princess Theatre at this year's Festival.

16.1 *Ten Days On The Island - Agreement ... (Cont'd)*

Purpose

Ten Days and Council share a mutual interest in:

- providing social benefits to the Launceston and surrounding communities through experience of creative artists and artistic events.
- capitalising on the social, cultural and economic benefits of the arts.
- creating and activating vibrant public spaces.
- stimulating visits to the Council's venues by residents and visitors from outside the City.
- providing opportunities for the community for engagement with international artists.
- collaborating with local partners to produce and present events of high artistic merit.
- enhancing the reputation and profile of the City of Launceston as a centre of arts and culture in Tasmania.

The purpose of the Agreement is to provide a framework for the relationship, to articulate the value that Ten Days brings to Launceston and to clarify the expectations of both parties. Through this Agreement, Ten Days and the Council seek to pursue common interests and achieve shared objectives through the provision of creativity, capacity building, resources and audience access.

By entering into the Agreement with Ten Days, the Council seeks to enhance civic pride, increase community engagement, and promote the City's culturally vibrant community to visitors (intrastate, interstate and international).

The Council also encourages Ten Days to develop and present arts and cultural activities that appeal to a broad audience from throughout the Launceston Municipal Area and utilise and enhance the use of public space and the Council's venues and facilities.

The Agreement

The Council's officers have been working with the Festival's Chief Executive Officer to develop roles and responsibilities under the proposed Agreement and have presented to a Council Workshop on the intent and proposed outcomes. Entering into an Agreement with Ten Days will allow for an approach to sponsorship, content development and delivered outcomes that is more tailored to the format of the Festival than can otherwise be achieved under the current Events Sponsorship Policy. This approach is consistent with the direction of the Cultural Strategy and is an expression of the evolving relationship that the Council has with cultural organisations.

Previously, event sponsorship funding for Ten Days has only been available for the years in which this biennial event is presented. In 2021, the City of Launceston provided sponsorship of \$50,000 to Ten Days. Under the proposed agreement it is intended to allocate the funding contribution across two years, to allow for program development during the non-Festival years. This will provide for better alignment with the Council's desire to see Ten Days working collaboratively with Launceston's cultural organisations to share skills and to develop program content.

16.1 *Ten Days On The Island - Agreement ...*(Cont'd)

It is recommended that Council enter into an Agreement with Ten Days, reflecting the intent as outlined in this report and recommendations and further that the Chief Executive Officer be authorised to finalise the details and execute the agreement on behalf of the Council.

ECONOMIC IMPACT:

Consideration contained in report.

ENVIRONMENTAL IMPACT:

Consideration contained in report.

SOCIAL IMPACT:

Consideration contained in report.

STRATEGIC DOCUMENT REFERENCE:

City of Launceston Corporate Strategic Plan 2014-2024

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.

Focus Areas:

1. To promote and enhance Launceston's rich heritage, culture and natural environment.
2. To continue to offer an attractive network of parks, open spaces and facilities throughout Launceston.
3. To promote and attract national and international events and support the sector to ensure a diverse annual events calendar.
4. To support the central business district (CBD) and commercial areas as activity places during day and night.

BUDGET & FINANCIAL ASPECTS:

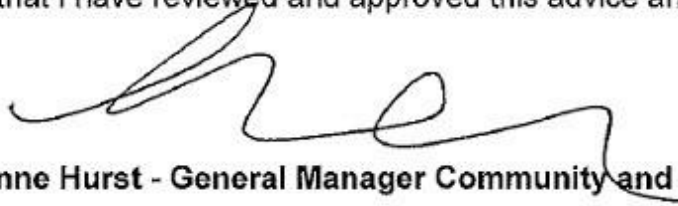
It is proposed that, if approved, year one of the recommended \$25,000 will be allocated from the Events Sponsorship budget and future years will be identified as a separate line item.

16.1 *Ten Days On The Island - Agreement ...*(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

17 CREATIVE ARTS AND CULTURAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

18 INFRASTRUCTURE AND ASSETS NETWORK ITEMS

No Items have been identified as part of this Agenda

19 ORGANISATIONAL SERVICES NETWORK ITEMS

No Items have been identified as part of this Agenda

20 CHIEF EXECUTIVE OFFICER NETWORK ITEMS

No Items have been identified as part of this Agenda

21 CLOSED COUNCIL

No Closed Items have been identified as part of this Agenda

22 MEETING CLOSURE
