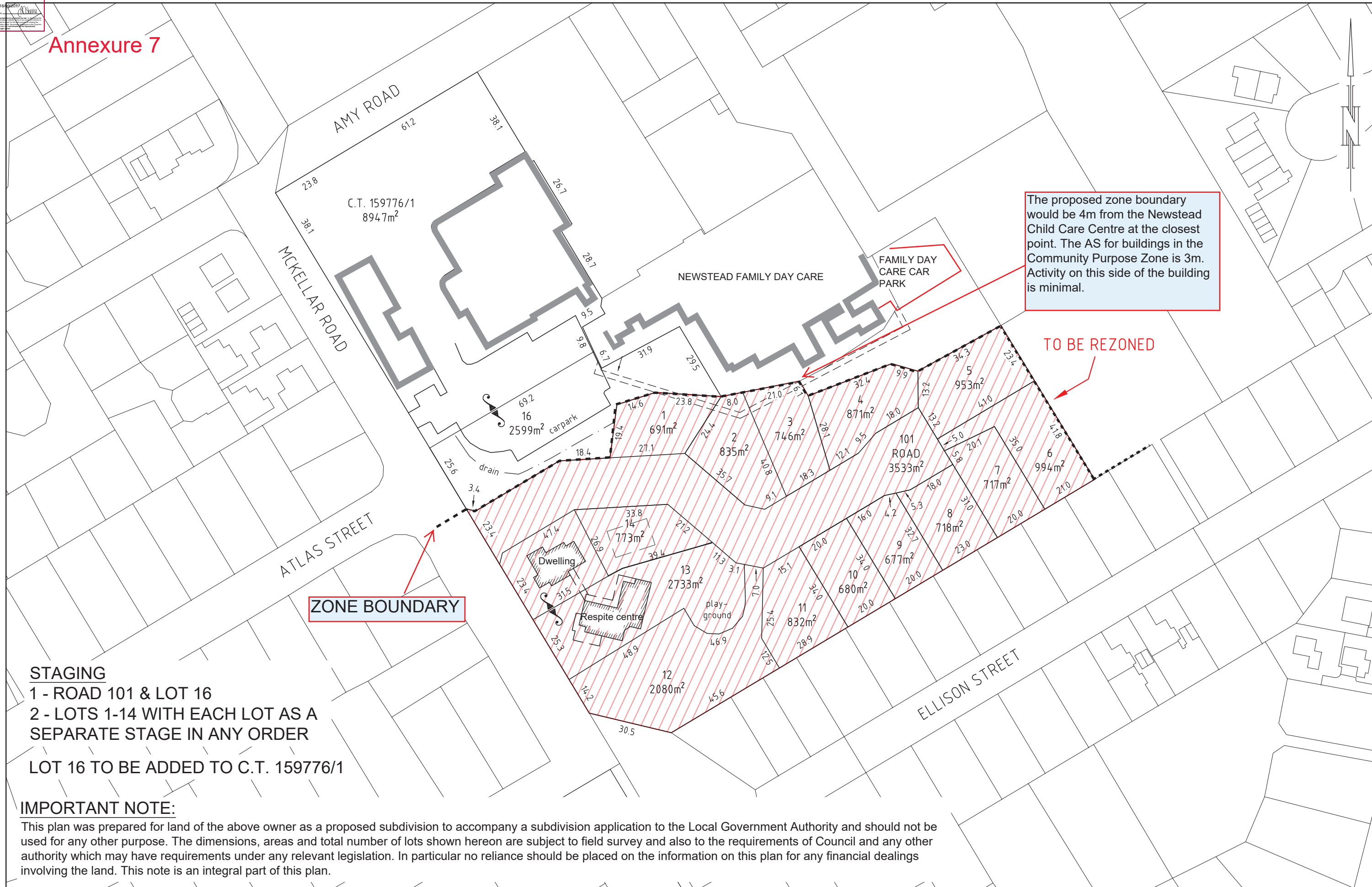


Annexure 7



ZONE BOUNDARY

The proposed zone boundary would be 4m from the Newstead Child Care Centre at the closest point. The AS for buildings in the Community Purpose Zone is 3m. Activity on this side of the building is minimal.

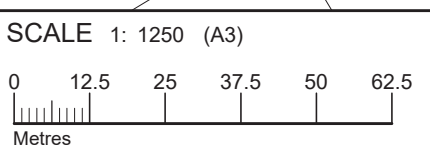
TO BE REZONED

STAGING
 1 - ROAD 101 & LOT 16
 2 - LOTS 1-14 WITH EACH LOT AS A SEPARATE STAGE IN ANY ORDER
 LOT 16 TO BE ADDED TO C.T. 159776/1

IMPORTANT NOTE:

This plan was prepared for land of the above owner as a proposed subdivision to accompany a subdivision application to the Local Government Authority and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

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REV	AMENDMENTS	DRAWN	DATE



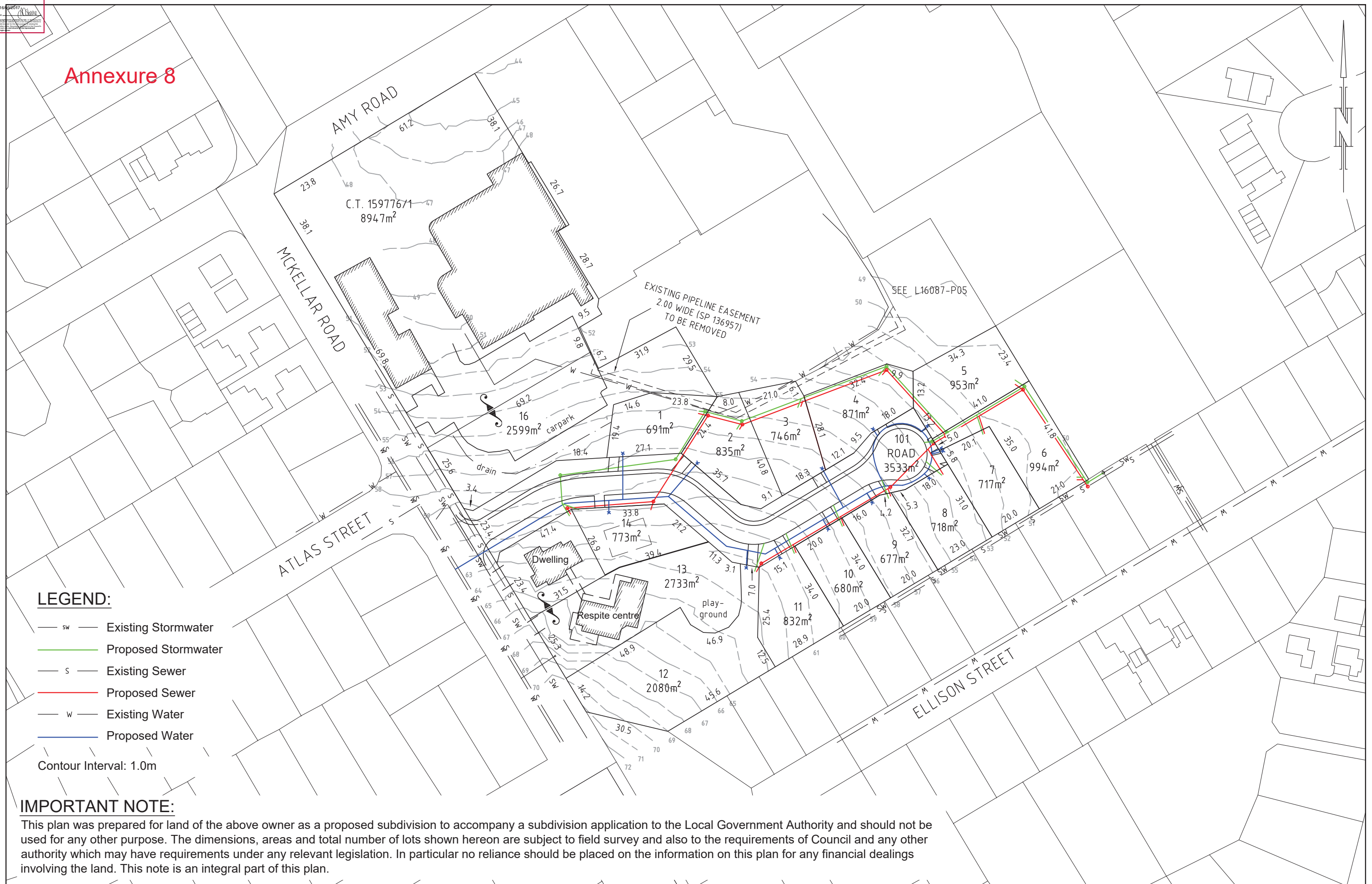
SURVEYOR	GEOCIVIL
DRAWN	CHECKED
ARD	JWD
DATE	
4th APRIL 2017	

PROPOSED REZONING
 C.T. 136958/1
 42-50 MCKELLAR ROAD, NEWSTEAD
 for ST GILES SOCIETY

PDA Surveyors
 Surveying, Engineering & Planning
 3/23 Brisbane Street, Launceston, Tasmania, 7250
 www.pda.com.au Also at: Hobart, Burnie & Kingston
 ABN 71 217 806 325
 PHONE: +61 03 6331 4099
 FAX: +61 03 6334 3098
 EMAIL: pda.ltn@pda.com.au

SCALE	PAPER
1: 1250	(A3)
JOB NUMBER	DRAWING
L16087-P08	sheet 1

Annexure 8



LEGEND:

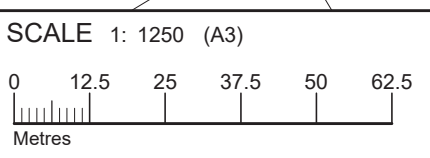
- SW — Existing Stormwater
- Proposed Stormwater
- S — Existing Sewer
- Proposed Sewer
- W — Existing Water
- Proposed Water

Contour Interval: 1.0m

IMPORTANT NOTE:

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SURVEYOR	GEOCIVIL
DRAWN	CHECKED
ARD	JWD
DATE	
1 MAY 2017	

SERVICES PLAN
 42-50 MCKELLAR ROAD, NEWSTEAD
 for ST GILES SOCIETY

PDA Surveyors
 Surveying, Engineering & Planning
 3/23 Brisbane Street, Launceston, Tasmania, 7250
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SCALE	PAPER
1: 1250	(A3)
JOB NUMBER	DRAWING
L16087	



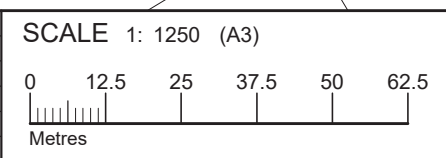
STAGING
 1 - ROAD 101 & LOT 16
 2 - LOTS 1-14 WITH EACH LOT AS A SEPARATE STAGE IN ANY ORDER

LOT 16 TO BE ADDED TO C.T. 159776/1

IMPORTANT NOTE:

This plan was prepared for land of the above owner as a proposed subdivision to accompany a subdivision application to the Local Government Authority and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

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SURVEYOR	GEOCIVIL
DRAWN	CHECKED
ARD	JWD
DATE	
	4th APRIL 2017

PLAN OF SUBDIVISION
 42-50 MCKELLAR ROAD, NEWSTEAD
 for ST GILES SOCIETY

PDA Surveyors
 Surveying, Engineering & Planning

3/23 Brisbane Street,
 Launceston, Tasmania, 7250
 www.pda.com.au Also at: Hobart,
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 EMAIL: pda.ltn@pda.com.au

SCALE	PAPER
1: 1250	(A3)
JOB NUMBER	DRAWING
L16087	

TITLE: 42-50 McKellar Road, Newstead - Rezoning and Subdivision - 14 lot subdivision and consolidation

FILE NO: SF6616, DA0198/2017

AUTHOR: Duncan Payton (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

1. To decide whether to reject or initiate and exhibit Amendment 38 for a partial change in zoning from Community Purpose to General Residential at 42-50 McKellar Road, Newstead; and
2. To make a decision on development application DA0198/2017 for subdivision to create 14 lots plus road and consolidate the balance with 65 Amy Road.

PLANNING APPLICATION INFORMATION:

Applicant:	PDA Surveyors
Property:	42-50 McKellar Road, Newstead
Zoning:	Community Purpose, General Residential
Receipt Date:	2/05/2017
Validity Date:	4/06/2017
Further Information Request:	22/06/2017
Further Information Received:	18/07/2017
Deemed Approval:	21/08/2017
Representations:	N/A

PREVIOUS COUNCIL CONSIDERATION:

DA0527/2016 - recent boundary adjustment to transfer land from 42-50 McKellar Road to the Family Day Care Centre at 59D Amy Road.

RECOMMENDATION:

That Council:

1. Pursuant to the former section 33(3) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 38 to the Launceston Interim Planning Scheme 2015 for a change in zoning from Community Purpose to General Residential at 42-50 McKellar road, Newstead (CT136958/1) as shown in Attachment 3 to this report; and
2. Pursuant to the former section 35 of the *Land Use Planning and Approvals Act 1993*, certify the draft amendment as shown in Attachment 3; and
3. In accordance with 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; and
4. Pursuant to section 43A of the *Land Use Planning and Approvals Act 1993*, approves DA0198/2017 for Subdivision to create 14 lots plus road at 42-50 McKellar Road, Newstead (CT136958/1) and consolidate the balance with 65 Amy Road (CT159776/1), 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/Manager Planning Services unless modified by a condition of the Permit:

- a. Section 43A Submission, prepared by PDA Surveyors, titled Rezoning, Subdivision and Consolidation at Amy & McKellar Roads Newstead, pp.1-21, dated 2 May 2017;
- b. Infrastructure Services Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 2, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017; **Amended Plan Required**
- c. Zone and Staging Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 1, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017;
- d. Planning Scheme Submission, prepared by PDA Surveyors, titled 14 lot subdivision and consolidation at McKellar Road Newstead, pp.1-25, dated 1 May 2017;
- e. Traffic Assessment, prepared by Terry Eaton, titled Traffic Assessment Proposed Subdivision 42-50 McKellar Road Newstead, pp.1-7, dated March 2017;
- f. Stormwater Drainage Analysis, prepared by PDA Surveyors, titled St Giles Society Proposed Subdivision 42-50 McKellar Road Stormwater Drainage Analysis, Newstead, pp.1-9, dated July 2017;

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00845-LCC) (attached).

3. LEGAL TITLE

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

4. HOURS OF CONSTRUCTION

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

Monday to Friday - 7am and 6pm

Saturday - 9am to 6pm

Sundays and Public Holidays - 10am to 6pm

5. ON-SITE DETENTION

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge to 47L/s based on the supplied figure for the 1:5 year flow.

Post development flows and associated storage volumes for this development are to be based on 70% impervious for the lots and 90% impervious for the road/footpaths. Storage is to be provided for up to a 1:10 year ARI/10% AEP post development.

The on-site detention storage system is to be designed by a civil engineer eligible for membership of IE Aust or equivalent. Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval as part of the engineering design plans. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

6. AMENDED PLANS REQUIRED

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

- a. The boundaries of the road reserve are to be modified to have a width of 25 metres at the turning head
- b. All consequential changes to accommodate the requirement of a. above. Once approved by the Manager Planning Services, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans

7. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8. 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.

9. 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.

10. 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.

11. RETICULATED SERVICES

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

12. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

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

13. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

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

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. The provision of a DN 100 connection to the lowest point of each lot,
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of an 18 metre diameter turning head (measured from the face of kerb),
 - iii. Provision of a 1500 mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
 - iv. Provision of a single vehicular crossing for each lot within the subdivision,
 - v. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - vi. All necessary line marking, signage and other traffic control devices.
- c. Electricity, Communications & Other Utilities

- i. An underground reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority,
- ii. A public street lighting scheme designed and installed all lots and installed to the approval of the Responsible Authority,
- iii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
- iv. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
- v. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

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

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

14. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the **Urban Drainage Act 2013** can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the Land Acquisition Act 1993 will be followed.

15. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

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

16. CONSTRUCTION DOCUMENTATION

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

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

17. EASEMENTS

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

18. SEALING PLANS OF SUBDIVISION

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

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

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

19. CONVEYANCE OF ROADS

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

20. STREET LANDSCAPING PLAN & BUFFER PLANTING

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Manager Natural Environment in conjunction with the detailed engineering plans. Once approved, it will form part of this permit.

The plan must show:

- a. Shade trees on one side of the road of an approved species with a minimum planted height of not less than 2.0m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage. (Note due to difficulty in providing sufficient space at the head of the cul de sac - trees do not need to be placed at regular intervals and may be clustered where suitable however 21 trees are to be provided)
- b. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal.

- c. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.
- d. Buffer planting on Lot 16 is required to mitigate tree removal from the rezoned land. (At the discretion of the Manager Natural Environment trees from the street tree requirement may be incorporated into the buffer planting)

The landscaping must be in place prior to the sealing of the final plan of survey unless otherwise approved by the Director Infrastructure Services and may then be subject to the provision of a financial security until such time as the landscaping works are completed.

21. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved residential lots. The value shall be calculated using the government valuation where the valuation is less than 3 years old. Where the government valuation is greater than 3 years old the contribution shall be as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the Subdivider's expense.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0198/2017. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant.

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

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

D. Permit Commencement.

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

REPORT:

PART A - APPLICATION FOR PLANNING SCHEME AMENDMENT

1 Introduction

An application was lodged under section 43A of the *Land Use Planning and Approvals Act 1993* (the Act) for a combined rezoning amendment and development application for a subdivision.

The application proposes to rezone an area of 1.606 hectares at 42-50 McKellar Road, Newstead, from Community Purpose to General Residential as well as a 14 lot subdivision plus road and consolidation of balance with 65 Amy Road, Newstead.

2. Site Analysis

The subject land includes 42-50 McKellar Road and 65 Amy Road, Newstead. Currently, there is a respite centre and a dwelling (used for assisted living) at 42-50 McKellar Road. Both have direct access to and from McKellar Road.

Part of the carpark for the St Giles facility at 65 Amy Road is also located on the north western corner of the McKellar Road site. This section is proposed to be the balance land of the subdivision and is not part of the rezoning. Rather, it will be consolidated with 65 Amy Road.

The 1.606ha area to be rezoned is an irregularly shaped parcel of land stretching north east from McKellar Road, between the St Giles and Day Care facilities to the north west and the residential lots of Ellison Street to the south east. It concludes at the residential hostel at 18-20 Ellison Street.

The subject site has been owned by St Giles Society Inc. (St Giles) since 1938. With changes to the provision of disability services, St Giles has determined that this land is no longer required by their long term strategic planning. Rather, they believe it represents an attractive infill residential opportunity within the established suburb of Newstead.

3. Existing conditions on the site

3.1 Characteristics

The site has a slope of around 10%, falling to the north east over its length of some 200m. With the exception of the respite centre and the carpark, the site is grassed and contains a number of mature trees between the respite centre and the north east boundary.

3.2 Scenic Values

Of itself, the site holds no particular scenic value. However, the proposed lots will have view lines over Newstead to the distant hills and mountains.

3.3 Infrastructure

Reticulated sewer, water and stormwater services are available to the site. TasWater has advised that whilst its systems are at a degree of stress during peak periods, the projected load requirements at those times is estimated to be similar to what would reasonably be required were the site to be developed for community purposes and can be accommodated. TasWater has granted its conditional consent to the proposed subdivision.

3.4 Surrounding Facilities

The site is centrally located, being approximately 1km from the Newstead shopping centre, offering supermarket, shops, hotel, fuel and medical centre. It is some 1.5km to the Kings Meadows shopping centre and only 2km to the city. There are public parks and several primary and high schools within walking distance. Bus services are available in Amy and Talbot Roads.

4. The Proposal

4.1 Proposal

The draft amendment proposes to rezone an area of 1.606ha from Community Purpose to General Residential. This rezoning will allow for the section 43(a) development application to subdivide the land into 14 lots plus road and balance.

Table 1 - Proposed Lots

Proposed Lot	Size	Description
1	691m2	Residential
2	835m2	Residential
3	746m2	Residential
4	871m2	Residential
5	953m2	Residential
6	994m2	Residential
7	717m2	Residential
8	718m2	Residential
9	677m2	Residential
10	680m2	Residential
11	832m2	Residential
12	2080m2	Residential
13	2733m2	Existing respite centre and assisted living
14	773m2	Residential
101	3533m2	Road
Balance	2599m2	Balance - to be consolidated with 65 Amy Road

4.2 Landowner Consent

St Giles has consented to the making of the application.

The General Manager's consent has been granted for the lodgement of the application given the need to construct a road junction on Council land at McKellar Road.

5.0 CONSIDERATIONS FOR THE AMENDMENT

5.1 Consideration of Section 32

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*

(ea) *must not conflict with the requirements of section 300; and*

(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.*

Comment:

Given the changing nature of the delivery of disability care in Tasmania and nationally, St Giles is confident that the expansion of its facility onto this land is unlikely in the long term and that its sale and the redistribution of funds to the existing services is consistent with its long term strategic direction.

The St Giles facility provides administrative, educational, respite, allied health care and assistance for those who live with, or care for others living with, a disability. The facility operates between 8am and 5pm with only low to moderate noise from traffic and plant and equipment. After hours there is almost no impact. The Newstead Child Care Centre operates between 6.30am and 6.30pm, with low to moderate noise from traffic and children.

The operation of these facilities adjacent to residential dwellings does, as far as practicable, avoid the potential for land use conflict. The uses and development permissible by the General Residential zone are compatible with the existing uses in the area.

The proposed rezoning to General Residential is the logical and practical option given that the Community Purpose zone is no longer relevant to the site and it will provide an infill opportunity for at least 13 new dwellings.

5.2 Consideration of Section 300

In regard to sub-section (ea), Section 300 is considered in detail below.

300. Amendments under Divisions 2 and 2A of interim planning schemes

(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.

Comment:

Refer to section 6.1 of this report for an assessment of the Northern Regional Land Use Strategy.

- (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 30EA, or an overriding local provision; and*

Comment:

The application is not proposing to amend a local provision or insert a new provision.

- (b) *the amendment does not revoke or amend an overriding local provision; and*

Comment:

The application is not proposing to 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.*

Comment:

The proposal will not affect a local provision.

- (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*

Comment:

The proposal will not affect a local provision.

- (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.*

Comment:

No part of the proposal is removing any common provisions associated with the land.

The application proposes to amend the zoning of land, identified as no longer required for the purpose of its zone and is not proposing to insert, remove or alter a local provision, complying with 30O. The draft amendment is consistent with the Northern Regional Land Use Strategy (NRLUS).

5.3 Consideration against Section 43C and the Objectives of the *Land Use Planning and Approvals Act 1993*

43C. Applications referred to in section 43A

- (1) *In determining an application referred to in section 43A, a planning authority, in its opinion –*
 - (a) *must seek to further the objectives set out in Schedule 1; and*
 - (b) *must take into consideration such of the prescribed matters as are relevant to the use or development subject of the application.*

Section 43C(1) (a) requires the objectives set out in Schedule 1 to be considered.

5.3.1 Schedule 1, Part 1 - Objectives of the Resource Management and Planning System of Tasmania

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity*

The amendment will allow for a subdivision to promote the sustainable use and development of urban land within the established suburb of Newstead, having regard to being the changing nature of the delivery of disability services, leading to this site no longer being required for community purpose development.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water*

The change of zoning and subsequent subdivision will provide for the residential development of the unutilised site, compatible with the surrounding zones and uses.

- (c) *to encourage public involvement in resource management and planning*

The public will have the opportunity to comment on this proposal during the four week exhibition period following initiation of the amendment. Interested parties have the opportunity to lodge a written representation to the application during the public exhibition period. The Tasmanian Planning Commission may also decide to hold a public hearing to deal with the representations if any are received.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)*

The proposed amendment will allow for the development of a site, for at least 13 dwellings, that would otherwise have remained vacant. St Giles have owned the site since 1938 and have been holding it in reserve for possible future expansion needs of their current site. Their strategic planning identifies this land as being no longer required and therefore able to free resources for redistribution to other areas of demand.

- (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.*

This application was referred to TasWater who have provided their conditional consent. There are no other relevant agency referrals required. If initiated the amendment will also be advertised and assessed by the Tasmanian Planning Commission consistent with this objective.

5.3.2 Schedule 1, Part 2 - Objectives of the planning process established by the Act

The objectives of Part 2 must also be considered -

- (a) *to require sound strategic planning and co-ordinated action by State and local government*

The amendment is consistent with the objectives of the Launceston Interim Planning Scheme and the Northern Regional Land Use Strategy.

- (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*

Consistent with that system, an application made pursuant to Section 43A of the Act is considered against the objectives of the Act and the planning system of Tasmania. Having regard to this, the Council then determines to initiate or reject the amendment.

- (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*

The proposed amendment will promote the development of the site, providing economic benefits to St Giles and the broader community. The proposed subdivision will inevitably result in the removal of a number of mature trees, however, there is the capacity for significant replanting within the subdivision site to compensate for this loss.

- (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*

The proposed amendment complies with the local, regional and state policies.

- (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*

The application is made under former section 43A of the Act and includes a change of zoning to the planning scheme and an application for subdivision of the land. This process allows for the concurrent assessment of an application which would otherwise require two separate processes.

- (f) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation*

The proposal will allow for appropriate infill development of a vacant site. It will remove the inefficient cost burden to St Giles of having to maintain and insure a surplus parcel of land. Infill development promotes efficiencies in service delivery and brings people closer to work and recreation opportunities.

- (g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

The subject site has no buildings and is not an area or place of scientific, aesthetic, architectural or historic interest.

- (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*

Development of the site will result in the construction of additional public infrastructure in an orderly and coordinated manner..

- (i) *to provide a planning framework which fully considers land capability.*

Land capability generally refers to agricultural land and is not relevant in this instance. Nevertheless, the site is suitable and available for and capable of, infill residential development.

6. Planning Strategies

6.1 Northern Regional Land Use Strategy

The relevant sections of the NRLUS are as follows:

The Regional Land Use Strategy for Northern Tasmania is a strategic plan for the region's future development and planning to 2032. It has a 20 year planning time horizon for integrated infrastructure, land use development and transport planning, underpinned by economic development, social and environmental strategies. The strategy will be revised regularly as new evidence based strategic planning investigations and information is made available to provide greater certainty to the strategic planning and development of the region.

The RLUS seeks to reduce the barriers to investment in ways that are consistent with the vision for the region and other relevant social and environmental strategies. It can do this in a number of ways, including coordinating services to ensure that land for appropriate development is available in the best locations, and ensuring that priority is given to investment that improves the necessary transport, energy and communications infrastructure.

The applicant submits:

The primary strategic question to consider in relation to the land and the realisation of the RLUSNT is whether use of the land for activity that is allowed in the Community Purposes Zone is of more strategic value to the community than it would be as land for activity allowed in the General Residential Zone.

A significant aspect of the strategic intent of the RLUSNT is to manage the region's development in response to ongoing socio-economic change (see Page 8 RLUSNT). In accordance with this, the proposal is a necessary adaption by St Giles to change to the way in which care is provided. As stated in the letter from the Chief Executive, St Giles has not found a use for the land in over 75 years and given the shift towards home based care it is unlikely that a community purpose use for the land would be found by St Giles in the foreseeable future. Other similar care providers and organisations are likely to be geographically decentralising in a similar way.

Strategic value to the community of retaining the land in the Community Purposes Zone

The RLUSNT recognises the need for Launceston to provide community services for the wider region and further notes that investment and upgrading of medical and health facilities in the region will be increasingly important for retaining and attracting population. However, it is considered that meeting this need is more likely to occur within the existing medical and health sites.

The area has generally evolved into a balanced mix use environment whereby non-residential uses are at a scale and intensity that enables a reasonable degree of

amenity for surrounding residential use. Retaining the land for use in accordance with the Zone purpose risks shifting this balance towards it becoming an activity centre with potential adverse impacts on residential amenity of the broader area through increases in non-residential traffic and general activity.

On this basis, it is considered that the loss of the site from the pool of land available for Community Purposes uses is unlikely to be adverse to the community's strategic interest. Indeed, the removal of the potential for high activity use may be appropriate. On this basis the strategic value of retaining this land in the Community Purposes Zone is low.

Strategic value to the community of converting the land to the General Residential Zone

As at 2013, the RLUSNT envisaged that a projected 10,000 additional dwellings would be required to be provided across the region and it recommends that the provision of these dwellings should be based on the preferred settlement pattern principles of:

- promoting infill in existing centres;
- redeveloping 'infrastructure-rich' areas; and
- maximising residential yield in major new residential developments.

The rezoning would consolidate residential land within the Urban Growth Boundary. It would take advantage of existing and available infrastructure including water, drainage, public transport, shops and schools and open space opportunities.

As the land [is] within an established urban area, the demand is likely to be strong. Supply in this area is limited. The land is otherwise suitable for residential use and development and on this basis, there is a moderate strategic benefit to the community to convert this land to the Residential Zone.

In conclusion, it is considered that the strategic merit of the rezoning is sound and in accordance with the RLUSNT for the following reasons:

- It enables a key community services provider to divest of a surplus asset with a view to becoming more sustainable;
- The strategic value to the community of converting the land to Residential use is greater than it is for retaining the potential of the land for Community Purposes uses,
- Residential use of the land would be more consistent with the capacity of the road network than a more intense use that could be permitted under the Community Purposes Zone;
- Residential use would be more consistent with the surrounding residential environment and would better preserve the existing mixed land use balance of the local area.
- The land is free from unacceptable risk, it is appropriately situated and supported by services and community facilities.

6.2 Greater Launceston Plan

The Greater Launceston Plan (GLP) provides a long term strategy to inform a coordinated approach for land use and development of the greater urban area of Launceston. It is largely consistent with the RLUSNT and so consistency with the RLUSNT is an indication

of general consistency with the GLP. There are a number of key principles that underpin the GLP, the relevant ones being Principles 1 and 2.

Principle 1: Effective Provisioning of Land Use Requirements

Effective strategic planning for Greater Launceston requires the assessment and provisioning of the range of land requirements and preferred land use – transport relationships over the next twenty years and beyond.

As discussed above under the RLUSNT, the rezoning is in response to the changing structure of industry and employment and service provision, which is a major factor in determining the land use requirements. On this basis, it is considered that there is more strategic merit in converting the site to residential use than there is in retaining it for community services uses.

Principle 2: Urban Consolidation

The efficient functioning, servicing and future development of greater Launceston will be optimised through its urban consolidation.

In accordance with Principle 2, Residential development on the site would be urban infill in an area with existing services that is adjacent to employment opportunities and supported by an appropriate level of community services for the health and wellbeing of future residents.

There are no conflicts with the GLP in the proposal.

6.3 Launceston Residential Strategy 2009

The strategy provides a detailed assessment of housing needs and current land stocks. The strategy provides a priority ranking of types (tiers) of housing development which would best meet the needs of the community and also represent good planning outcomes.

In order of priority:

1. Residential development on 'brownfield' sites for example surplus public land, site where industry has relocated, mixed use developments in accessible locations on the CBD fringe or adjacent to District or Neighbourhood Centres.
2. Increased density in existing residential areas where opportunities exist or where capacity for change has been identified, primarily through unit developments or redevelopment.
3. Development on vacant land in urban infill locations including undeveloped portions of existing residential areas and vacant land currently within a residential zone.
4. Development on the most appropriate vacant land on the edge of urban areas
5. Rural residential development in the most appropriate areas
6. Individual rural houses unconnected to a primary industrial use.

The LRS identifies growth rates in Newstead of 7.9 percent. Whilst Launceston has a reasonable supply of undeveloped Residential zoned land, the majority is located on the peripheries. Given the suitability of the site for Residential use in terms of its tiered priority, it is considered that the development of such sites should be enabled in preference. In a small way it would take some pressure off unnecessary dispersion and urban sprawl.

7. State Policies

State policy on the Protection of Agricultural Land 2009

The purpose of this Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture. The policy has been addressed by the interim scheme and does not impact upon this urban site.

State Coastal Policy 1996

The purpose of the policy is to protect the natural and cultural values of the coast, provide for sustainable use and development of the coast, and promote shared responsibility for its integrated management and protection.

The policy has been addressed by the interim scheme and does not conflict with this urban site, able to be fully serviced.

State Policy on Water Quality Management 1997

The purpose of the policy is to identify and maintain water quality at appropriate levels to the expected use.

The policy has been addressed by the interim scheme and does not conflict with this urban site, able to be fully serviced.

National Environment Protection Measures

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPM) is taken to be a State Policy. The following, therefore, require consideration:

Ambient air quality 2002

Diesel vehicle emissions 2001

Assessment of site contamination 1999

Used packaging materials 1999

Movement of controlled waste between States and Territories 1998

National pollutant inventory 2000

None of the above NEPMs apply to this urban site and its rezoning to facilitate further residential development.

Gas Pipelines Act 2000

Not applicable is approximately 12km west of the subject site.

8. Referral Agencies

The application was referred to TasWater under section 17 of the *Land Use Planning and Approvals Regulations 2004*. TasWater has issued its Submission to Planning Authority Notice TWDA No. 2017/00845-LCC) stating that it does not object to the application for amendment and development application and conditions are imposed.

9. PLANNING SCHEME REQUIREMENTS 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 proposed subdivision of General Residential land, following the rezoning, seeks to create fifteen (15) lots plus a balance lot that will be consolidated with the adjoining St Giles site at 65 Amy Road, Newstead (CT159776/1).

Of the proposed 15 lots, one lot of 3533m² will be for the internal road, one lot of 2733m² is for the existing respite centre and assisted dwelling. The remaining 13 lots range in size from 680m² to 2080m² and will provide opportunity for a range of dwelling types at suburban densities.

Local Area Objectives - There are no local area objectives.

Desired Future Character Statements - There are no desired future character statements.

10.4.15 Lot size and dimensions

Objective:

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

Consistent

The proposed lots offer a range of sizes to provide for a range of future residential development and to cater for the needs of the existing respite centre.

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

- (a) have a minimum area of no less than 500m² ; and
- (b) be able to contain a rectangle measuring 10m by 15m; or

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

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

A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries

aligned from buildings that satisfy the relevant acceptable solutions for setbacks.
<p>Complies</p> <p>All proposed residential lots are greater than 500m² and are able to contain a 10m x 15m rectangle.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant acceptable solutions for development of buildings on the lots; (b) the likely location of buildings on the lots; (c) the likely provision of on-site parking and manoeuvrability for vehicles; (d) the topography of the site; (e) the presence of any natural hazards; (f) adequate provision for private open space; and (g) the existing pattern of development in the area.

10.4.16 Frontage and access

<p>Objective:</p> <p>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</p> <p>The respite centre will retain its existing access to McKellar Road. The other residential titles will all have direct frontage and access to the proposed new road (lot 101), with the shortest frontage being 5m at lot 6.</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</p> <p>All lots have a frontage of more than 3.6m. Once constructed, the internal road will become a Council maintained road.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage; (c) the number of immediately adjacent rights-of-carriageway; (d) the topography of the site; (e) the proposed use of the lot; (f) the construction and maintenance of the road; (g) the existing pattern of development in the surrounding area; and (h) the advice of the road authority.
<p>A2 No acceptable solution.</p>
<p>Relies on Performance Criteria</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.
<p>Complies</p> <p>The proposed residential lots will have frontage and access to the new internal road.</p>

The topography of the land will not present any difficulties in accessing likely building sites on the individual lots.

10.4.17 Discharge of stormwater

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

Consistent
The proposal plans show a new stormwater line to the existing Council service in Ellison Street.

A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.

Complies
All lots will be connected to the Council stormwater system and directed through to the existing service at Ellison Street.

P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:
 (a) the location of the discharge point (if any);
 (b) stormwater flow paths both internal and external to the site;
 (c) the location of building areas within the site;
 (d) the topography of the site;
 (e) the characteristics of the site, including rainfall;
 (f) the development on the site and adjoining land;
 (g) the additional runoff from the subdivision development and likely future development of the land; and
 (h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.

Relies on Performance Criteria
Infrastructure Services advise that some detention of stormwater through an enlarged system is desirable.

P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:
 (a) the location of the discharge point (if any);
 (b) stormwater flow paths both internal and external to the site;
 (c) the topography of the site;
 (d) the characteristics of the site, including rainfall;
 (e) the development of the site;
 (f) the additional runoff from the subdivision development and likely future development of the land; and
 (g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

Complies
In response to a request for further information, the applicants provided a stormwater assessment supporting the collection of stormwater, with some detention within the system, and direction to the Ellison Street service.

10.4.18 Water and sewerage services

Objective:

To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent TasWater have provided their conditional consent (TWA 2017/00845 - LCC) to the proposed rezoning and subdivision.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies The services plan shows appropriate water connections for each lot, other than the respite centre which is already connected.
P1 No performance criteria.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The services plan shows appropriate sewer connections for each lot.
P2 No performance criteria.

10.4.19 Integrated urban landscape

Objective: To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.
Consistent A1 Subdivision does not create any new road, public open space or other reserves.
Relies on Performance Criteria A new cul-de-sac is proposed.
P1 Subdivision must be designed to enhance the amenity of the area having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) any significant natural and cultural features of the site; (c) access to public open spaces and roads; (d) the retention of existing vegetation; (e) linking areas of significant local habitat; and (f) the character of the surrounding area.
Complies It is noted that a number of trees will be removed as a result of the subdivision. It is proposed that these could be replaced by denser planting of street trees in the early section of the proposed road and on part of the balance land between the existing carpark and the proposed lot boundary. A condition requiring an appropriate street planting plan is proposed.

10.4.20 Walking and cycling network

Objective: To: <ul style="list-style-type: none"> (a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists; (b) design footpaths, shared path and cycle path networks that are safe and accessible; and (c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.
Consistent The proposed new road links to McKellar Road, which provides for safe and convenient movement through the neighbourhood, with linked to the city, Kings Meadows and Newstead. A footpath is proposed on the northern side of the road.
A1 Subdivision does not create any new road, footpath or public open space.

<p>Relies on Performance Criteria A new road is proposed.</p>
<p>P1 Subdivision provides roads, footpaths or public open spaces that are designed to provide safe and convenient walking and cycling networks, having regard to:</p> <ul style="list-style-type: none"> (a) linkages to any existing pedestrian and cycling networks; (b) connection of footpaths, shared paths, cycle paths and bicycle lanes; (c) access for cycling and walking to activity centres, community facilities, bus stops and public transport routes and public open spaces; (d) the road network and public open spaces; and (e) passive surveillance.
<p>Complies The new road provides a footpath on the northern side and in turn provides a safe and convenient pathway to McKellar Road and then to the broader network of roads, paths and public open space.</p>

10.4.21 Lot diversity

<p>Objective: To provide a range and mix of lot sizes to suit a variety of dwelling and household types.</p>
<p>Consistent Lot sizes are proposed to vary between 680m² and 2733m² to suit a variety of dwelling and household types.</p>
<p>A1 Subdivision is for 10 lots or less.</p>
<p>Relies on Performance Criteria The subdivision is for more than 10 lots.</p>
<p>P1 Subdivision provides a range and mix of lot sizes suitable for the development of a variety of dwelling and household types, having regard to:</p> <ul style="list-style-type: none"> (a) lot sizes suitable for single dwellings, multiple dwellings and other forms of residential use; (b) the topography of the site; (c) demand for a variety of housing types; (d) the proximity of activity centres; (e) the proximity and access to public open space; (f) the proximity, availability and accessibility of pedestrian, cycling, and bus stops and public transport, routes; and (g) the character of the surrounding area.
<p>Complies Given the constraints of the shape of the lot and the existing respite centre, the proposed lots offer opportunity for single and multiple dwelling developments able to meet the market demand. With a gentle topography and proximity to centres such as the city, Kings Meadows and Newstead, plus the nearby Newstead Park at the corner of Amy Road and Strahan Road, the lots will be suitable for a range of household types.</p>

10.4.22 Solar orientation of lots

<p>Objective: To provide for solar orientation of lots and solar access for future dwellings.</p>
<p>Consistent The site is elevated with a northerly aspect.</p>
<p>A1 Any lot for residential use with an area of less than 500m², in a subdivision of 10 or more lots, must have the long access between 30 degrees west of north and 30 degrees east of north.</p>
<p>Not Applicable P1 Subdivision must provide for solar orientation of lots adequate to provide solar</p>

access for future dwellings, having regard to:

- (a) the size, shape and orientation of the lots;
- (b) the topography of the site;
- (c) the extent of overshadowing from adjoining land;
- (d) any development on the site;
- (e) the location of roads and access to lots; and
- (f) the existing pattern of subdivision in the area.

10.4.23 Neighbourhood road network

<p>Objective: To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.</p>
<p>Consistent The proposal is for a new cul-de-sac, servicing 14 lots, adjoining McKellar Road, which currently provides for convenient and safe movement between neighbourhoods.</p>
<p>A1 Subdivision does not create any new road.</p>
<p>Relies on Performance Criteria A new road is proposed.</p>
<p>P1 The road network provides for convenient and safe movement for motor vehicles, pedestrians, cyclists and public transport, having regard to:</p> <ul style="list-style-type: none"> (a) the existing network of roads, cycle paths and bicycle lanes, shared paths, footpaths and public transport routes; (b) the function of the road and its relationship to arterial and neighbourhood road types; (c) the speed limits on roads in the area; (d) the location of activity centres; (e) the volume of traffic in the area; (f) access for service and emergency vehicles; and (g) the topography of the site.
<p>The proposed road is a cul-de-sac, servicing 14 lots, and will be linked to the existing road network providing for the safe movement of motor vehicles, cyclists, public transport and pedestrians.</p>

10.4.24 Public transport network

<p>Objective: To provide for access to public transport.</p>
<p>Consistent Metro currently services Amy Road and Talbot Road.</p>
<p>A1 Subdivision does not create any new road.</p>
<p>Relies on Performance Criteria A new road is proposed.</p>
<p>P1 The subdivision provides for adequate access to public transport, having regard to:</p> <ul style="list-style-type: none"> (a) the number of lots proposed; (b) the walking distances from the lots to public transport route; (c) any public transport strategy or plan for the area; and (d) the likelihood of the provision of public transport for the area.
<p>Complies The subdivision proposes to create a new cul-de-sac to provide 14 lots. Whilst taxis will be able to use this road, it is not practicable to consider a Metro service directly into this road. Currently a Metro service is available in Amy Road and Talbot Road.</p>

17.0 Community Purpose Zone

17.1.1 Zone Purpose Statements

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.

17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities.

Consistent

The zone currently provides for the St Giles facilities. The subdivision proposes to consolidate the balance parcel, retained within the Community Purpose zone, with the adjoining St Giles facility at 65 Amy Road, also zoned Community Purpose. This balance land contains the carpark for the St Giles facility and may provide an opportunity for some revegetation.

Local Area Objectives - There are no local area objectives

Desired Future Character Statements - There are no desired future character statements

17.4.2 Lot size and dimensions

Objective:

To ensure:

- (a) the area and dimensions of lots are appropriate for the zone; and
- (b) adjoining land, especially residential zones, is protected from adverse impacts.

Consistent

The proposal is to consolidate a 2599m² parcel from 42-50 McKellar Road to the St Giles facility at 65 Amy Road. This parcel of land contains the upper portion of the existing carpark servicing the St Giles facility and it is appropriate that the lots be consolidated.

The continued use of the carpark will not have adverse impacts on the adjoining residential land as the use will not change and there is very little use after normal business hours.

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

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

A1.2 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.

Complies

The proposal consolidates land of the same zone and does not result in any boundary setback inconsistencies.

P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:

- (a) the relevant acceptable solutions for development of buildings on the lots;
- (b) the likely location of buildings on the lots;
- (c) the likely provision of on-site parking and manoeuvrability for vehicles;
- (d) the topography of the site;
- (e) the presence of any natural hazards;

<p>(f) the existing pattern of development in the area; and (g) public safety.</p>
<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>Relies on Performance Criteria The subdivision is on the boundary of the General Residential zone.</p>
<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be designed to minimise the potential for nuisance or loss of amenity for adjacent lots, having regard to:</p> <ul style="list-style-type: none"> (a) the lot layout and design; (b) the existing pattern of development in the area; (c) the ability for buildings to be erected in accordance with the development standards; (d) the proposed use of the lot; (e) the future use of the subject or adjoining land; (f) the topography of the site; (g) the physical separation to surrounding sensitive land uses; (h) the orientation of the lot; (i) access considerations; (j) the accessibility for vehicles providing for supplies, waste removal, emergency services and public transport; and (k) public safety.
<p>Complies The consolidation of the balance land from the subdivision with the St Giles facility will not cause any loss of amenity to adjoining lots as the car park exists and has only low usage outside normal working hours.</p>

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 consolidated lot has existing carpark access to McKellar Road, plus additional access via Amy Road.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.</p>
<p>Complies The consolidated lot has frontage to Amy and McKellar Roads.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right-of-carriageway, of no less than 3.6m width, having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) whether any other land has a right-of-carriageway as its sole or principal means of access over the frontage; (c) the number of immediately adjacent rights-of-carriageway; (d) the topography of the site; (e) the proposed use of the lot; (f) the construction and maintenance of the road; (g) the existing pattern of development in the surrounding area; (h) the functionality and useability of the frontage; (i) the anticipated nature of the vehicles likely to access the site;

<ul style="list-style-type: none"> (j) the ability to manoeuvre vehicles on the site; (k) the accessibility for vehicles; (l) public safety; and (m) the advice of the road authority.
A2 No acceptable solution.
Relies on Performance Criteria
<p>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.
Complies
The consolidated lot has existing formed access from both Amy and McKellar Roads.

17.4.4 Discharge of stormwater

<p>Objective: To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.</p>
Consistent
There will be no change to the existing stormwater disposal through the Council infrastructure.
A1 Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.
Complies
The consolidated lot is currently connected.
<p>P1 All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the discharge point (if any); (b) stormwater flow paths both internal and external to the site; (c) the location of building areas within the site; (d) the topography of the site; (e) the characteristics of the site, including rainfall; (f) the development on the site and adjoining land; (g) the additional runoff from the subdivision development and likely future development of the land; and (h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.
A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.
Not Applicable
<p>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the discharge point (if any); (b) stormwater flow paths both internal and external to the site; (c) the topography of the site; (d) the characteristics of the site, including rainfall; (e) the development of the site; (f) the additional runoff from the subdivision development and likely future development of the land; and

(g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.

17.4.5 Water and sewerage services

Objective: To ensure each lot provides for appropriate water supply and wastewater disposal.
Consistent The consolidated lot is currently connected to the reticulated water and sewer services.
A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.
Complies The consolidated lot is currently connected to the reticulated water service.
P1 Where reticulated water services are not proposed to be connected, it must be demonstrated that the lots are in a locality where reticulated services are not available or capable of being connected.
A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.
Complies The consolidated lot is currently connected to the reticulated sewer service.
P2 Where reticulated sewerage services are not proposed to be connected, it must be demonstrated that the lots are capable of accommodating an on-site wastewater management system for the intended use which does not have unreasonable adverse environmental impacts.

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 new road, a cul-de-sac, will connect safely to the existing network at McKellar Road.

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 proposed new road, a cul-de-sac, will connect safely to the existing network at McKellar Road.
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.
Complies McKellar Road has a 50kph speed limit.
P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and

(g) any written advice received from the road authority.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.
Relies on Performance Criteria Following the consolidation of the carpark, 65 Amy Road will have two accesses, one to Amy Road and one to McKellar Road.
P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.
Complies The two accesses to 65 Amy Road are currently considered safe and this will not change as a result of the two parcels being consolidated to form a single 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
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.
Relies on Performance Criteria The sight distances at the proposed new junction are 114m to the north west and the south east and exceed the 80m required by Table E4.6.4. However, the individual accesses throughout the proposed cul-de-sac will not achieve this.
P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.
Complies The sight distances within the cul-de-sac are adequate given the lower expected traffic numbers and the lower speed expected as vehicles travel only to and from the future dwellings.

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

Whilst there are no exemptions from the code, the proposal is for subdivision and will not result in the requirement for parking spaces or the like at this time.

10. REFERRALS

REFERRAL	COMMENTS
INTERNAL	
Infrastructure Assets	Conditional consent provided.
Environmental Health	N/A
Parks and Recreation	Conditional consent provided.
Heritage/Urban Design	N/A
Building and Plumbing	N/A
EXTERNAL	
TasWater	Conditional consent provided. TasWater has issued a Development Certificate of Consent TWDA 2017/00845-LCC.
DIER	N/A
TasFire	N/A
Tas Heritage Council	N/A
Crown Land	N/A
TasRail	N/A
EPA	N/A
Aurora	N/A

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.

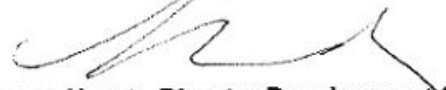
BUDGET & FINANCIAL ASPECTS:

N/A

DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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



Leanne Hurst: Director Development Services

ATTACHMENTS:

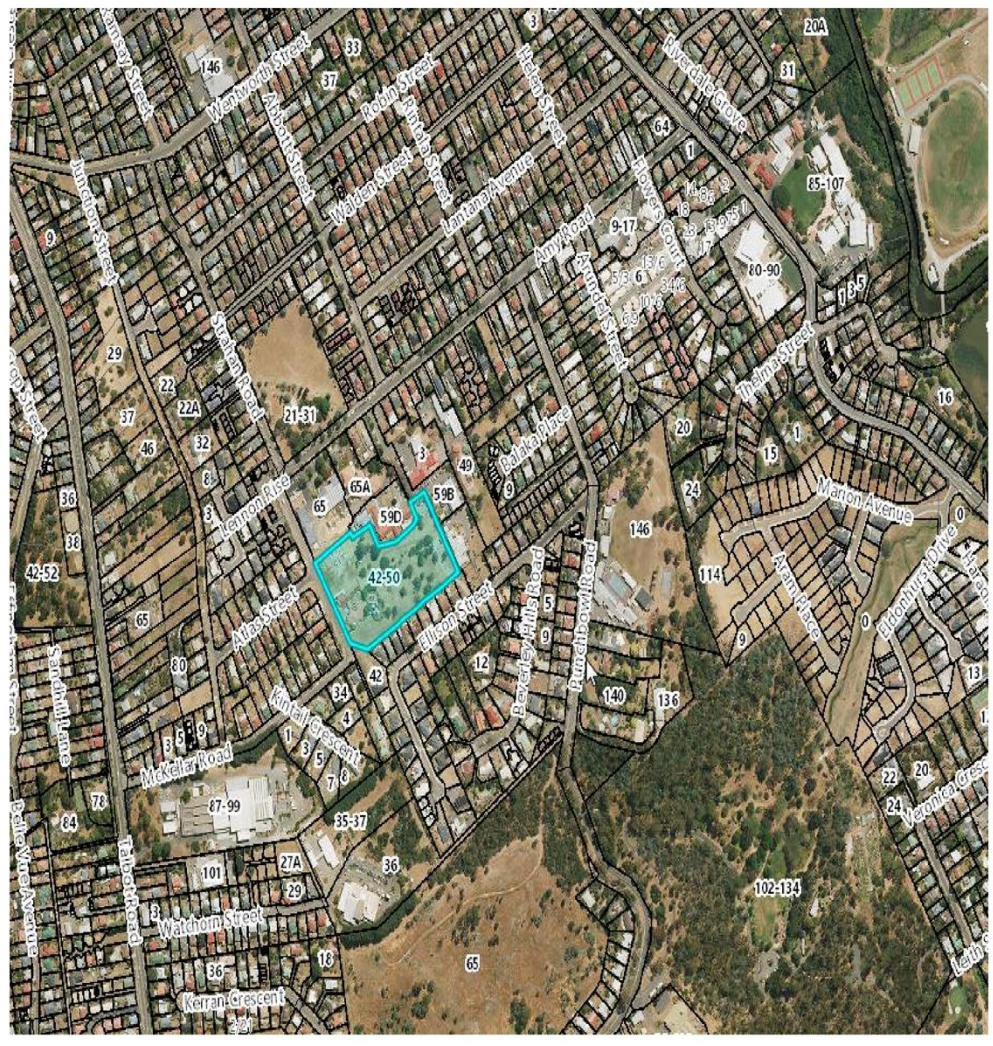
1. 42-50 McKellar Road, Newstead - Location Map
2. 42-50 McKellar Road, Newstead - Proposal Plans and Reports (distributed electronically)
3. 42-50 McKellar Road, Newstead - Zone Amendment
4. 42-50 McKellar Road, Newstead - TasWater SPAN
5. 42-50 McKellar Road, Newstead - TasWater Works External Plan (distributed electronically)

Attachment 1 - 42-50 McKellar Road, Newstead - Locality Map

Launceston City Council
A Leader in Community & Government



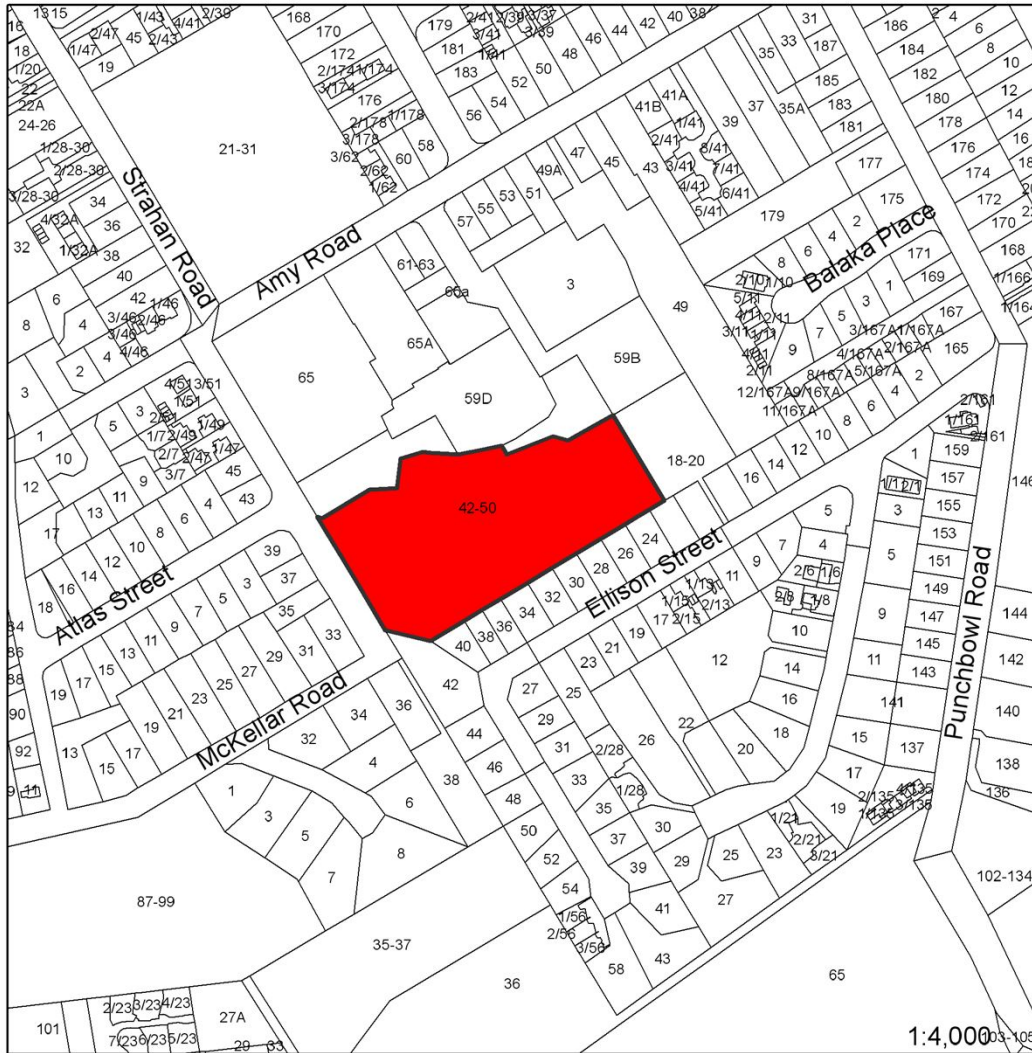
LOCALITY MAP
42-50 MCKELLAR ROAD, NEWSTEAD



Locality Map
Scale: This Map Is Not to Scale

Attachment 3 - 42-50 McKellar Road, Newstead - Zone Amendment
Launceston Interim Planning Scheme 2015
AMENDMENT 38

Amend the interim planning scheme maps as below:



Rezoning from Community Purpose to General Residential
 (42-50 McKellar Rd, Newstead C.T. 136958/1)

THE COMMON SEAL
 of the City of
 Launceston was
 hereunto affixed in the
 presence of: -

Date

Michael Tidey
 Director
 Corporate Services

Leanne Hurst
 Director Development
 Services

Attachment 4 - 42-50 McKellar Road, Newstead - TasWater SPAN



Submission to Planning Authority Notice

Council Planning Permit No.	DA0198/2017	Council notice date	6/06/2017
TasWater details			
TasWater Reference No.	TWDA 2017/00845-LCC	Date of response	17/07/2017
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
Response issued to			
Council name	LAUNCESTON CITY COUNCIL		
Contact details	planning.admin@launceston.tas.gov.au		
Development details			
Address	42-50 MCKELLAR RD, NEWSTEAD	Property ID (PID)	2103695
Description of development	Combined Application - Rezoning and 14 lot subdivision		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA Surveyors	L16087-P08 Sheet 1 / Proposed Rezoning		04/04/2017
PDA Surveyors	L16087-P08 Sheet 2 / Proposed Rezoning		04/04/2017
TasWater	Water Works External	1	17/07/2017
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF DRAFT AMENDMENT TO PLANNING SCHEME <u>AND</u> PLANNING APPLICATION REFERRALS</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. Prior to commencing construction / use of the development, a boundary backflow prevention device and water meter must be installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 			



5. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. The developer must design and construct the water supply feed to the subdivision from the 'Watchorn Street Pump Station Water Supply Zone' (Pressure Zone ID: WATBP, Pressure Head Level: 162m AHD). The new connection will require the augmentation of the location of zone valves to complete the connection, generally as shown on the TasWater concept plan 'Water- Works External, dated 17/07/2017 Revision 1'.

Advice: In accordance with TasWater's 'Developer Charges Policy' for developments located within Serviced Land where insufficient capacity is available within an existing system, the developer pays the costs of Extension, including connection, to that system and Expansion of the system to the level of capacity required to service the development.
9. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater at the developer's cost.
10. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for



<p>the defects liability period.</p> <p>13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.</p> <p>14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.</p> <p>15. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.</p> <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <p>16. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.</p> <p>17. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.</p> <p>DEVELOPMENT ASSESSMENT FEES</p> <p>18. The applicant or landowner as the case may be, must pay a Rezoning, Development Assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:</p> <ul style="list-style-type: none"> a. \$1,032.76 for Rezoning; b. \$1,024.36 for development assessment; and c. \$226.94 for Consent to Register a Legal Document. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> <p>19. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.</p>
Advice
<p>General</p> <p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>
Declaration
<p>The drawings/documents and conditions stated above constitute TasWater's Submission to Planning</p>



Authority Notice.

Authorised by

Jason Taylor
 Development Assessment Manager

TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Traffic Assessment



Proposed Subdivision

42-50 McKellar Road, Newstead

FOR

St Giles Society

SUBMITTED BY:

TERRY EATON
Traffic Engineer

29 Carey's Road
Bridgenorth Tas 7277

TEL/FAX: (03) 6330 1510

MARCH 2017

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ATTACHMENTS

1. Proposed Subdivision Layout

1. Introduction

A proposal is being advanced to subdivide vacant land at the rear of the St Giles Society development at the corner of McKellar Road and Amy Road Newstead.

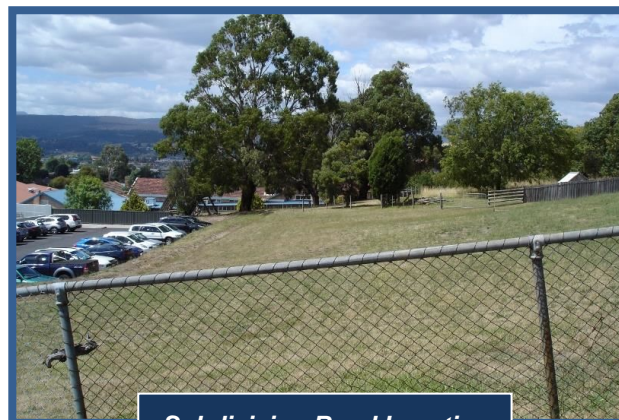
Prerequisite to the acceptance of a development application by the Launceston City Council is a traffic assessment to the satisfaction of Council's Infrastructure Department.

This report, provided by Terry Eaton, an experienced traffic engineer, is provided for that purpose.

Preparation of the report has included discussions with the developer's surveyor, Mr J Dent, and a site visit.

2. The Site

The site is an area of land of some 2 hectares with some 120 metre frontage to McKellar Road at the rear of the St Giles Society care centre at the corner of Amy Road and north of the north-side lots fronting Ellison Street.



The land is relatively steep with a cross fall of some 9% diagonally across the lot from the south-western corner.

The land is undeveloped except for two respite care centre buildings at the McKellar Road frontage with access to that road.

The north-western corner of the site is developed as a 26 space car park for the St Giles Centre.

The land is generally land locked by the St Giles buildings to the north, Oakwood and Ellison House to the east and Ellison Street properties to the south.

3. The Proposal

The proposal is to subdivide the land into 17 lots by a cul-de-sac development junctioning with McKellar Road some 25 metre centre – centre south of and opposite Atlas Street, length of cul-de-sac some 160 metres.

The layout proposes creating 13 new residential lots with 2 lots subdividing off the existing respite centre buildings and with one lot in use as a car park adhered to the St Giles Society buildings.

4. Road Facilities

- McKellar Road is considered a residential street which provides a connecting link between Amy Road, Newstead and Talbot Road, South Launceston. In transport planning terms the road could be considered as a minor collector, similar to a Category 4 road in the State Road Hierarchy.

In proximity to the site the road is constructed with a 7 metre wide sealed pavement, kerb and channel on both sides, a footpath and nature strip opposite and grass verge at the frontage.

The road is straight from some 80 metres to the north to the corner of Amy Road and for some 80 metres to the south to a right angled corner to the west in McKellar Road, radius some 25 metres with advisory corner speed signing with indicative 25 km/h plates.

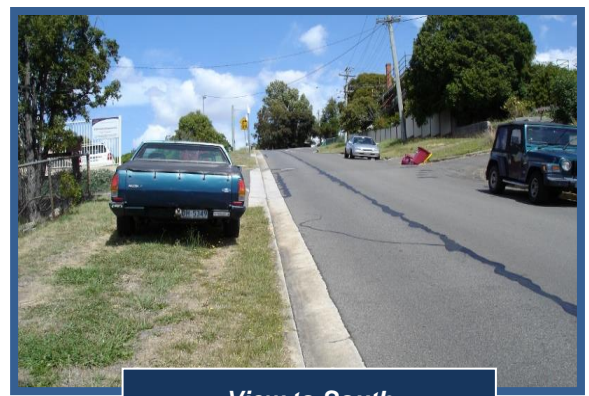
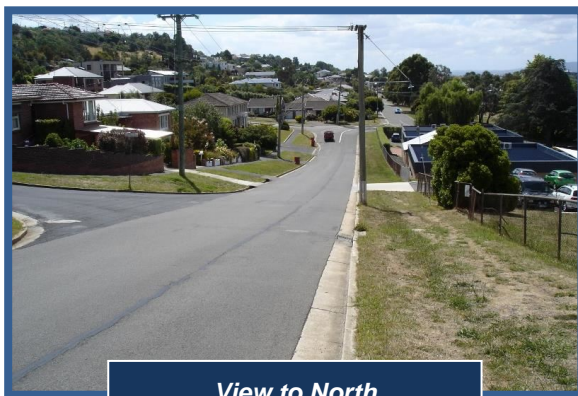
The road profile past the site is a downgrade of some 8% to 10% toward the north to a 40 metre sag curve centre at Atlas Street flattening to a downgrade of some 5%.

The default 50 km/h urban speed limit is applicable.

- Proposed cul-de-sac – the subdivision road to be constructed to the requirements of the Tasmanian Subdivision Guidelines and specific Launceston City Council requirements.

The site location indicates a nearest kerbline to kerbline clearance distance to Atlas Street of some 14 metres.

Sight distance from the subdivision junction is some 135 metres to the north and 150 metres to the south.



5. Traffic Data

- ***McKellar Road***

Traffic data suggests a 2017 ADT traffic volume on this road up to some 900 vehicles per day.

- ***Proposed Subdivision***

The proposed subdivision will provide 14 new residential lots available for development. Based on an indicative residential lot generation rate of 10 vehicles per lot indicates an ADT volume of some 140 vehicles at McKellar Road

6. Assessment

17.4 Residential Development Standard

The proposal is to subdivide the existing vacant land to provide a residential subdivision as a cul-de-sac development.

This proposal is considered consistent with the neighbouring land in use as residential lots with development of this land as infill development.

The abutting land development pattern is such that there is no opportunity to extend the proposed cul-de-sac to provide a through link. Indeed the location and street layout indicates no benefits by developing the street layout with replacement of the cul-de-sac with a through street.

E4 Road and Railway Assets Code

E4.5.1 A3 Comparison between the assessed traffic on McKellar Road (some 900 vehicles) with the indicative subdivision development (some 140 vehicles), i.e. some 16% indicates compliance (i.e. less than 20%).

- complies

E4.5.2 Not applicable

E4.6.1 Not applicable

E4.6.2 A2 The proposal provides for a cul-de-sac as the new development and as such provides only one access to McKellar Road. The car park and separate respite centre developments have existing driveways to McKellar Road.

- deemed to comply

E4.6.3 Not applicable

E4.6.4 A1 The available approach sight distance is in excess of the table E4.6.4 provisions for a 50 km/h speed zone for the new subdivision junction with McKellar Road.

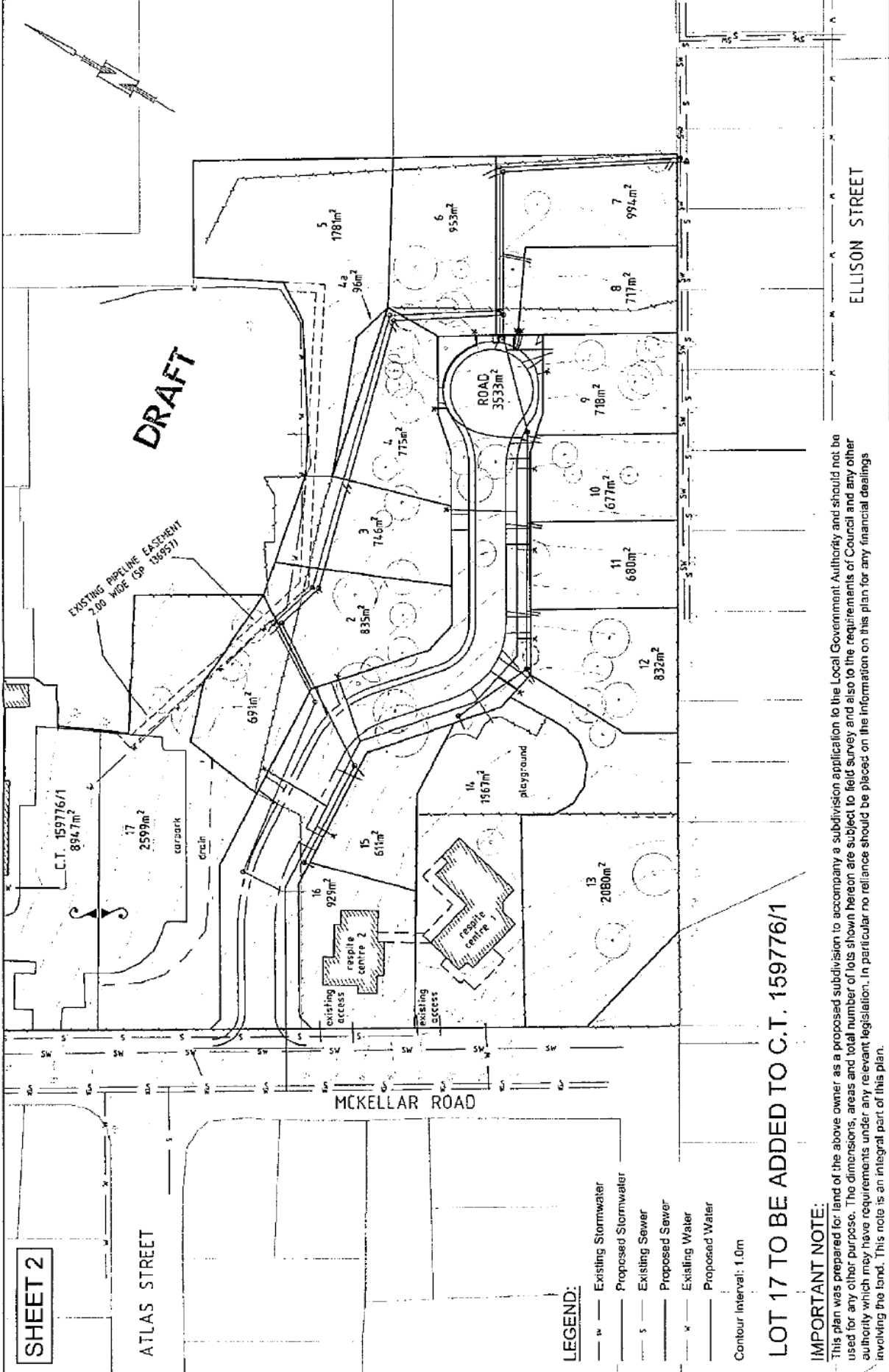
Measurements for traffic in Atlas Street indicates a sight distance of some 55 metres, this is considered satisfactory due to the low turn speed and need to give way at McKellar Road.

- deemed to comply

7. Conclusion

A traffic assessment for a proposed cul-de-sac subdivision at 46-50 McKellar Road, Newstead, indicates the development is consistent with the objectives for subdivision in a residential zone with compliance with Section E4 of the Launceston Interim Planning Scheme.

Terry Eaton



PROPOSED SUBDIVISION C.T. 136958/1 42-50 MCKELLAR ROAD, NEWSTEAD for ST GILES SOCIETY		SCALE 1:800 (A3) 0 8 16 24 32 40 Metres	SHEET NO. 2 TOTAL SHEETS 2	SURVEYOR PDA Surveyors Survey 76; Engineering & Planning 110/2 RIVERVIEW DRIVE NEWSTEAD QLD 4008 PH: 07 5500 9999 FAX: 07 5500 9998 WWW.PDA.SURVEYORS.COM.AU	DATE 11/09/2017 DRAWN BY JWD CHECKED BY AD PROJECT NO. 2-82716	SHEET NO. 1: 800 (A3) PROJECT NO. L16087-P01
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IMPORTANT NOTE:
 This plan was prepared for land of the above owner as a proposed subdivision to accompany a subdivision application to the Local Government Authority and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

Date submitted: 16/09/2017
Planning Administrator: *[Signature]*



Launceston
65 Amy Rd Newstead
PO Box 416 Launceston TAS 7250
P 03 6345 7333
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1300 278 445 | 1300 2stgiles

2 December 2016

TO WHOM IT MAY CONCERN

St Giles first acquired the site bordered by Amy & McKellar roads in May 1938 for the purpose of establishing an after care home for children suffering from poliomyelitis. An institutionalised facility was constructed and operated as a support home for children living with a variety of disabilities from 1938 until the 1994 when it was closed in response to the State Governments request that all large institutions operating in Tasmania be closed. During 1974 a for purpose paediatric therapy centre was also constructed on site. The buildings representing the "old kids home" were sold following the closure of the home to an after school child care operator. Following closure a children's respite centre was constructed, completed and opened on the McKellar Road side of the property during 2000. This facility is still used today in conjunction with an adjoining property which is used for the provision of specialist disability housing. As the National Disability Insurance Scheme begins to roll out the focus of disability support services begins to change again. In accordance with the principles of the scheme the NDIS is resulting in people requiring support to be delivered in their homes rather than through the traditional centre based support of the past. As such the excess land at the Amy Road site which has been held to one day build additional centre based and congregate care facilities will no longer be needed. To reflect the prudent stewardship of the organisation the decision has now been taken to dispose of the surplus land by way of subdivision to enable the funds generated to be used for the development of new services to meet the emerging NDIS driven need.

Ian Wright
Chief Executive



- Planning Scheme Submission -
14 lot subdivision and consolidation at McKellar Road, Newstead

Prepared by: Thomas Reilly
 Date: 1 May 2017
 PDA Surveyors reference: L16087

Launceston Interim Planning Scheme 2015

Provision	Applicable	Compliant	Comment:
1.0 Identification of the Planning Scheme	No	N/A	The land is within the Launceston City Council municipal area. Otherwise, section 1.0 contains no applicable standards.
2.0 Planning Scheme Purpose	No	N/A	Consideration of section 2.0 is specifically excluded by 8.10.3.
3.0 Planning Scheme Objectives	No	N/A	Consideration of section 3.0 is specifically excluded by 8.10.3.
4.0 Interpretation	No	N/A	Section 4 contains no applicable standards.
5.0 General Exemptions	No	N/A	No general exemptions apply
6.0 Limited Exemptions	No	N/A	No limited exemptions apply
7.0 Planning Scheme Operation	Yes	Yes	In accordance with 7.2.1, the land on which the use and development would occur is in the General Residential Zone and the Community Purpose Zone. The applicable Codes are:

		<ul style="list-style-type: none"> • E4 Road & Railway Assets Code • E6 Parking And Sustainable Transport Code • E10 Open Space Code <p>The land is not within a Specific Area Plan.</p> <p>Compliance with the applicable standards is addressed below accordingly.</p>	
8.1 Application Requirements	Yes	Yes	<p>In accordance with 8.1.2, the application includes:</p> <p>(a) details of the location of the proposed use or development (see submissions and plan of subdivision);</p> <p>(b) a copy of the certificate of title, title plan and schedule of easements (attached);</p> <p>(c) a full description of the proposed use or development (see submissions and plan of subdivision); and</p> <p>(d) a description of the manner in which the proposed use or development will operate (see submissions and plan of subdivision);.</p>
9.0 Special Provisions	No	N/A	No special provisions apply
10 GENERAL RESIDENTIAL ZONE			
10.1.1 Zone Purpose Statements	Yes	Yes	<p>The proposed use of lots 1-12 and 14 is Residential, which is a permitted use. The existing dwelling on the proposed lot 13 provides assisted living for people living with disability. In accordance with 8.10 there is no cause for consideration of the Zone Purpose Statements for these properties.</p> <p>The respite centre on the proposed lot 13 is a purpose built centre providing care and respite for people living with disability. It corresponds with the Education and occasional care use class. As it is a discretionary use, consideration is given to the Zone Purpose Statements below:</p> <p>The respite centre provides care for up to 6 people by up to 4 staff. It is often vacant during the day whilst clients are engaged in other activities. Use of the facility can occur at any time of day or night with timing dependent on the respite needs of clients and carers. Day time activity is typical of a day care centre with outdoor play, indoor learning and rest. Night times involve sleep and quiet indoor activity in a similar manner and with similar offsite impacts to a</p>

		<p>residential use. Noise from the facility during operating hours is minimal and outside operating hours there is no noise at all. The facility attracts a low amount of vehicle traffic for pick up and drop off.</p> <p>In accordance with Zone Purpose Statements 10.1.1.2 and 10.1.1.3, it is considered that the adverse off-site impacts of such activity would be minimal, within the reasonable expectations of nearby residents and therefore reasonably compatible with future adjacent residential activity.</p> <p>On this basis the use of the respite centre is and would be consistent with the Zone Purpose Statements.</p>	
10.1.2 Local Area Objectives	No	N/A	There are no Local Area Objectives.
10.1.3 Desired Future Character Statements	No	N/A	There are no Desired Future Character Statements.
10.2 Use Table	Yes	Yes	The proposed use of lots 1-12 and 14 is Residential, which is a permitted use. The existing dwelling on the proposed lot 13 is also a permitted residential use. Use of the respite centre corresponds with the Education and occasional care use class, which is discretionary. No qualifications apply to this use.
10.3.1 Hours of operation	Yes	Yes	The only commercial delivery vehicles involved are those that attend the respite centre on the proposed lot 13. They consist of small grocery delivery vans, which provide food items once per week. These deliveries are always within the hours of 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday. The respite centre is serviced by a regular sized people mover (Honda Odyssey) and a transit van fitted with lifting equipment to enable wheelchairs and those with limited mobility. Frequency of use of these vehicles in a residential context is low.
10.3.2 Plant & Equipment	Yes	Yes	The respite centre and the residence are serviced by typically domestic scale air conditioning units that are set back sufficiently to ensure that there would be no unreasonable loss of amenity to future nearby residential uses. The condenser units of the air conditioners for the existing dwelling are located at the north eastern corner as shown below:



Condenser units on the existing dwelling located 5.5m - 7m from proposed internal road.

The condenser unit of the air conditioner for the respite centre is located at the entrance to the building as shown below.



Condenser unit for the respite centre located behind tree. Separated from respite centre 2 by approximately 8 metres.

10.3.3 Light Spill and Illumination

Yes	Yes	<p>The existing buildings on the proposed lot 13 have external, low luminance, movement activated lighting for security purposes.</p> <p>The existing adjacent community purposes buildings on the St Giles site and the Newstead Child Care Centre site are illuminated overnight by lighting that provides a low level of illumination for security purposes. The impact on residential uses would be minimal and not outside the reasonable expectations of residents in an urban environment.</p>
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10.3.4 Storage of Goods and Waste

Yes	Yes	<p>A1 & P1</p> <p>No goods or materials are stored where they can be seen from any road or public space. Waste is stored in regular wheelie bins which are located adjacent to the parking area for the respite centre and are collected at the kerb-site as part of the Council's regular weekly collection service.</p> <p>The storage of waste is visible from McKellar Road but the visual impact is minimal in context with the buildings and landscaping on the site.</p>
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10.3.5 Commercial Vehicle Parking

Yes	Yes	<p>The respite centre is serviced by a regular sized people mover (Honda Odyssey) and a transit van fitted with lifting equipment to enable wheelchairs and those with limited mobility. The vehicles are always parked on-site.</p>
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10.4.1 Multiple dwellings

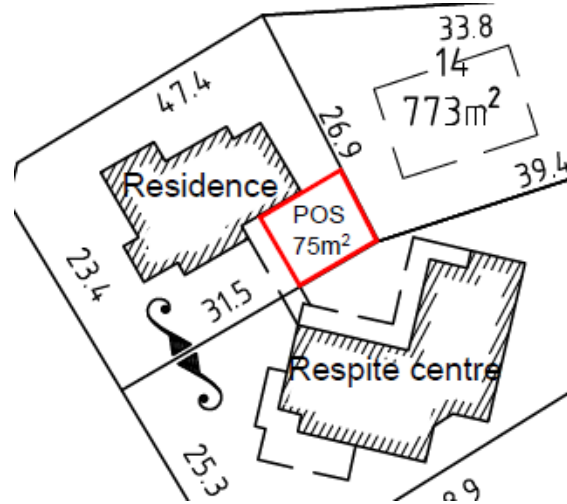
Yes	Yes	<p>A number of lots could contain multiple dwellings in accordance with the General Residential Zone Standards. It is intended that lot 12 would provide opportunity for multiple dwellings that would be accessed from the internal road.</p>
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10.4.2 Frontage setback and building envelope

Yes	Yes	<p>A1</p> <p>Each lot would provide a suitable building area for future dwellings located free from the 4.5m frontage setback requirement.</p> <p>The frontage setback of the existing dwelling on the proposed lot 13 would not change.</p> <p>A2</p> <p>Lots 1-12 and 14 would have a suitable building area for future dwellings located free from the 5.5m garage frontage setback requirement.</p> <p>The frontage setback of the garage for the existing dwelling on the proposed lot 13 is 20m.</p>
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		<p>A3</p> <p>Lots 1-12 and 14 provide sufficient area within which to locate a typical residential building that would comply with the setback and height standards.</p> <p>The existing dwelling on the proposed lot 13 would be setback 5m from the northerly side boundary and a maximum wall height of 7.5m. On this basis, there is compliance with the side boundary envelope standards. It would have a 4.5m - 5m setback from the proposed rear boundary. The height of the rear boundary facing wall is 7.5m at the top of the gable and so it would protrude outside the rear boundary envelope by up to 2.75m.</p> <p>P3</p> <p>In accordance with the Performance Criteria, the existing dwelling would have no impact on the overshadowing of other dwellings as there are none nearby. It would overshadow the proposed lot 14 from the late afternoon hours onwards but for the majority of the day, lot 14 would be unaffected.</p> <p>The visual impact of the existing dwelling would be moderate from lot 14. However, the 4.5m - 5m would provide adequate separation to suitably mitigate the visual impact. A two story dwelling on lot 14 is likely to have a mass and scale that would be relatively proportionate with the existing dwelling on the proposed lot 13. On this basis, it is considered that the location of the rear boundary on lot 13 relative to the existing dwelling is acceptable.</p>
<p>10.4.3 Site coverage and private open space for all dwellings</p>	<p>Yes Yes</p>	<p>A1</p> <p>Lots 1-12 and 14 are of sufficient size to be capable of containing a typical dwelling (or dwellings) that would comply with the site coverage standards.</p> <p>Site coverage of the buildings on lot 13 would be $586/2733 = 21.5\%$</p> <p>A2</p> <p>Each lot is capable of a dwelling and an area of private open space of suitable dimension and exposure to direct sunlight. Some lots may require landscaping to ensure that the 6m x 4m area of private open space was suitably level but such landscaping would be achievable by typical design and building practices. 75m² of private open space for the existing dwelling on lot 13</p>

would be located to the south-east of the dwelling as shown below. The private open space is flat, has direct access to the dwelling and has a minimum horizontal dimension of 8m.



Photograph taken from centre of private open space looking east-north-east.

10.4.4 Sunlight and overshadowing for all dwellings

		<p>P2</p> <p>Whilst the location for solar access is not compliant with the Acceptable Solution, in accordance with the Performance Criteria, the size of the area is well in excess of the minimum and would cater for outdoor activity reasonably well. It is an established area of private open space (paving, lawn, outdoor table, vegetation) with good access to the rear entrance of the dwelling. It has access to direct sunlight for most of the morning hours and has functioned adequately as private open space for some time.</p>
Yes	Yes	<p>A1</p> <p>Provided that principles of passive solar design are followed, a suitable degree of solar access would be achievable for future dwellings on lots 1-12 and 14.</p> <p>A2</p> <p>Provided that principles of passive solar design are followed, a suitable degree of solar access would be achievable for future multiple dwellings on lots 1-12 and 14.</p> <p>A3</p> <p>Provided that care is taken in the design of future multiple dwellings, a suitable degree of solar access would be achievable for the private open space on each lot.</p>
Yes	Yes	<p>Each lot would be capable of containing a dwelling with a garage that was at least 12m from the frontage. It is likely that garages would be within 12m but could be designed to ensure that the opening is of a suitable width.</p> <p>The garage in the existing dwelling on the proposed lot 13 is 20m from the frontage.</p>
Yes	Yes	<p>A1</p> <p>Provided that care is taken in the design of future balconies, decks, roof terraces, carports and parking spaces, an acceptable degree of privacy would be achievable.</p>

10.4.5 Width of openings for garages and carports for all dwellings

10.4.6 Privacy for all dwellings

			<p>The existing dwelling on the proposed lot 13 does not have a balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling).</p> <p>A2</p> <p>Provided that care is taken in the design and siting of windows of future dwellings, an acceptable degree of privacy would be achievable.</p> <p>The existing dwelling on the proposed lot 13 has windows to habitable rooms that have a floor level more than 1 m above natural ground level. However, each window has a setback of at least 3 m from a side boundary and 4 m from the rear boundary.</p> <p>A3</p> <p>Provided that care is taken in the design and siting of shared driveways and windows of future dwellings, an acceptable degree of privacy would be achievable.</p>	
10.4.7	Frontage fences for all dwellings	No	N/A	No frontage fencing proposed.
10.4.8	Waste storage for multiple dwellings	Yes	Yes	A1 Provided that care is taken in the design of future multiple dwellings, visual impact and the impact of noise and odour by waste storage areas can be suitably minimised.
10.4.9	Storage for multiple dwellings	Yes	Yes	A1 Provided that care is taken in the design of future multiple dwellings, suitable storage areas could be provided.
10.4.10	Common Property for multiple dwellings	Yes	Yes	The subdivision design would not constrain or interfere with delineation of spaces in multiple dwelling developments.
10.4.11	Outbuildings, swimming pools and fences	Yes	Yes	A1.1 & A1.2 Provided that care is taken in the future design and siting of outbuildings an acceptable result can be achieved on each lot. The subdivision design would not adversely impact on the suitable design of outbuildings on each lot.

		<p>A2</p> <p>Provided that care is taken in the future design and siting of pools an acceptable result can be achieved on each lot.</p> <p>A3</p> <p>N/A - No land would adjoin a public reserve.</p>	
10.4.12 Earthworks and retaining walls	No	N/A	<p>Earthworks would be associated with the construction of roads into the subdivision. The road generally travels perpendicular to the contours and so the cross fall and the need for significant excavation would be minimal. All battering and retaining would be designed by an appropriately qualified engineer to conform to Council's requirements including requirements for management of water flow and erosion. The visual impact and the impact on amenity would be typical of roads within sloping residential areas – i.e. minimal and reasonably expected.</p>
10.4.13 Location of car parking	Yes	Yes	<p>A1</p> <p>N/A – No shared driveways are proposed. The two buildings on the proposed lot 13 have separate driveways serving each.</p> <p>P2</p> <p>Whilst the proposed lot 13 would contain parking areas at the frontage serving the respite centre, such arrangements are part of an existing and approved situation that has little capacity for significant change due to the location of existing buildings, the topography of the site and the need to locate parking areas adjacent to entrances to provide access for those with limited mobility. The visual impact is lessened by a reasonable level of existing landscaping.</p> <p>Further landscaping to screen the parking areas would interfere with the use of the parking areas for drop off and pick up and so would be inappropriate.</p> <p>Parking for the existing dwelling on the proposed lot 13 is in the garage underneath the dwelling and the driveway on the northern side of the dwelling.</p>

10.4.14 Discretionary uses

Yes	Yes	<p>The proposed lot 13 is the only site on which a discretionary use is involved. The issue of compatibility and amenity arises mainly in relation to the introduction of future residential uses on lots 12 and 14.</p> <p>Each of the considerations of the performance criteria are addressed in turn:</p> <p>(a) <i>the setback of the building to a frontage;</i></p> <p>No change.</p> <p>(b) <i>the streetscape;</i></p> <p>Subsequent developments on lots 12 and 14 are likely to be residential and likely to have a mass and scale that is relatively similar in the urban context. As this happens, the respite centre would become less apparent and more compatible with the streetscape.</p> <p>(c) <i>the topography of the site;</i></p> <p>The southern corners of the respite centre building are excavated into lot 13 by approximately 300-600mm. Lot 12 would also be elevated above lot 13 and so it is likely that the topography would lessen the visual impact from lot 12. There is a suitable boundary fence along the boundary between these two properties that would suitably mitigate any potential loss of privacy.</p>
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Looking west-south-west along the southern (side) boundary of the respite centre.

(d) the height, bulk and form of the building;

No change. The respite centre has a floor area of approximately 400m², making it large in a residential context. However it is single storey and is of a typical residential form with a hipped gable roof. From the proposed lot 12, the height, bulk and form of the respite centre building is minimised by the height of the building below natural ground level.

(e) the height, bulk and form of adjacent buildings and buildings in the surrounding area;

As development happens around the respite centre on lots 12 and 14, the respite centre building is likely to reasonably blend within a fairly typical suburban context.

(f) the setbacks to side and rear boundaries;

The setbacks of the respite centre building are as follows:

- Front – no change
- Side (boundary shared with lot 12) - 2m
- Side (boundary shared with lot 14) – 1.5m.
- Rear – 25m

These setbacks are reasonably consistent with setbacks of similar development in the vicinity.

The respite centre is situated on land that is slightly higher in elevation to the proposed lot 14. The veranda around the respite centre is situated up to 1.35m above natural ground level at the highest point and it creates an overlooking opportunity over the proposed lot 14. It is considered that as it stands, the overlooking opportunity would lead to an inappropriate impact on privacy for lot 14. In order to counteract the potential for overlooking, it is proposed that the balcony be screened to a height of 1.8m wherever that balcony comes within 3m of the side boundary (see Siting Plan). This, combined with a suitable boundary fence and strategic design of the future dwelling on lot 14 would suitably mitigate any potential loss of privacy.

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

No significant shading of adjoining dwellings is likely.

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

The existing dwelling would create some minor shading over the proposed lot 12 but not enough to prevent a reasonable amount of solar access for suitably designed development on that lot in future.

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

No significant change from McKellars Road but once the subdivision is developed the degree of passive surveillance should generally increase.

(j) any existing and proposed landscaping;

10.4.15 Lot size and dimensions.

		<p>The proposed lot 13 has been landscaped at the frontage.</p> <p><i>(k) the visual impact of the building when viewed from adjoining or immediately opposite lots;</i></p> <p>The respite centre has a floor area of approximately 400m², making it large in a residential context. However it is single storey and is of a typical residential form with a hipped gable roof. From the proposed lot 12, the height, bulk and form of the respite centre building is minimised by the height of the building below natural ground level. On this basis, it is considered that there would be compatibility in the residential contest.</p> <p><i>(l) the location and impacts of traffic circulation and parking; and</i></p> <p>The respite centre attracts a moderate amount of vehicle traffic during pick up and drop off times but a low amount of traffic during other times. There would be no change to the traffic and parking arrangements on the site as a result of the subdivision. Future residential use on the proposed lots 12 and 14 would be unlikely to be significantly impacted by traffic and parking arrangements.</p> <p><i>(m) the character of the surrounding area.</i></p> <p>There would be no significant change to the surrounding area from the existing development on the proposed lot 13. As development happens around the respite centre it is likely to reasonably blend within a fairly typical suburban context.</p>
<p>Yes</p>	<p>Yes</p>	<p>A1.1</p> <p>In accordance with (a) and (b), the smallest lot would be 677m² and each lot could contain a 10m x 15m envelope free from setbacks and constraints.</p> <p>A1.2</p> <p>N/A</p> <p>A1.3</p>

		<p>As discussed above at 10.4.2 A3 & P3, the existing dwelling on the proposed lot 13 has a maximum wall height of 7.5m and would be setback 5m from the northerly side boundary. On this basis, there would be compliance with the side boundary envelope standards. The respite centre would have a 2, setback from the southern (side) boundary and would have a wall height above natural ground level of approximately 2.5m.</p> <p>The height of the rear boundary facing wall is 7.5m at the top of the gable and it would have a 4.5m - 5m setback from the proposed rear boundary. On this basis, it would protrude outside the rear boundary envelope by up to 2.75m.</p> <p>The existing dwelling would have no impact on the overshadowing of other dwellings as there are none nearby. It would overshadow the proposed lot 14 from the late afternoon hours onwards but for the majority of the day, lot 14 would be unaffected.</p> <p>The visual impact of the existing dwelling would be moderate from lot 14. However, the 4.5m - 5m would provide adequate separation to suitably mitigate the visual impact. A two story dwelling on lot 14 is likely to have a mass and scale that would be relatively proportionate with the existing dwelling on the proposed lot 13. On this basis, it is considered that the location of the rear boundary on lot 13 relative to the existing dwelling is acceptable.</p>	
10.4.16 Frontage and access	Yes	Yes	<p>A1</p> <p>In accordance with A1, the minimum road frontage is 5m (lot 6)</p>
10.4.17 Discharge of stormwater	Yes	Yes	<p>A1</p> <p>Further to A1, advice from the Council's Engineering Division is that the majority of the site can be suitably drained. The scheme of drainage included with the Plan of Subdivision indicates a suitable drainage pathway for the low point on each lot.</p> <p>A2</p> <p>In accordance with A2, the written advice of the Council's General Manager is attached.</p>

10.4.18 Water and sewerage

Yes	Yes	<p>A1 & A2</p> <p>Preliminary advice from TasWater is that each lot can be suitably serviced with a sewer and water connection.</p>
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10.4.19 Integrated urban landscape

Yes		<p>P1</p> <p>The subdivision is designed to optimise the use of land by providing lots with suitable building areas that are serviced in efficient manner. The major determining factor in the road and lot layout is the shape of the site, the existing adjacent buildings and the need to access the site from McKellar Road. The existing access from Ellison Street is not capable of complying with the minimum road reservation widths.</p> <p>The site does not contain land that is contiguous with existing public open space nor would it lend itself to the creation of a new public open space opportunity. It is within 200m of the Newstead Reserve and so residents would have access to recreation space within easy walking distance.</p> <p>Vegetation on the site is patchy regrowth and introduced species of no significant environmental value. The vegetation on the site is not so significant that it should determine or significantly influence road or lot layout or subsequent development lots.</p> <p>The character of the surrounding area is primarily residential. Further urban infill development as proposed is likely to enhance or at least consolidate this existing residential character.</p>
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10.14.20 Walking and cycling network

Yes	Yes	<p>P1</p> <p>The internal road would comprise an 18m reservation with a sealed section and a footpath on one side, designed to Council's requirements. This infrastructure would provide suitable pedestrian and vehicular access to McKellar Road.</p> <p>Footpaths exist on the opposite side of McKellar Road and could be connected with appropriately designed pedestrian crossing infrastructure.</p> <p>There is opportunity for pedestrian connection between the internal road and Ellison Street through 13276/26. This pedestrian connection would shorten the walking distance between Punchbowl Primary School and Junction Street, Atlas Street, Kintail Crescent and McKellar Roads area. However, the benefit needs to be appropriately balanced with the adverse impact on development potential of that lot and any diminution in value of that lot would need to be considered as a relevant factor.</p>
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10.4.21 Lot diversity	Yes	Yes	P1 The irregular shape of the land lends necessitates a range and mix of lot sizes and shapes and provided care is taken in the design of future development, a variety of dwelling and household types would also be possible.
10.4.22 Solar orientation	No	N/A	No lot within the subdivision would have an area of less than 500m ² .
10.4.23 Neighbourhood road network	Yes	Yes	The traffic assessment by Terry Eaton provides an opinion on the suitability of the proposed road environment. The design of roads and footpaths would be resolved by an appropriately qualified engineer to conform to Council's requirements including requirements for the movement of small and large vehicles, pedestrians and bicycles. It is considered that the design details can be adequately resolved at the engineering design stage.
10.4.23 Public transport network	Yes	Yes	The circumstances of the land in relation to the existing road network suggest that no internal public transport facilities are necessary. According to the Metro Bus Network Map, the nearest public transport route is approximately 500m away along Abbot Street and Amy and Talbot Roads.
11 Inner Residential Zone	No	N/A	No land in this Zone would be impacted.
12 Low Density Residential Zone	No	N/A	No land in this Zone would be impacted.
13 Rural Living Zone	No	N/A	No land in this Zone would be impacted.
14 Environmental Living Zone	No	N/A	No land in this Zone would be impacted.
15 Urban Mixed Use Zone	No	N/A	No land in this Zone would be impacted.
16 Village Zone	No	N/A	No land in this Zone would be impacted.
17	COMMUNITY PURPOSE ZONE		
17.1.1 Zone Purpose Statements	Yes	Yes	The use of the land that is to be consolidated with 65 McKellar Road is an existing and approved car park that is integral and subservient with the existing St Giles facility. On this

			basis the use is Education and occasional care, which is a permitted use. No change in use of the land is being considered. Accordingly, there is no cause for consideration of the Zone Purpose Statements for these properties.
17.2 Table of Use	Yes	Yes	The use associated with the land to be transferred is Education and occasional care, which is a permitted use.
17.3.1 Hours of operation	Yes	Yes	The hours of operation of the car park are the same as the hours of operation of the St Giles facility, which are 8am-5pm, Monday to Friday.
17.3.2 External storage	Yes	Yes	There would be no external storage of goods associated with the subdivision.
17.3.3 Commercial parking	Yes	Yes	In accordance with A1, all commercial vehicles are parked on site.
17.4.1 Height, Setback and siting	Yes	Yes	<p>A1 There are no new buildings or changes to existing buildings involved in the subdivision.</p> <p>A2 There are no new buildings or changes to existing buildings and no changes to frontage setback involved in the subdivision.</p> <p>A3 The subdivision would not cause the setback of an existing building to fall below the AS of 3m.</p>
17.4.2 Lot size and dimensions	Yes	Yes	<p>A1.1 The subdivision would provide for the consolidation of a lot with another lot within the same zone.</p> <p>A1.2 The subdivision would not cause the setback of an existing building to fall below the AS of 3m.</p>

			<p>A2</p> <p>The land in the Community Purposes Zone that is to be consolidated would be adjacent to the proposed lot 1, which would be in the General Residential Zone.</p> <p>The hours of use of the carpark are typical business hours (8am – 5pm, 5 days a week). Vehicle sounds such as doors opening and closing, engines starting and general conversation during these are unlikely to lead to a significant noise nuisance.</p> <p>Noise could be further minimised by the construction of a solid fence between the properties and the use of typical noise dampening residential construction practices. All measures could be undertaken at the dwelling application stage.</p>
17.4.3 Frontage and access	Yes	Yes	<p>A1</p> <p>In accordance with the AS, 65 Amy Road would retain a frontage of at least 3.6m.</p> <p>A2</p> <p>There would be no change to the existing vehicle access to 65 Amy Road.</p>
17.4.4 Discharge of stormwater	Yes	Yes	<p>A1</p> <p>The existing carpark and development serving 65 Amy Road is connected to the Council's stormwater system.</p> <p>A2</p> <p>There would be no change to the existing arrangements for stormwater drainage for 65 Amy Road.</p>
17.4.5 Water and sewerage	Yes	Yes	<p>A1</p> <p>There would be no change to the existing arrangements for water supply.</p> <p>A2</p> <p>There would be no change to the existing arrangements for sewerage drainage.</p>

18 Recreation Zone	No	N/A	No land in this Zone would be impacted.
19 Open Space Zone	No	N/A	No land in this Zone would be impacted.
20 Local Business Zone	No	N/A	No land in this Zone would be impacted.
21 General Business Zone	No	N/A	No land in this Zone would be impacted.
22 Central Business Zone	No	N/A	No land in this Zone would be impacted.
23 Commercial Zone	No	N/A	No land in this Zone would be impacted.
24 Light Industrial Zone	No	N/A	No land in this Zone would be impacted.
25 General Industrial Zone	No	N/A	No land in this Zone would be impacted.
26 Rural Resource Zone	No	N/A	No land in this Zone would be impacted.
27 Significant Agricultural Zone	No	N/A	No land in this Zone would be impacted.
28 Utilities Zone	No	N/A	No land in this Zone would be impacted.
29 Environmental Management Zone	No	N/A	No land in this Zone would be impacted.
30 Major Tourism Zone	No	N/A	No land in this Zone would be impacted.
31 Port And Marine Zone	No	N/A	No land in this Zone would be impacted.
32 Particular Purpose Zone – Legana Strategic Land Reserve	No	N/A	No land in this Zone would be impacted.
33 Particular Purpose Zone – Legana Commercial Land Reserve	No	N/A	No land in this Zone would be impacted.

CODES			
<i>E1 Bushfire Hazard Code</i>	Yes	Yes	The site is within a managed area and is not bushfire prone.
<i>E2 Potentially Contaminated Land Code</i>	Yes	Yes	The site is not identified as having contaminated land or land that is likely to be contaminated.
<i>E3 Landslide Code</i>	No	N/A	No landslide is identified on the site.
<i>E4 Road & Rail Code</i>	Yes	Yes	The Traffic Assessment by Terry Eaton, addresses the suitability of the proposed road and access arrangements.
<i>E5 Flood Prone Areas Code</i>	No	N/A	No flood prone land is identified on the site.
<i>E6 Parking And Sustainable Transport Code</i>	Yes	Yes	<p>Each lot within the proposed General Residential Zone is intended for a use aligned with that Zone. Each lot is of a regular in shape that would provide sufficient space to accommodate future dwellings with at least two vehicle parking spaces as required by the Code. Future multiple dwellings can be considered on a case by case basis. Appropriate construction and drainage of future parking and access spaces can be suitably addressed at the time that dwellings are proposed</p> <p>The consolidation with 65 Amy Road would not change the use and development undertaken, it would merely ensure that the car park associated with the St Giles facility is held within the same title.</p>
<i>E7 Scenic Management Code</i>	No	N/A	Site is not within a scenic management area and not within a tourist road corridor.
<i>E8 Biodiversity Code</i>	No	N/A	Site is not within a biodiversity protection area and no native vegetation would be removed.
<i>E9 Water Quality Code</i>	Yes	N/A	In accordance with E9.4(e), the development associated with proposed subdivision and the future development of residential uses on the site would be connected to the reticulated stormwater services in accordance with the requirements of the Council's stormwater authority.

<i>E10 Open Space Code</i>	Yes	Yes	In accordance with E10.4, land for public open space would not be appropriate due to the location of the site, the proximity to existing open space and the relatively small size of the development. Hence it is likely that the exemption would apply.
<i>E11 Environmental Impacts And Attenuation Code</i>	No	N/A	No listed activities known to be within the prescribed attenuation distances of the site.
<i>E12 Airports Impact Management Code</i>	No	N/A	The site is not within an ANEF area and not within prescribed airspace.
<i>E13 Heritage Code</i>	No	N/A	No places of heritage value or archaeological significance identified on the site.
<i>E14 Coastal Code</i>	No	N/A	Not within the Code overlay.
<i>E15 Telecommunications Code</i>	No	N/A	No telecommunications infrastructure involved.
<i>E16 Invermay/Inveresk Flood Inundation Area Code</i>	No	N/A	No onsite wastewater management systems required.
<i>E17.0 Cataract Gorge Management Area Code</i>	No	N/A	Not within specified area.
<i>E18.0 Signs Code</i>	No	N/A	No signage proposed.
<i>E19.0 Development Plan Code</i>	No	N/A	Not within specified area.
			SPECIFIC AREA PLANS
<i>F1 – F9</i>	No	N/A	The site is not within a SAP.
			OTHER PLANNING SCHEME MATTERS
<i>1. Referenced And Incorporated Documents</i>	Yes	Yes	Any incorporated documents are considered above.

2. Planning Scheme Amendments

3. Dispensations from local provisions

4. Planning purpose notice

No	N/A	No amendments affecting proposal.
No	N/A	No dispensations sought.
Yes	Yes	PPN considered and applied in compliance submission.

Local Government (Building and Miscellaneous Provisions) Act 1993

Section 85 -

Clause	Comment
<p><i>The council may refuse to approve a plan of subdivision if it is of the opinion –</i></p> <p><i>(a) that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is; or</i></p> <p><i>(b) that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of; or</i></p> <p><i>(ba) that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block; or</i></p> <p><i>(c) that the site or layout will make unduly expensive the arrangements for supply of water and electricity,</i></p>	<p>The Traffic Assessment by Terry Eaton, provides advice in relation to whether the roads would suit the public convenience and whether they would give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area.</p> <p>The development associated with proposed subdivision and the future development of residential uses on the site would be connected to the reticulated stormwater services in accordance with the requirements of the Council's stormwater authority.</p> <p>No on-site effluent disposal systems necessary.</p> <p>The proposed layout is considered to provide an efficient and economical means of providing dwellings with electricity, access to a road, water and drainage.</p>

connection to drains and sewers and the construction or maintenance of streets; or

(d) that the layout should be altered to include or omit –

(i) blind roads; or

(ii) alleys or rights of way to give access to the rear of lots; or

(iii) public open space; or

(iv) littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake; or

(v) private roads, ways or open spaces; or

(vi) where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides; or

(vii) licences to embank highways under the Highways Act 1951; or

(viii) provision for widening or deviating ways on or adjoining land comprised in the subdivision; or

(ix) provision for the preservation of trees and shrubs; or

(e) that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision; or

N/A

The rear of all relevant lots can be accessed without need for new alleys or rights of way.

Additional public open space is not necessary.

The site does not carry water suitable for a littoral or riparian reserve.

No foreseeable benefit.

Roads and footpaths can be constructed with a cut and fill balance that can be accommodated within the proposed reservation.

No foreseeable benefit.

No foreseeable benefit.

Environmental values on site are not considered to be high enough to warrant the preservation of trees or shrubs.

13276/26 may provide a useful means of access to Ellison Street from the internal road network. However, the benefit needs to be appropriately balanced with the adverse impact on development potential of that lot and any diminution in value of that lot would need to be considered as a relevant factor.

(f) that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on; or

(g) that one or more of the lots ought not to be sold because of –

(i) easements to which it is subject; or

(ii) party-wall easements; or

(iii) the state of a party-wall on its boundary.

Issue addressed above in the Development Standards of the General Residential Zone.

There are no easements on the land that would affect the potential for each lot to support appropriate residential use and development.

There are no party walls on the land that would affect the potential for each lot to support appropriate residential use and development.

There are no party walls on the land that would affect the potential for each lot to support appropriate residential use and development.

-End-



PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

PROPERTY ADDRESS: 42-50 McKellar Road, Newstead

DEVELOPMENT/USE: Rezoning and Subdivision - 14 lot subdivision and consolidation

SF 6616

ZONE: Community Purpose, General Residential

USE CLASS: Residential

DECISION:

That the Council, at its meeting held on 8/08/2017 (Minute No: 8.5), made a decision to approve the development application, 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/Manager Planning Services unless modified by a condition of the Permit:

- a. Section 43A Submission, prepared by PDA Surveyors, titled Rezoning, Subdivision and Consolidation at Amy & McKellar Roads Newstead, pp.1-21, dated 2 May 2017;
- b. Infrastructure Services Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 2, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017; Amended Plan Required
- c. Zone and Staging Plan, prepared by PDA Surveyors, drawing L16087-P08 sheet 1, Proposed Rezoning CT 136958/1 42-50 McKellar Road, Newstead for St Giles Society, dated 4 April 2017;
- d. Planning Scheme Submission, prepared by PDA Surveyors, titled 14 lot subdivision and consolidation at McKellar Road Newstead, pp.1-25, dated 1 May 2017;
- e. Traffic Assessment, prepared by Terry Eaton, titled Traffic Assessment Proposed Subdivision 42-50 McKellar Road Newstead, pp.1-7, dated March 2017;
- f. Stormwater Drainage Analysis, prepared by PDA Surveyors, titled St Giles Society Proposed Subdivision 42-50 McKellar Road Stormwater Drainage Analysis, Newstead, pp.1-9, dated July 2017;

2. TASWATER

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2017/00845-LCC) (attached).

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.

Leanne Hurst

DIRECTOR DEVELOPMENT SERVICES

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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. ON-SITE DETENTION

On-site detention storage must be provided to limit the peak rate of piped stormwater discharge to 47L/s based on the supplied figure for the 1:5 year flow.

Post development flows and associated storage volumes for this development are to be based on 70% impervious for the lots and 90% impervious for the road/footpaths. Storage is to be provided for up to a 1:10 year ARI/10% AEP post development.

The on-site detention storage system is to be designed by a civil engineer eligible for membership of IE Aust or equivalent. Prior to the commencement of works, the plans and calculations must be submitted to the Director Infrastructure Services for approval as part of the engineering design plans. On completion, an "as constructed" plan complete with levels, must be submitted, complete with a certification that the storage and adjacent floor levels have been constructed in accordance with the approved design.

6. AMENDED PLANS REQUIRED

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

- a. The boundaries of the road reserve are to be modified to have a width of 25 metres at the turning head
- b. All consequential changes to accommodate the requirement of a. above.

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

7. DAMAGE TO COUNCIL INFRASTRUCTURE

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

8. 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.

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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.

9. 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.

10. 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.

11. RETICULATED SERVICES

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

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12. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services for approval. Such plans and specifications must:

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

13. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

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

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
 - ii. The provision of a DN 100 connection to the lowest point of each lot,
 - iii. Provision of an overland flow path for flows up to a 100 year ARI storm event.
- b. Roads
 - i. Provision of a fully constructed road 8.9 metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of an 18 metre diameter turning head (measured from the face of kerb),

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- iii. Provision of a 1500 mm wide footpath located on one side of the road and all necessary pedestrian kerb ramps,
- iv. Provision of a single vehicular crossing for each lot within the subdivision,
- v. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
- vi. All necessary line marking, signage and other traffic control devices.
- c. Electricity, Communications & Other Utilities
 - i. An underground reticulated electricity system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. A public street lighting scheme designed and installed all lots and installed to the approval of the Responsible Authority,
 - iii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iv. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - v. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

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

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

14. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the Urban Drainage Act 2013 can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the Land Acquisition Act 1993 will be followed.

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15. WORKS REQUIRED FOR EACH LOT IN A STAGE

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

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

16. CONSTRUCTION DOCUMENTATION

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

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

17. EASEMENTS

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

18. SEALING PLANS OF SUBDIVISION

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

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council requirements.

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- b. The subsequent issue of a Certificate of Practical Completion by the Director Infrastructure Services.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

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

19. CONVEYANCE OF ROADS

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

20. STREET LANDSCAPING PLAN & BUFFER PLANTING

Prior to the commencement of works, a landscape plan must be prepared by a suitably qualified person and submitted to the Manager Natural Environment in conjunction with the detailed engineering plans. Once approved, it will form part of this permit.

The plan must show:

- a. Shade trees on one side of the road of an approved species with a minimum planted height of not less than 2.0m, a minimum trunk diameter of 25mm (measured 1m above the surface) and at an average spacing of one per 20m of frontage. (Note due to difficulty in providing sufficient space at the head of the cul de sac - trees do not need to be placed at regular intervals and may be clustered where suitable however 21 trees are to be provided)
- b. Have each shade tree provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal.
- c. Be coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each shade tree.
- d. Buffer planting on Lot 16 is required to mitigate tree removal from the rezoned land. (At the discretion of the Manager Natural Environment trees from the street tree requirement may be incorporated into the buffer planting)

The landscaping must be in place prior to the sealing of the final plan of survey unless otherwise approved by the Director Infrastructure Services and may then be subject to the provision of a financial security until such time as the landscaping works are completed.

21. PAYMENT IN LIEU OF PUBLIC OPEN SPACE

Prior to the sealing of the Final Plan of Survey, the developer must pay to the Council a sum equivalent to 5% of the unimproved value of the approved residential lots. The value shall be calculated using the government valuation where the valuation is less than 3

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years old. Where the government valuation is greater than 3 years old the contribution shall be as determined by a registered land valuer (at the time of sealing the Final Plan) procured at the Subdivider's expense.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0198/2017. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on (03 6323 3000).

This permit takes effect after:

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

This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, restricted or prohibited by any such covenant.

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

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

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

D. Permit Commencement.

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

Date: 21 August 2017


Leanne Hurst

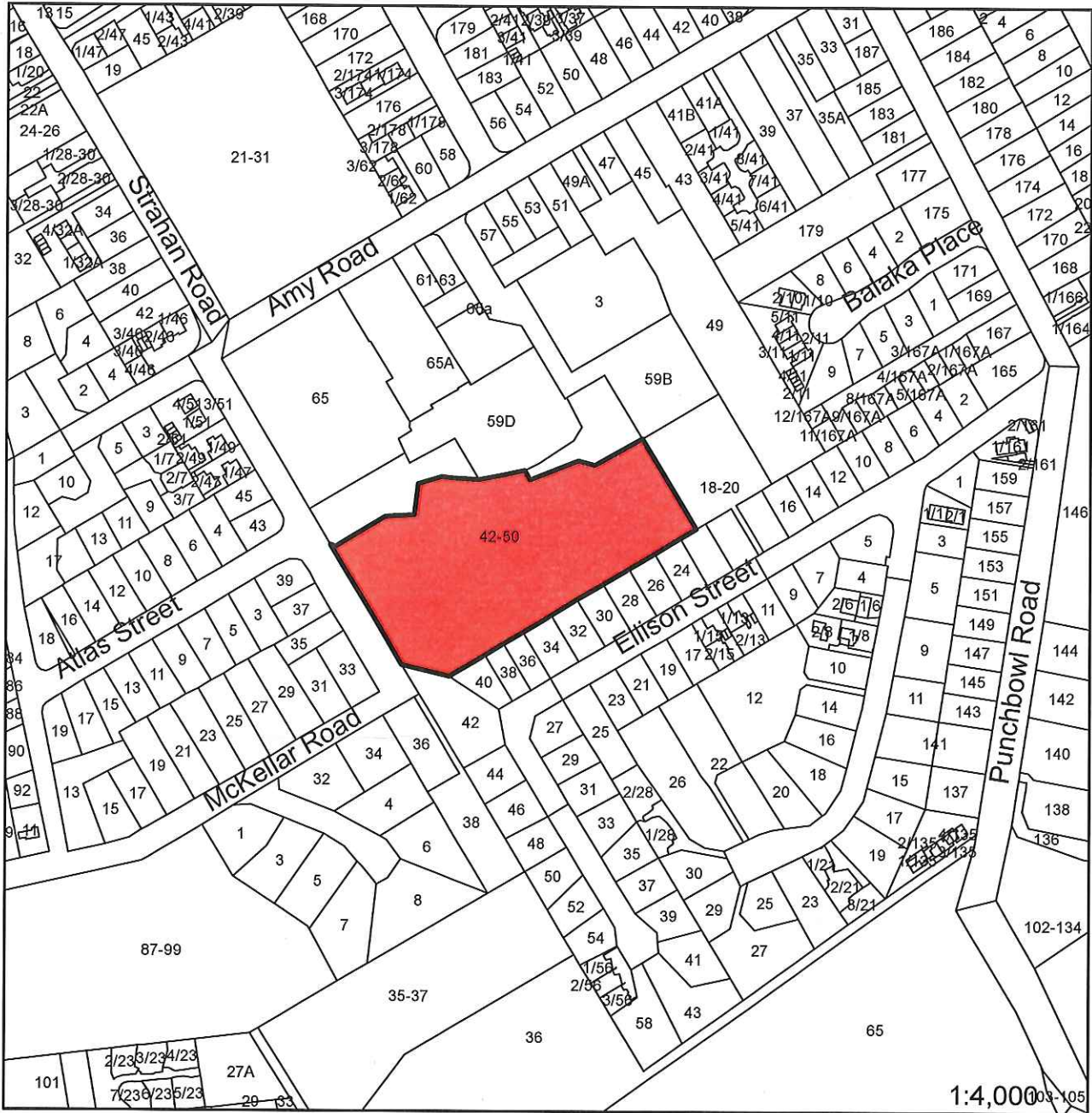
DIRECTOR DEVELOPMENT SERVICES

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Launceston Interim Planning Scheme 2015

AMENDMENT 38

Amend the interim planning scheme maps as below:



Rezoning from Community Purpose to General Residential
 (42-50 McKellar Rd, Newstead C.T. 136958/1)

[Signature]
 John Davis
 Manager
 Corporate Strategy

[Signature]
 Leanne Hurst
 Director Development
 Services



THE COMMON SEAL
 of the City of
 Launceston was
 hereunto affixed in the
 presence of: -

Date