



**LAUNCESTON CITY COUNCIL**

# **COUNCIL AGENDA**

**COUNCIL MEETING  
MONDAY 12 AUGUST 2013**

# LAUNCESTON CITY COUNCIL

COUNCIL AGENDA

Monday 12 August 2013

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Notice is hereby given that the Ordinary Meeting of the Launceston City Council will be held at the Council Chambers -

Date: 12 August 2013

Time: 1.00 pm

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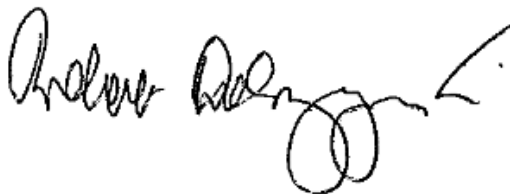
## Section 65 Certificate of Qualified Advice

### Background

Section 65 of the Local Government Act 1993 requires the General Manager to certify that any advice, information or recommendation given to council is provided by a person with appropriate qualifications or experience.

### Declaration

I certify that persons with appropriate qualifications and experience have provided the advice, information and recommendations given to Council in the agenda items for this meeting.



**Robert Dobrzynski**  
General Manager

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**1 OPENING OF MEETING - IN ATTENDANCE AND APOLOGIES**

**2 DECLARATION OF PECUNIARY INTERESTS**

**3 CONFIRMATION OF MINUTES**

**RECOMMENDATION:**

1. That the Minutes of the meeting of the Launceston City Council held on 22 July 2013 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 22 July 2013 in closed session be confirmed as a true and correct record.

**4 DEPUTATION**

**Nil**

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**5 ANSWERS FROM PREVIOUS PUBLIC AND ALDERMEN'S QUESTION TIME**

Meeting Date and Item No.	File No.	Question	Answer	Officer Responsible
22 July 2013	9.1	<p>Alderman D C Gibson asked:</p> <p>With regard to Alderman Soward's question asked at a previous meeting regarding repairs to be undertaken to pathways after the NBN rollout, what is the understanding of Council Officers at this present time with returning pavements and the like to their original state after installation</p>	<p>This question was taken on notice.</p> <p>Response by Harry Galea (Director Infrastructure Services):</p> <p>The day following the Council meeting the contractor rolling out the NBN, Vision Stream, advised that they have finished 95% of the outstanding reinstatement for stage 1 works. Some reinstatements involved making a pavement safe with the intention to return soon to undertake saw-cutting and the like before applying the final surface. The repairs are subject to a hand-over inspection between Council and NBN (a lag time of 2-3 month) plus a 12 months defects liability period.</p> <p>Stage 1 roll-out is complete and involved the CBD, small part of East Launceston and large part of West Launceston. The next stage is Newstead and the total city would be under the roll-out of NBN over the next 5 years.</p>	Harry Galea

**6 PUBLIC QUESTION TIME**

## 7 ANNOUNCEMENTS BY THE MAYOR

### 7.1 Mayor's Announcements

FILE NO: SF2375

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#### **Tuesday 23 July**

- Attended Business Update Indonesia Forum with Peter Craven and Consul-General, Irmawan Emir Wisnandar

#### **Wednesday 24 July**

- Attended LGAT General Meeting and AGM in Hobart

#### **Thursday 25 July**

- Met with Prime Minister, Hon Kevin Rudd MP
- Officiated at Public Citizenship Ceremony - Albert Hall
- Officiated at Junction Arts Festival VIP Launch
- Attended Fawly Towers Opening Night - Earl Arts

#### **Friday 26 July**

- Attended Northern Hawks Netball Presentation Evening
- Attended Northern Suburbs Community Meeting at Northern Suburbs Community Centre, Rocherlea

#### **Saturday 27 July**

- Officiated at Operation Christmas Child Launch
- Attended Cystic Fibrosis Tas Gala Dinner & Charity Auction

#### **Monday 29 July**

- Attended North Eastern Tas Industry Innovation Precinct - Presentation by Peter Schultz, Chair of Food Innovation Australia

#### **Wednesday 31 July**

- Attended Beacon Foundation Business Event at Queechy High School

#### **Thursday 1 August**

- Attended LGAT Regional Referendum Workshop

#### **Friday 2 August**

- Officiated at civic reception to mark the 80th anniversary of Launceston Younger Set
-



## 7.1 Mayor's Announcements...(Cont'd)

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### **Saturday 3 August**

- Officially opened Tas Swimming Short Course State Championships and presented medals
- Attended Legacy Reception in presence of His Excellency the Hon Alan Blow, OAM Lieutenant-Governor of Tasmania
- Attended Villages of Life Ball

### **Monday 5 August**

- Met with students from Ikeda, Japan

### **Tuesday 6 August**

- Attended PCYC Youth Theatre Production Opening Night Performance of "The Music Man"

### **Wednesday 7 August**

- Attended St Patrick's College Official Opening by Geoff Lyons MHR of the Aquaculture Trade Training Centre

### **Friday 9 August**

- Attended Uniting Care Tas Official Launch of the Teen Pregnancy Report
- Attended Red Rose Day in remembrance of Jessica Kupsch at Northern Suburbs Community Centre, Rocherlea
- Attended Launceston Players Society Opening Night Performance of "Emerald City"

### **Saturday 10 August**

- Officiated at Tas Open Dance Sport Championships at Silverdome
-

8 ALDERMEN'S/DELEGATES' REPORTS

9 QUESTIONS BY ALDERMEN

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**10 COMMITTEE REPORTS****10.1 Cataract Gorge Advisory Committee Meeting 15 May 2013****FILE NO:** SF0839**AUTHOR:** Tricia De Leon-Hillier (Parks Lease Management Officer)**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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**DECISION STATEMENT:**

To consider a report from the Cataract Gorge Advisory Committee.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

That the report from the Cataract Gorge Advisory Committee meeting held on 15 May 2013 is received and that Council adopt a recommendation that:

- the elevated lookout along the Cataract Walkway at the Cataract Gorge be permanently closed off for public access due to the disrepair to the deck, high risk issues of the access path, negative environmental impacts to allow rehabilitation and reasonable alternative vistas exist at other lookouts.
- 

**REPORT:**

The following matters were discussed at the Cataract Gorge Advisory Committee meeting held on 15 May:

**1. Bush Land at Dalrymple**

A land owner from Summerhill who is currently planning to subdivide his land wishes to donate some land to LCC for open space. The area he wishes to donate is at the far western end of the Gorge near the Dalrymple Street trail. Council officers have been discussing access to the site with Meander Valley Council and negotiations are ongoing between Council and the property owner. This land is within the Launceston municipal boundary and could be acquired under as a public open space contribution if the subdivision goes ahead.

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**10.1 Cataract Gorge Advisory Committee Meeting 15 May 2013...(Cont'd)**

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## 2. Fairy Dell - mini master plan

An exercise was completed where a number of Parks staff reviewed the Fairy Dell to produce a mini master plan that was presented to the committee. It was decided that the stone work will be restored to its original state to keep the current look of the area. Two large gum trees need to be removed and new plantings established after the staged removal of the Sycamore trees.

## 3. Burning Program

The autumn burning program has been developed with 4 burns programed in the Gorge area. The scheduled burns are for below Dandenong Road, Dennison Road and another area behind the Cliff Grounds.

## 4. Cataract Gorge Volunteers - progress report

The comparison from last year to this year was made on the total number of visitors to the visitor centre. For the period 18 February to 16 May the number of visitors in 2012 was 1,738 and 2013 was 3,352.

The artist in residence cottage is fully booked until February 2014.

Current Events at the Cataract Gorge are:

<b>Events</b>	<b>Topic</b>	<b>Presenter</b>
March	Duck Reach Walk	Geoff Drake & Gus Green
April	Discovery Kings Bridge	Geoff Drake
May	Biggest Morning Tea (fundraising raised \$134)	
June	Tamar Island	Alison Moore
July	My Cataract Gorge	Bill Reynolds
August	Tamar Estuary & Esk Rivers	Emma Williams

## 5. Cataract Walkway Elevated Lookout

At the last meeting it was decided that further investigations were to be carried out including the mapping of views from all current lookouts in the area. Officers presented a visual analysis of photographs taken from the elevated lookout and determined that the views from the lookout are similar to views that can be obtained from adjacent decks. The committee considered that providing safe access to the deck is impractical without significant negative environmental impacts and major expense. The \$95,000 required for the repairs to the deck itself would be better spent elsewhere and repairing the deck served little purpose if the existing unsafe access remained. The committee recommended that stone be used to remove access to the deck and the deck be either completely or substantially removed.

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**10.1 Cataract Gorge Advisory Committee Meeting 15 May 2013...(Cont'd)**

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**ECONOMIC IMPACT:**

N/A

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

N/A

**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.



**Harry Galea: Director Infrastructure Services**

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## 10.2 Pedestrian & Bike Committee Meeting 18 June 2013

**FILE NO:** SF0618

**AUTHOR:** Julie Tyres (Administration Officer - Road Assets)

**DIRECTOR:** Harry Galea (Director Infrastructure Services)

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### **DECISION STATEMENT:**

To receive and consider reports from the Pedestrian & Bike Committee.

### **RECOMMENDATION:**

That the report from the Pedestrian & Bike Committee Meeting held on 18 June 2013 be received.

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### **REPORT:**

The Pedestrian & Bike Committee meeting held on 18 June 2013 discussed the following items:

- Meeting on site July 11 at Inveresk to review progress regarding risk issues associated with tram lines
- FGSM Directorate has been identified as being responsible for Levee/Bike Path project working with LFA / YPIPA / Parks & Recreation
- Launceston Flood Authority is proposing a uniform approach to the levee top trail design to improve look and amenity of levee paths

### **ECONOMIC IMPACT:**

The increasing use of non-motorised transport, such as bikes and walking, will provide a net positive economic benefit.

### **ENVIRONMENTAL IMPACT:**

The increasing use of non-motorised transport, such as bikes and walking, will provide a net positive environmental benefit.

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## 10.2 Pedestrian & Bike Committee Meeting 18 June 2013...(Cont'd)

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### **SOCIAL IMPACT:**

Increasing opportunities for travel by bicycle will improve access to employment, schools and other services.

### **STRATEGIC DOCUMENT REFERENCE:**

Goals that are considered relevant from the Cycling Strategy are:

- Goal 2.1 - Facilitate a sustainable approach to enhance access to and within the municipality.
- Goal 3.4 - Provide and promote safe city environment.

### **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.



**Harry Galea: Director Infrastructure Services**

**10.3 QVMAG Museum Governance Advisory Board Meeting 19 June 2013****FILE NO:** SF2244**AUTHOR:** Leila Wagner (Personal Assistant)**DIRECTOR:** Richard Mulvaney (Queen Victoria Museum and Art Gallery)

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**DECISION STATEMENT:**

To receive and consider a report from the QVMAG Museum Governance Advisory Board.

**RECOMMENDATION:**

That the report from the QVMAG Museum Governance Advisory Board meeting held on 19 June 2013 be received.

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**REPORT:**

The key points raised by the MGAB were:

- That the KPMG LCC Form and Function review has now been completed and each Directorate is working on a Future Directions Plan, including a 100 day strategy for immediate actions.
  - That Board members have been invited to attend a forum conducted by MMC Link on the QVMAG Form & Function review on 27 June.
  - That QVMAG had been successful with recent grant submissions including \$44,000 for the World War 1 centenary exhibition and \$25,000 for the Thylacine exhibition and publication.
  - The Financial Report was received and it was requested that a meeting be scheduled with Finance to outline the procedure on reporting the Projected Variance.
  - The QVMAG Friends have organised a bus trip to TMAG in July.
-



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### 10.3 QVMAG Museum Governance Advisory Board Meeting 19 June 2013...(Cont'd)

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- The Arts Foundation have currently 18 members of the newly formed Herbert Scott Society.

#### **ECONOMIC IMPACT:**

Consideration contained in Report.

#### **ENVIRONMENTAL IMPACT:**

Consideration contained in Report.

#### **SOCIAL IMPACT:**

Consideration contained in Report.

#### **STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan 2008/2013 - Priority Area 4: Cultural Environment

#### **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.

  
**Richard Mulvaney: Director Queen Victoria Museum & Art Gallery**

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**10.4 Strategic Planning and Policy Committee Report - 5 August 2013****FILE NO:** SF4401**AUTHOR:** Daniel Gray (Committee Clerk / Administration Officer)**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To receive and consider a report from the Strategic Planning and Policy Committee.

**RECOMMENDATION:**

That the report from the Strategic Planning and Policy Committee Meeting held on 5 August 2013 be received.

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**REPORT:**

The following item(s) were discussed at the meeting:

1. Deputation - Launceston Flood Authority
2. Deputation - Addendum to Silt Removal Proposals
3. Launceston Strategic Tourism Plan
4. Brisbane Court
5. Launceston Bowls & Community Club - Request for 50 year Lease

The following closed item(s) were discussed at the meeting:

6. Key to the City

**ECONOMIC IMPACT:**

There is no economic impact on the community.

**ENVIRONMENTAL IMPACT:**

There is no environmental impact on the community.

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**10.4 Strategic Planning and Policy Committee Report - 5 August 2013...(Cont'd)**

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**SOCIAL IMPACT:**

There is no social impact on the community.

**STRATEGIC DOCUMENT REFERENCE:**

Launceston City Council Strategic Plan - 2008-2013

5.5 Implement enhanced community engagement

**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.

  
**Robert Dobrzynski: General Manager**

11 PETITIONS

Nil

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Under the provisions of the Land Use Planning and Approvals Act 1993, Council acts as a Planning Authority in regard to items 12.1 - 12.2.

## **12 PLANNING AUTHORITY**

- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign**

**FILE NO:** DA0143/2013

**AUTHOR:** Pip Glover (Town Planner)

**DIRECTOR:** Michael Stretton (Director Development Services)

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### **DECISION STATEMENT:**

To consider a proposal for construction and use of a manufacturing and processing facility (concrete batching plant) and associated building, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign at 574 Meander Valley Road, Prospect.

### **PLANNING APPLICATION INFORMATION:**

Applicant:	Bullock Consulting
Property:	574 Meander Valley Road, Prospect
Site area:	3700 m <sup>2</sup> (Title area ....196.5ha)
Zone:	Rural Resource
Existing use:	Rural
Classification:	Manufacturing and processing; Signage
Date received:	12 April 2013
Further information request:	Yes
Deemed approval:	28 July 2013. An extension was granted to 12 August 2013
Representations:	One

### **PREVIOUS COUNCIL CONSIDERATION:**

N/A.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**RECOMMENDATION:**

That the Council approves DA0143/2013 for construction and use of a manufacturing and processing facility (concrete batching plant) and associated building, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign at 574 Meander Valley Road, Prospect subject to the following conditions:

**1. ENDORSED PLANS**

The use and development must be carried out as shown on the endorsed plans and described in the endorsed documents to the satisfaction of the Planning Authority.

**2. AMENDED BUSHFIRE ASSESSMENT REQUIRED**

An amended bushfire assessment is required to be submitted to correct the administrative error with the Bushfire Prone Areas Code clause numbers mentioned within the document. Once provided the bushfire assessment will be endorsed to form part of the planning permit.

**3. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land except for the construction of the approved accessway from Meander Valley Road.

**4. HOURS OF CONSTRUCTION**

Construction works may be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or public holidays.

**5. OPERATION HOURS**

The operation of must be confined to between 5:00am and 6:00pm Monday to Sunday

**6. EXTERIOR AND SECURITY LIGHTING**

Exterior lighting and security lighting must be designed, baffled and located in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" such that no direct light is emitted outside the boundaries of the subject land.

**7. EXTERNAL FINISHES**

The sections of the proposed development beyond 12m in height from natural ground level must be painted muted green in accordance with the recommendation in Appendix F: Visual Assessment endorsed as part of this permit.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**8. NUISANCE**

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and Regulations there under.

**9. NO EXTERNAL PA SYSTEM**

No public address or sound system must be used on the subject land except for one which is audible within the buildings on the land.

**10. FLORA AND FAUNA**

Prior to the operation commencing:

- a) A Threatened Species Permit from the Department of Primary Industries, Parks, Water and the Environment, must be obtained. A copy of the permit must be provided to Council.

All development must comply with any conditions specified in the Threatened Species Permit.

- b) Heads and branches from felled trees must be mulched and spread on site or taken to an approved waste management facility. Waste generated during the removal of vegetation must not be burned on site.

**11. REVEGETATION OF DISTURBED AREAS**

Within 3 months of the use commencing all disturbed surfaces on land resulting from the buildings and works authorised or required by this permit must be revegetated and stabilised to the satisfaction of the Council so as to prevent any erosion or siltation either on or adjacent to the land.

**12. ENVIRONMENTAL IMPACT ASSESSMENT**

The use and development approved under this permit must comply with all recommendations within the Environmental Impact Assessment (EIA) prepared by Bullocks Consulting on the 13 June 2013 and the associated documents detailed within the EIA. The environmental impact assessment and associated documents have been endorsed to form part of this planning permit.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**13. SOLID WASTE**

Waste bins must be positioned in a manner so they do not cause an environmental nuisance by attracting vermin or producing dust and odour. Waste generated during development and use of the site must not be burned on site.

**14. NOISE EMISSIONS**

The use approved under this permit must comply with all recommendations in the report designed by VIPAC Engineers & Scientists Ltd titled "Hazell Bros Prospect concrete batching plant environmental noise assessment", report reference number 421254-01, dated 12 June 2013. The noise assessment has been endorsed to form part of this planning permit.

A noise survey is required to be conducted within 3 months of the use commencing to determine compliance with the recommendations of the report, *Environmental Management and Pollution and Control Act 1994* and industry standards. The survey must include recommendations of appropriate mitigation measure to manage any noise and/or vibration problems identified. A copy of the survey and any recommendations must be provided to Council.

**15. DUST AND FUMES**

Dust and fumes generated by the process on site or transportation of goods or materials to and from the site must be suppressed by water, dust extractor or other effective means so as to minimise impact on the amenity of the locality. Soil loaded for removal must be damped down in dry conditions after loading of vehicles.

**16. ACCESSING SITE**

- a) Vehicles must only carry raw materials or concrete to or from the site between 6.00am and 6.00 pm.
- b) The cartage of material must not create a nuisance or obstruction to any roads, sewers, creeks, waterways, drains or drainage easements. Control must include the covering of loads, and removal of soil, sand, silt and the like from the body and tyres of vehicles leaving the site.

**17. CARPARKING REQUIREMENTS**

Prior to the use commencing, the access road, areas set aside for parking vehicles, loading and unloading as shown on the endorsed plans must;

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**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

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- a) Be designed to comply with Australian Standard AS 2890;
- b) Be properly constructed to such levels that they can be used in accordance with the plans,
- c) The access road must be provided with an all-weather surface on an appropriate base and treated to suppress dust,
- d) Be drained to Councils requirements,
- e) Be line-marked or otherwise delineated to indicate each car space and access lanes,
- f) Where necessary, have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas,
- g) Have appropriate signage to direct visitors to the car parking area

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

**18 EROSION AND SEDIMENT CONTROL PLAN**

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

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

Works must not begin prior to the approval of the Erosion and Sediment Control Plan by the planning authority and the plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**19. SIGNS NOT ALTERED**

The location and size of the signs shown on the endorsed plans must not be altered except with the written approval of the Planning Authority.

**20. SIGN MAINTENANCE**

The signs permitted by this permit must be constructed and maintained in good condition to the satisfaction of the Planning Authority.

**21. NO SIGN ILLUMINATION**

The signs must not be floodlit or illuminated.

**22. DIER ACCESS REQUIREMENTS**

The following requirements are required by Department of Infrastructure, Energy & Resources:

- a) The proposed access onto Meander Valley Road shall be designed to a BAL standard geometric layout (with a sealed widened shoulder) in accordance with Austroads – Guide to Road Design Part 4A – Figure 8.2
- b) The access will be required to be sealed between the edge of the Meander Valley Road seal to the property boundary.
- c) Prior to the commencement of any physical works within the State Road reserve the developer is required to submit an application for a DIER Works Permit along with detailed design plans of the proposed access works showing all necessary construction details (including any traffic management details that may be proposed) for review and approval as required under the *Roads and Jetties Act 1935* and the *Traffic Act 1925*. The application form and further details regarding this process can be found at the following link:  
[http://www.transport.tas.gov.au/road/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_eg\\_drive\\_way](http://www.transport.tas.gov.au/road/new_or_altered_access_onto_a_road_eg_drive_way).

**23. BUSHFIRE MANAGEMENT**

The hazard management area is to be maintained in accordance with the bushfire hazard management plan endorsed as part of this permit. One provided the bushfire hazard management plan will be endorsed to form part of this planning permit.

**24. BEN LOMOND WATER**

The development is expected to comply with Ben Lomond Water Certificate of Consent Number BLWDA 13-094, which is attached to this permit.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**25. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

Notes

Other Approvals

A. *This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:*

- (a) *Building permit*
- (b) *Plumbing permit*
- (c) *Occupancy permit*
- (d) *Special plumbing permit*
- (e) *Threatened Species Permit from the Department of Primary Industries, Parks, Water and the Environment*

Restrictive Covenants

B. *The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. 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.*

Access for People with a Disability

C. *This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The applicant is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.*

Dangerous substances and chemicals

D. *The developer/occupant is to store hazardous materials in accordance with the Dangerous Goods Act 1998 and associated regulations.*

*Vessels containing hydrocarbons, controlled wastes and dangerous goods must, as far as practicable, be located in areas that comply with the following requirements:*

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**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

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- a) *An impervious floor and spill collection bund must be provided;*
- b) *The floor and spill collection bund must be constructed of materials that are chemically resistant to any goods stored within the bunds;*
- c) *The spill collection bund must be designed to contain at least 110 percent of the volume of the largest storage vessel, and at least 25% of the total volume of the vessels stored within the bund, whichever is the greater volume; and*
- d) *If a valve is provided within the bund wall for the recovery of spillages or discharge of uncontaminated stormwater, this valve must be capable of being isolated so that it can only be operated by authorised personnel.*

Cultural heritage

- E. *All Aboriginal heritage is protected under the Aboriginal Relics Act 1975. If at any time during works Aboriginal heritage is discovered, cease works immediately and contact Aboriginal Heritage Tasmania for advice.*

Objections to Proposal

- F. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

Appeal Provisions

- G. *Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

*A planning appeal may be instituted by lodging a notice of appeal with the Clerk 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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Permit Commencement.

H. *This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. 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.*

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**REPORT:**

**1. PROPOSAL**

The proposal is to construct a concrete batching plant which will incorporate two silos, storage hoppers for the storage of dry aggregate materials and sand, conveyor belt connecting the storage hoppers to the concrete mixing areas below the silos, storage bins, an office, lunch room and laboratory building.

The main activity associated with a concrete batching plant is the transportation of raw materials to the site, preparing the concrete and transporting the concrete off site. The proposed operating hours of the facility is 5am to 6pm seven days a week. There will be three employees on site during the operating hours.

The applicant operates an existing facility on St Leonards Road, Waverley within close proximity to residential properties. The applicant raised concerns regarding the impact of their heavy transport vehicles moving through the urban areas and the restricted operating hours at the current facility. Therefore, the subject site was chosen due to the separation distance from sensitive uses and the close proximity to the regional road network.

A ground based advertising sign is proposed to be located at the entrance to the site from Meander Valley Road.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject land is 574 Meander Valley Road, Prospect also known as 'Strathroy'. It is a greenfield site accessed from Meander Valley Road and consists of an area of 196.5ha.

The site is located to the east of the Prospect round-a-bout, between the Bass Highway and the Midland Highway, with Kate Reed Reserve located to the north of the site.

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The adjoining properties to the east, south and west consist of large rural allotments with similar characteristics to the subject site. To the north east is the industrial precinct of Prospect Vale and further to the north is the residential areas of Prospect Vale. The subject land is 7 km from the Launceston CBD and lies just within the Launceston municipal boundary.

The site has predominately been used for grazing with an existing farm residence located on the site. The house is approximately 150m from the front boundary and will have a separation distance from the proposed facility of approximately 750m. A vegetation buffer surrounds the existing dwelling which will assist in minimising any nuisance from vehicles entering and exiting the site. It is proposed that the dwelling will be occupied by a caretaker of the concrete batching plant facility.

The land is generally undulating and consists of forested areas throughout the site. The land drains towards the east which branches into the Kings Meadows Rivulet. The development area has been selected as it is relatively flat with only a small scattering of trees.

### **3. PLANNING SCHEME REQUIREMENTS**

#### **3.1 Zone Purpose**

##### **RURAL RESOURCE**

26.1.1	<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>
	Complies. The proposed concrete batching plant will be processing materials that have been sourced from various sites within the northern region and therefore is consistent with the zone intent.

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26.1.2	<p><i>To provide for other use or development that does not constrain or conflict with resource development uses.</i></p> <p>Complies. The proposed development area will be located within 1% of the total land area of the subject site and therefore the existing agricultural use will continue operating in conjunction with the proposed concrete batching plant. It is unlikely that the proposed concrete batching plant will constrain or conflict with the agricultural use on the site.</p>
26.1.3	<p><i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i></p> <p>Complies. The applicant has provided a flora and fauna assessment and an environmental impact assessment to ensure that the proposed concrete batching plant would not impact on the environment values of the area. The proposed facility is positioned to be screened from view points throughout Launceston by existing forested areas on site.</p>
26.1.4	<p><i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i></p> <p>N/A. The proposal does not include a tourism related use.</p>

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13.1.5	<p><i>Local Area objectives</i></p> <p>a) <i>Primary Industries:</i>  <i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i>  <i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p> <p>b) <i>Tourism</i>  <i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p> <p>c) <i>Rural Communities</i>  <i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p>
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	<p>Complies.</p> <p>The proposed concrete batching plant will utilise materials which are sourced within the northern region, specifically sand from Scottsdale, aggregates from Elizabeth Town and cement from Railton in the north west coast region. The sourcing of local materials in turn supports the primary industry production. The facility will not unduly compromise the agricultural use of the site and in the event the facility ceases to operate the site can be returned to an agricultural use.</p> <p>There is no tourism development proposed.</p> <p>The proposed development is not associated with a home-based business or any other professional business services which meets the needs of rural populations.</p>
<p>26.1.6</p>	<p><i>Desired Future Character Statements</i></p> <p><i>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</i></p> <p>Complies.</p> <p>The subject site has been selected due to the considerable setbacks from the road frontage and adjoining properties and the existing forested areas that are scatter throughout the site which screen the facility from view. The vegetation consists predominately of eucalyptus trees which are in excess of 20m in height. The proposed facility includes an 18m silo which occupies 32m<sup>2</sup> which will be painted green beyond 12m in height. A visual assessment has been submitted with the application that demonstrates that the proposed development will not extend into the skyline or beyond the ridgeline and therefore will not impact on the rural landscape.</p>

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### 3.2 Use Standards

The manufacturing and processing use is a discretionary use within the zone provided the primary resources substantially produced or located within the Northern Region.

26.3.1	<p><b>DISCRETIONARY USES IF NOT A SINGLE DWELLING</b></p> <ul style="list-style-type: none"> <li>a) <i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i></li> <li>b) <i>To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</i></li> <li>c) <i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i></li> <li>d) <i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i></li> <li>e) <i>Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i></li> <li>f) <i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i></li> </ul>
A1	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply as the use is discretionary. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>
P1.1	<p><i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i></p>
P1.2	<p><i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</i></p>

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	<p>Complies.</p> <p>The proposed concrete batching plant will utilise materials from within the northern region for the production of concrete. The proposed development is consistent with the local area objective for the processing of primary materials located within the region which supports the primary industry production. The concrete batching plant facility will occupy an area of 3700m<sup>2</sup> which is less than 1% of the subject site. In the event the proposed facility is made redundant in future, the site can be returned to agricultural purposes without any environmental impact.</p> <p>The use is not associated with business and professional services or general retail and hire.</p>
A2	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply as the use is discretionary. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>
P2.1	<p><i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i></p> <p><i>i) amount of land alienated/converted is minimised; and</i></p> <p><i>ii) location is reasonably required for operational efficiency; and</i></p>
P2.2	<p><i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i></p> <p>N/A. The site is not classified as prime agricultural land.</p>
A3	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply as the use is discretionary. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>

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<p>P3</p>	<p><i>The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</i></p> <ul style="list-style-type: none"> <li>a) <i>the amount of land converted is minimised having regard to:</i> <ul style="list-style-type: none"> <li>i) <i>existing use and development on the land; and</i></li> <li>ii) <i>surrounding use and development; and</i></li> <li>iii) <i>topographical constraints; or</i></li> </ul> </li> <li>b) <i>the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</i> <ul style="list-style-type: none"> <li>i) <i>limitations created by any existing use and/or development surrounding the site; and</i></li> <li>ii) <i>topographical features; and</i></li> <li>iii) <i>poor capability of the land for primary industry; or</i></li> </ul> </li> <li>c) <i>the location of the use on the site is reasonably required for operational efficiency.</i></li> </ul>
	<p>Complies.</p> <p>The subject site is currently used for grazing purposes and is classified as Land Capability 4 and 6. There is no prime agricultural land (Land Capability Classes 1-3) on the subject site. The agricultural potential of the land is limited to grazing due to the topography and geology of the site. Less than 1% of the site will be used for the concrete batching plant facility and the remaining areas of the site can continue to be used for grazing purposes.</p> <p>The site has been chosen due to its separation from sensitive uses and provides direct access to the regional road network.</p>
<p>A4</p>	<p><i>If for permitted or no permit required uses.</i></p> <p>Does not comply as the use is discretionary. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>
<p>P4</p>	<p><i>It must demonstrated that:</i></p> <ul style="list-style-type: none"> <li>a) <i>emissions are not likely to cause an environmental nuisance; and</i></li> <li>b) <i>primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</i></li> <li>c) <i>the capacity of the local road network can accommodate the traffic generated by the use.</i></li> </ul>

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	<p>Complies.</p> <p>An Environmental Impact Statement has been submitted with the application which demonstrates that issues relating to biodiversity, conservation values, noise, liquid waste, water quality, air quality, waste management, dangerous goods and hazardous events are unlikely to occur if the facility is operating in accordance with the <i>Environmental Management and Pollution Control Act</i>. Recommendations have been detailed within the specific reports to mitigate environmental impacts and conditions are recommended to be included on the permit to ensure that the facility is operating in accordance with these recommendations.</p> <p>The concrete batching plant will occupy a small portion of the subject site and is unlikely to impact on the existing grazing that occurs on the site.</p> <p>Access to the site is from Meander Valley Road which is approximately 180m from the Bass Highway. The Bass Highway is the likely access for trucks entering and exiting the site and will not impact on the capacity of the road network.</p>
<p>A5</p>	<p><i>The use must:</i></p> <ul style="list-style-type: none"> <li>a) <i>be permitted or no permit required; or</i></li> <li>b) <i>be located in an existing building.</i></li> </ul> <p>Does not comply as the use is discretionary. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>
<p>P5</p>	<p><i>It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</i></p> <ul style="list-style-type: none"> <li>a) <i>the impacts on skylines and ridgelines; and</i></li> <li>b) <i>visibility from public roads; and</i></li> <li>c) <i>the visual impacts of storage of materials or equipment; and</i></li> <li>d) <i>the visual impacts of vegetation clearance or retention; and</i></li> <li>e) <i>the desired future character statements.</i></li> </ul>

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	<p>Complies.</p> <p>The subject site has been selected due to the considerable setbacks from the road frontage and adjoining properties and the forested areas that are scattered throughout the site which would screen the facility from view. The vegetation consists predominately of eucalyptus trees which are in excess of 20m in height. The proposed facility includes an 18m high silo which occupies 32m<sup>2</sup> and will be painted green beyond 12m in height. A visual assessment has been submitted with the application that demonstrates that the proposed development will not extend into the skyline or beyond the ridgeline. The facility will not be visible from Meander Valley Road or the Bass Highway due to the vegetation between the road and the facility. Storage of materials or equipment will also not be visible from outside the site due to the generous setbacks from the property boundaries and the existing vegetation which surrounds the facility. There is no significant vegetation removal associated with the proposed development.</p>
26.3.2	<p><b>DWELLINGS</b></p> <p><i>To ensure that dwellings are:</i></p> <p>a) <i>incidental to resource development; or</i></p> <p>b) <i>located on land with limited rural potential where they do not constrain surrounding agricultural operations.</i></p>
A1.1	<p><i>Development must be for the alteration, extension or replacement of existing dwellings; or</i></p>
A1.2	<p><i>Ancillary dwellings must be located within the curtilage of the existing dwelling on the property</i></p>
	<p>N/A. No dwellings are proposed.</p>
26.3.3	<p><b>IRRIGATION DISTRICTS</b></p> <p><i>To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.</i></p>
A1	<p><i>Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.</i></p>
	<p>N/A. The land is not within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.</p>

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### 3.3 Development Standards

DEVELOPMENT STANDARDS	
26.4.1	<p><i>BUILDING LOCATION AND APPEARANCE</i></p> <p>To ensure that the:</p> <ul style="list-style-type: none"> <li>a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and</li> <li>b) development of buildings is unobtrusive and complements the character of the landscape.</li> </ul>
A1	<p><i>Building height must not exceed:</i></p> <ul style="list-style-type: none"> <li>a) 8m for dwellings; or</li> <li>b) 12m for other purposes.</li> </ul> <p>Does not comply as the cement silo will have a maximum height of 18m. Further assessment against the Objectives of the Standard and the Performance Criteria is required.</p>
P1	<p><i>Building height must:</i></p> <ul style="list-style-type: none"> <li>a) be unobtrusive and complement the character of the surrounding landscape; and</li> <li>b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.</li> </ul> <p>Complies. The proposed cement silo will be approximately 18m in height, 8m in length and 4m wide. It is proposed the section of the silo above 12m in height will be painted green to ensure the facility blends in with the existing vegetation on site.</p>
A2	<p><i>Buildings must be set back a minimum of:</i></p> <ul style="list-style-type: none"> <li>a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</li> <li>b) 200m where a sensitive use is proposed; or</li> <li>c) the same as existing for replacement of an existing dwelling.</li> </ul>

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	<p>Complies.                  The proposed development will be setback approximately 1.2km from the Meander Valley Highway frontage, 500m from the rear boundary, 600m from the north eastern side boundary and 800m from the south western side boundary.</p>
26.4.2	<p><b>SUBDIVISION</b>  <i>To ensure that subdivision is only to:</i></p> <ul style="list-style-type: none"> <li>a) <i>improve the productive capacity of land for resource development and extractive industries; and</i></li> <li>b) <i>enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; and</i></li> <li>c) <i>facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.</i></li> </ul>
A1	<ul style="list-style-type: none"> <li>a) <i>for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or</i></li> <li>b) <i>for the consolidation of a lot with another lot with no additional titles created; or</i></li> <li>c) <i>to align existing titles with zone boundaries and no additional lots are created.</i></li> </ul> <p>N/A. Subdivision is not proposed.</p>
26.4.3	<p><b>HOUSE EXCISION</b>  <i>To provide for excision of a house from a title</i></p>
A1	<p><i>No acceptable solution</i></p> <p>Assessment against the Objectives of the Standard and the Performance Criteria is required.</p>



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P1	<p><i>An existing house may be excised where:</i></p> <ul style="list-style-type: none"> <li><i>a) the balance land is consolidated with adjoining land and the consolidated lot is a minimum of 35Ha; and</i></li> <li><i>b) where there is no dwelling on the consolidated title, a Section 71 Agreement is entered into and registered on the consolidated title preventing the construction of an future dwelling; and</i></li> <li><i>c) the house to be excised is located to meet the acceptable solutions of 26.4.1 A2; and</i></li> <li><i>d) it can be demonstrated that:</i> <ul style="list-style-type: none"> <li><i>i) all effluent generated on site can be effectively disposed of within the site; and</i></li> <li><i>ii) frontage or right of way access can be provided to a road; and</i></li> <li><i>iii) excised lots must not be less than 2.0ha or larger than 12.5ha.</i></li> </ul> </li> </ul>
	N/A. Subdivision is not proposed.

**3.4 Overlays and Codes**

**3.4.1 Bushfire Prone Areas Code**

<b>E1.0 BUSHFIRE PRONE AREAS CODE</b>	
E1.2	APPLICATION OF CODE
E1.2.1	<p><i>This Code applies to:</i></p> <p><i>Development, on land that is located within a bushfire-prone area, consisting of the subdivision of land or the construction of habitable buildings; and</i></p> <p><i>A use, on land that is located within a bushfire-prone area that is a vulnerable use or hazardous use.</i></p>
E1.2.2	<p><i>A permit is required for all use and development to which this Code applies that is not exempt from this Code under clause E1.4.</i></p>

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E1.5	USE STANDARDS
E1.5.1.1	<p><i>STANDARDS FOR VULNERABLE USE</i></p> <p><i>Vulnerable uses, other than visitor accommodation, should only be in exceptional circumstances located on land which is in bushfire-prone areas. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:</i></p> <ul style="list-style-type: none"> <li><i>a) protect themselves and defend property from bushfire attack;</i></li> <li><i>b) evacuate in an emergency; and</i></li> <li><i>c) understand and respond to instructions in the event of a bushfire.</i></li> </ul> <p><i>Bushfire protection measures must also reduce the risk to fire fighters.</i></p>
A1	<p><i>No acceptable solution</i></p> <p>Assessment against the Performance Criteria is required.</p>
P1	<p><i>Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.</i></p> <p>N/A. The concrete batching plant is not a vulnerable use.</p>
A2	<p><i>Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for:</i></p> <ul style="list-style-type: none"> <li><i>a) emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and</i></li> <li><i>b) information to staff, occupants and visitors on bushfire safety and evacuation procedures.</i></li> </ul> <p>N/A. The concrete batching plant is not a vulnerable use.</p>

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E1.5.2	<p><b>HAZARDOUS USES</b>  <i>Hazardous uses should only be located in bushfire-prone areas in exceptional circumstances. Where a hazardous use is to be located in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and take into consideration the characteristics, nature and scale of the use to:</i></p> <ul style="list-style-type: none"> <li><i>a) prevent the hazardous use from contributing to the spread or intensification of bushfire;</i></li> <li><i>b) limit the potential for bushfire to be ignited on the site;</i></li> <li><i>c) prevent the exposure of people and the environment to dangerous substances as a consequence of bushfire; and</i></li> <li><i>d) reduce the risk to fire fighters.</i></li> </ul>
A1	<p><i>No acceptable solution</i>                  Assessment against performance criteria is required.</p>
P1	<p><i>Hazardous uses must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.</i>                  N/A. The facility is not considered a hazardous use.</p>
A2	<p><i>Hazardous uses must demonstrate bushfire protection measures, addressing the characteristics, nature and scale of the hazardous use and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, taking into consideration:</i></p> <ul style="list-style-type: none"> <li><i>a) exposure to dangerous substances; and</i></li> <li><i>b) ignition potential from the site; and</i></li> <li><i>c) flammable material contributing to the intensification of a fire.</i></li> </ul> <p>N/A. The facility is not considered a hazardous use.</p>
E1.6	<p><b>DEVELOPMENT STANDARDS</b></p>
E1.6.1	<p><b>SUBDIVISION</b>                  (where any part of that subdivision is in a bushfire prone area)</p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

E1.6.1.1	<p><i>SUBDIVISION: PROVISION OF HAZARD MANAGEMENT AREAS</i>  <i>Subdivision provides, where appropriate, for hazard management areas that:</i></p> <ul style="list-style-type: none"> <li><i>a) facilitate an integrated approach between subdivision and subsequent building on a lot;</i></li> <li><i>b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building site;</i></li> <li><i>c) provide protection for lots at any stage of a staged subdivision.</i></li> </ul>
A1	<ul style="list-style-type: none"> <li><i>a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</i></li> <li><i>b) The proposed plan of subdivision-</i> <ul style="list-style-type: none"> <li><i>i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and</i></li> <li><i>ii) shows the building area for each lot; and</i></li> <li><i>iii) Shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas. The proposed plan of subdivision must be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided ; and</i></li> <li><i>iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</i></li> </ul> </li> </ul> <p>N/A. Subdivision is not proposed.</p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

<p>E1.6.1.2</p>	<p><i>SUBDIVISION: PUBLIC PLACES</i>  <i>Access roads to, and the layout of roads, tracks and trails, in a subdivision:</i>  <i>a) allow safe access for occupants, fire fighters and emergency service personnel;</i>  <i>b) provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken;</i>  <i>c) are designed and constructed to allow for fire fighting vehicles to be manoeuvred;</i>  <i>d) provide access to water supplies for fire-fighting vehicles; and</i>  <i>e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</i></p>
<p>A1</p>	<p>The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or  <i>a) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or</i>  <i>b) A proposed plan of subdivision:</i>  <i>i) shows, that at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and</i>  <i>ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and</i>  <i>iii) shows all roads as through roads unless:</i>  <i>a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or</i>  <i>b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and</i>  <i>iv) shows vehicular access to any water supply point identified for fire fighting.</i></p>
	<p>N/A. Subdivision is not proposed.</p>
<p>A2</p>	<p><i>Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E3. Table E3 states that roads should be not less than a Class 4A or 4B road, Private accesses are not less than a modified 4C access road and fire trails are not less than a modified 4C access road under ARRB Unsealed Road manual</i></p>
	<p>N/A. Subdivision is not proposed.</p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

E1.6.1.3	<p><i>SUBDIVISION: PROVISION OF WATER SUPPLY FOR FIRE FIGHTING PURPOSES</i></p> <p><i>Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</i></p>
A1	<p><i>In areas serviced with reticulated water by a Regional Corporation:</i></p> <ul style="list-style-type: none"> <li><i>a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</i></li> <li><i>b) a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations.</i></li> </ul>
	<p><i>N/A. Subdivision is not proposed.</i></p>
A2	<p><i>In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) cannot be met:</i></p> <ul style="list-style-type: none"> <li><i>a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or</i></li> <li><i>b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or</i></li> <li><i>c) it can be demonstrated that:</i> <ul style="list-style-type: none"> <li><i>i) a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity of 10000 litres per building area and is connected to fire hydrants; and</i></li> <li><i>ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or</i></li> </ul> </li> <li><i>d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10000 litres that is:</i> <ul style="list-style-type: none"> <li><i>i) dedicated solely for the purposes of fire fighting; and</i></li> <li><i>ii) accessible by fire fighting vehicles; and</i></li> <li><i>iii) is within 3m of a hardstand area.</i></li> </ul> </li> </ul>
	<p><i>N/A. Subdivision is not proposed.</i></p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

E1.6.2	DEVELOPMENT STANDARDS FOR HABITABLE BUILDINGS ON APPROVED LOTS.
E1.6.2.1	<p><b>APPROVED LOTS: PROVISION OF HAZARD MANAGEMENT AREAS FOR HABITABLE BUILDINGS</b></p> <p><i>Hazard management areas, where appropriate, for habitable buildings on approved lots:</i></p> <ul style="list-style-type: none"> <li>a) <i>provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the vegetation;</i></li> <li>b) <i>reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire;</i></li> <li>c) <i>provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and</i></li> <li>d) <i>are maintained in a minimum fuel condition.</i></li> </ul>
A1	<ul style="list-style-type: none"> <li>a) <i>The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to a habitable building to warrant the provision of hazard management areas; or</i></li> <li>b) <i>Habitable buildings are within a building area on an approved lot:</i> <ul style="list-style-type: none"> <li>i) <i>that is on a plan of subdivision that has been approved by the granting of a permit in accordance with this Code; and that</i></li> <li>ii) <i>satisfies requirements of E1.6.1.1 A1(b); or</i></li> </ul> </li> <li>c) <i>There are hazard management areas, in relation to habitable buildings, that:</i> <ul style="list-style-type: none"> <li>i) <i>have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959– 2009 Construction of Buildings in Bushfire Prone Areas ; and</i></li> <li>ii) <i>will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective; and</i></li> <li>iii) <i>if the hazard management areas are to be located on land external to the lot where the habitable building is located, the application is accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</i></li> </ul> </li> </ul>
	N/A. The site is not an approved lot.

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

E1.6.2.2	<p><i>APPROVED LOTS: PRIVATE ACCESS</i></p> <p><i>Private access on approved lots:</i></p> <ul style="list-style-type: none"> <li><i>a) allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel;</i></li> <li><i>b) provides access to ensure that fire fighting equipment can reach all parts of habitable buildings;</i></li> <li><i>c) are designed and constructed to allow for fire fighting vehicles to be manoeuvred; and</i></li> <li><i>d) provides access to water supply points, including hardstand areas for fire fighting vehicles.</i></li> </ul>
A1	<p><i>It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings:</i></p> <ul style="list-style-type: none"> <li><i>a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or</i></li> <li><i>b) private access is in accordance with a plan of subdivision, showing the layout of roads and fire trails and showing the location of private access to building areas, that is included in a bushfire hazard management plan approved by the TFS or an accredited person as being consistent with the objective in E1.6.1.2; or</i></li> <li><i>c) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or accredited person as being consistent with the objective; or</i></li> <li><i>d) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.</i></li> </ul> <p><i>N/A. The site is not an approved lot.</i></p>
A2	<p><i>Private access must be provided to all static water supply points:</i></p> <ul style="list-style-type: none"> <li><i>a) in accordance with private access shown to such points in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</i></li> <li><i>b) by providing private access to a hardstand area within 3m of the static water supply point.</i></li> </ul> <p><i>N/A. The site is not an approved lot.</i></p>



**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A3	<p><i>Construction of a private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E3 as follows:</i></p> <ul style="list-style-type: none"> <li><i>a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;</i></li> <li><i>b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;</i></li> <li><i>c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;</i></li> <li><i>d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.</i></li> </ul>
	<p>N/A. The site is not an approved lot.</p>
E1.6.2.3	<p><b>APPROVED LOTS: PROVISION OF WATER SUPPLY FOR FIRE FIGHTING PURPOSES</b>  <i>Adequate, accessible and reliable water supply for fire fighting purposes on approved lots is available to allow for the protection of life and property.</i></p>
A1	<p>It must be demonstrated in one of the following ways that there is adequate access to a water supply for fire fighting purposes in relation to habitable buildings:</p> <ul style="list-style-type: none"> <li><i>a) the TFS or accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</i></li> <li><i>b) a bushfire hazard management plan, certified by the TFS or an accredited person, demonstrates that the provision of the water supply is consistent with the objective; or</i></li> <li><i>c) all external parts, of the habitable buildings, that are at ground level are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa: or</i></li> <li><i>d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.</i></li> </ul>
E1.6.3	<p>N/A. The site is not an approved lot.</p> <p><b>DEVELOPMENT STANDARDS FOR NEW HABITABLE BUILDINGS ON PRE-EXISTING LOTS</b></p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

<p>E1.6.3.1</p>	<p><i>PRE-EXISTING LOTS: PROVISION OF HAZARD MANAGEMENT AREAS FOR HABITABLE BUILDINGS.</i>  <i>Hazard management areas, as appropriate, for new habitable buildings on pre-existing lots:</i></p> <ul style="list-style-type: none"> <li><i>a) provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the hazard;</i></li> <li><i>b) reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire;</i></li> <li><i>c) provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and</i></li> <li><i>d) are maintained in a minimum fuel condition.</i></li> </ul>
<p>A1</p>	<ul style="list-style-type: none"> <li><i>a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or</i></li> <li><i>b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</i></li> <li><i>c) There are, in relation to habitable buildings, hazard management areas that:</i> <ul style="list-style-type: none"> <li><i>i) have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas ; and</i></li> <li><i>ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective.</i></li> </ul> </li> </ul> <p>Complies. AK Consultants have stated the Bushfire Assessment and Bushfire Hazard Management Plan (BHMP) meet the Planning Scheme provisions. The bushfire assessment provided has incorrectly indicated the clause numbers for Approved Lots, however the discussion within the report refers to the correct clause numbers for pre-existing lots and therefore is considered an administrative error that will need to be amended prior to the document being endorsed. A condition is recommended to be included on the permit requesting this change to the Bushfire Assessment.</p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A2	<p>If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied Bushfire Prone Areas Code by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.</p>
<p>Complies. AK Consultants have stated the bushfire assessment and Bushfire Hazard Management Plan (BHMP) meet the provisions.</p>	
E1.6.3.2	<p><b>PRE-EXISTING LOTS: PRIVATE ACCESS</b>  <i>Private access on pre-existing lots:</i></p> <ul style="list-style-type: none"> <li>a) <i>allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel;</i></li> <li>b) <i>provides access to ensure that fire fighting equipment can reach all parts of habitable buildings;</i></li> <li>c) <i>is designed and constructed to allow for fire fighting vehicles to be manoeuvred; and</i></li> <li>d) <i>provides access to water supply points, including hardstand areas for fire fighting vehicles.</i></li> </ul>
A1	<p><i>It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings:</i></p> <ul style="list-style-type: none"> <li>a) <i>the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or</i></li> <li>b) <i>plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</i></li> <li>c) <i>plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.</i></li> </ul>
<p>Complies. AK Consultants have stated the bushfire assessment and Bushfire Hazard Management Plan (BHMP) meets the provisions and this is accepted by the Council.</p>	

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A2	<p><i>Private access to all static water supply points must be provided:</i></p> <p>a) <i>as included in a bushfire hazard management plan certified by the TFS or an Bushfire Prone Areas Code accredited person as being in accordance with the objective of the standard; or</i></p> <p>b) <i>to a hardstand area within 3m of the static water supply point.</i></p>
	<p>Complies. AK Consultants have stated the bushfire assessment and Bushfire Hazard Management Plan (BHMP) meets the provisions and this is accepted by the Council.</p>
A3	<p><i>Construction of private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E3 as follows:</i></p> <p>a) <i>single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;</i></p> <p>b) <i>private access road a longer than 100m must be provided with a driveway encircling the building or a hammerhead “T” or “Y” turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;</i></p> <p>d) <i>culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;</i></p> <p>e) <i>vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.</i></p>
	<p>Complies. AK Consultants have stated the bushfire assessment and Bushfire Hazard Management Plan (BHMP) meets the provisions and this is accepted by the Council.</p>
E1.6.3.3	<p><b>PRE-EXISTING LOTS: PROVISION OF WATER SUPPLY FOR FIRE FIGHTING PURPOSES</b></p> <p><i>Adequate, accessible and reliable water supply for fire fighting purposes on pre-existing lots is available to allow for the protection of life and property from the risks associated with bushfire.</i></p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

<p>A1</p>	<p><i>It must be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided:</i></p> <ul style="list-style-type: none"> <li><i>a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</i></li> <li><i>b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or</i></li> <li><i>c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or</i></li> <li><i>d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.</i></li> </ul> <p>Complies. AK Consultants have stated the bushfire assessment and Bushfire Hazard Management Plan (BHMP) meets the provisions and this is accepted by the Council.</p>
<p>E1.6.4</p>	<p><b>DEVELOPMENT STANDARDS FOR EXTENSIONS TO PRE-EXISTING HABITABLE BUILDINGS</b></p>
<p>E1.6.4.1</p>	<p><b>BUSHFIRE PROTECTION MEASURES FOR EXTENSIONS TO PRE-EXISTING HABITABLE BUILDINGS.</b>  <i>Extensions to pre-existing habitable buildings do not increase the risk of harm to life and property caused by bushfire.</i></p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A1	<p><i>The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of any specific bushfire protection measures;</i></p> <p><i>a) Applications for extensions to habitable buildings are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</i></p> <p><i>b) Extensions to habitable buildings have hazard management areas that:</i></p> <ul style="list-style-type: none"> <li><i>i) are of dimensions equal to, or greater than, the separation distances required for BAL 29 prescribe d in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</i></li> <li><i>ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective; and</i></li> <li><i>iii) where hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan: or</i></li> </ul> <p><i>c) Extensions to habitable buildings:</i></p> <ul style="list-style-type: none"> <li><i>i) are no closer to the bushfire- prone vegetation than the existing building footprint; and</i></li> <li><i>ii) do not exceed a 15% increase in the vertical surface area of the building facing and closest to the bushfire prone vegetation; and</i></li> </ul> <p><i>d) do not restrict any existing vehicular access to any part of the habitable building.</i></p> <p>N/A. The proposal is not an extension to a habitable building.</p>
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**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

E1.6.5	DEVELOPMENT STANDARDS FOR VULNERABLE USES
E1.6.5.1	<p><i>VULNERABLE USES: PROVISION OF HAZARD MANAGEMENT AREAS FOR HABITABLE BUILDINGS</i></p> <p><i>Habitable buildings associated with vulnerable uses have, as appropriate, hazard management areas that:</i></p> <ul style="list-style-type: none"> <li><i>a) provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of both the hazard and the vulnerable use; and</i></li> <li><i>b) provide adequate space to reduce the impact of radiant heat exposure to occupants being evacuated, and those assisting them, in the event of a bushfire; and</i></li> <li><i>c) reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of the building.</i></li> </ul>
A1	<ul style="list-style-type: none"> <li><i>a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to the habitable building to warrant the provision of hazard management areas; or</i></li> <li><i>b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</i></li> <li><i>c) Habitable buildings have hazard management areas that:</i> <ul style="list-style-type: none"> <li><i>i) have dimensions equal to, or greater than, the separation distances Bushfire Prone Areas Code required for BAL 12.5 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</i></li> <li><i>ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective.</i></li> </ul> </li> </ul>
	N/A. The development is not a vulnerable use.
A2	<p><i>If hazard management areas in relation to a habitable building are to be located on land that is external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.</i></p>
	N/A. The development is not a vulnerable use.

- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

### 3.4.2 Road and Railway Asset Code

<b>E4.0 ROAD AND RAILWAY ASSETS CODE</b>	
<i>E4.2.1</i>	<i>The purpose of this provision is to:</i> a) <i>Ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and</i> b) <i>Maintain opportunities for future development of road and rail infrastructure; and</i> c) <i>Reduce amenity conflicts between roads and railways and other use or development.</i>
<b>E4.6</b>	<b>USE STANDARDS</b>
<i>E.4.6.1</i>	<b>USE OF ROAD AND RAIL INFRASTRUCTURE</b> <i>To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</i>
<b>A1</b>	<i>Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</i> N/A. The use is not sensitive.
<b>A2</b>	<i>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day</i> N/A. The road has a speed limit more than 60km/h.
<b>A3</b>	<i>For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.</i> Does not comply as the proposed development will increase the daily traffic movements at the existing access by more than 10% - Assessment against zone intent, Objective of the Standard and Performance Criteria is required.



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<p>P3</p>	<p><i>For limited access roads and roads with a speed limit of more than 60km/h:</i></p> <ul style="list-style-type: none"> <li>a) <i>access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</i></li> <li>b) <i>any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</i></li> <li>c) <i>an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</i></li> </ul> <p>Complies.</p> <p>A Traffic Impact Assessment has been submitted with the application that states the proposed development will utilise the existing access point to Meander Valley Road which is a Category 5 road and therefore a) and b) are not applicable.</p> <p>The access is located approximately 155m to the west of the round-a-bout which provides access to the Bass Highway. The road speed limit for the road is 100km/h, however, the travel speed past the site is approximately 80 to 85km/h due to the close proximity of the round-a-bout. The existing access will be upgraded to provide for the increased traffic movements. It is considered that the existing access once upgraded, will provide safe and efficient access onto the road network.</p>
<p>E4.7</p>	<p><b>DEVELOPMENT STANDARDS</b></p>
<p>E4.7.1</p>	<p><b>DEVELOPMENT ON OR ADJACENT TO EXISTING AND FUTURE ARTERIAL ROADS AND RAILWAYS</b></p> <p><i>To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</i></p> <ul style="list-style-type: none"> <li>a) <i>ensure the safe and efficient operation of roads and railways; and</i></li> <li>b) <i>allow for future road and rail widening, realignment and upgrading; and</i></li> <li>c) <i>avoid undesirable interaction between roads and railways and other use or development.</i></li> </ul>

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A1	<p><i>The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</i></p> <ul style="list-style-type: none"> <li><i>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</i></li> <li><i>b) building envelopes on new lots; and</i></li> <li><i>c) outdoor sitting, entertainment and children's play areas</i></li> </ul>
<p>Complies. The proposed access is located 155m from the access to the Bass Highway.</p>	
E4.7.2	<p><b>MANAGEMENT OF ROAD ACCESSES AND JUNCTIONS</b> <i>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</i></p>
A1	<p><i>For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</i></p>
<p>N/A. The road has a speed limit in excess of 60km/h.</p>	
A2	<p><i>For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</i></p>
<p>N/A. There will be no new accesses created; the proposal is to upgrade the existing access.</p>	
E4.7.3	<p><b>MANAGEMENT OF RAIL LEVEL CROSSINGS</b> <i>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</i></p>
A1	<p><i>Where land has access across a railway:</i></p> <ul style="list-style-type: none"> <li><i>a) development does not include a level crossing; or</i></li> <li><i>b) development does not result in a material change onto an existing level crossing.</i></li> </ul>
<p>N/A. There is no access across a railway.</p>	
E4.7.4	<p><b>SIGHT DISTANCE AT ACCESSES, JUNCTIONS AND LEVEL CROSSINGS</b> <i>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</i></p>

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A1	<p><i>Sight distances at</i></p> <p>a) <i>an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i></p> <p>b) <i>rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices – Railway crossings, Standards Association of Australia; or</i></p> <p>c) <i>if the access is a temporary access, the written consent of the relevant authority has been obtained.</i></p>
	<p>Does not comply - Assessment against zone intent, Objective of the Standard and Performance Criteria is required.</p>
P1	<p><i>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.</i></p> <p>Complies.</p> <p>Table E4.7.4 requires a site distance of approximately 250m. The Traffic Impact Assessment has stated the site distance is 220m to the west and 210m to the east. As the access is located within 155m of the junction onto the Bass Highway the passing speeds are generally 80-85km/h and therefore, the site distances of 220m and 210m provide adequate visibility of on-coming traffic.</p>

**3.4.3 Car Parking and Sustainable Transport Code**

<b>E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE</b>	
E6.2.1	<i>This code applies to all use or development of land.</i>
<b>E6.6 USE STANDARDS</b>	
E6.6.1	<p><b>CAR PARKING NUMBERS</b></p> <p><i>To ensure that an appropriate level of car parking is provided to service use.</i></p>
A1	<p><i>The number of car parking spaces:</i></p> <p>a) <i>will not be less than 90% of the requirements of Table E6.1; or</i></p> <p>b) <i>will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater; or</i></p> <p>c) <i>will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</i></p> <p>Complies.</p> <p>Manufacturing and Processing requires 1 spaces per 200m<sup>2</sup> net floor area or 2 spaces per 3 employees whichever is the greater. The net floor area for the proposed development is 74.5m<sup>2</sup> which includes the office, lunch and testing rooms and there will be three employees working on site. Therefore, the greater requirement is two car parking spaces per three employees. Six car parking spaces are proposed on-site.</p>

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<b>E6.6.2</b>	<b>BICYCLE PARKING NUMBERS</b> <i>To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</i>
A1.1	<i>Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</i>
A1.2	<i>The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.</i> Complies. One bicycle space is required per 5 employees. As the facility will operate with three employees, one bicycle space is required. One bicycle space has been provided.
<b>E6.6.3</b>	<b>TAXI DROP-OFF AND PICK UP</b> <i>To ensure that taxis can adequately access developments.</i>
A1	<i>One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof.</i> Complies. A dedicated taxi drop-off and pickup space is not required as only two parking spaces are required.
<b>E6.6.4</b>	<b>MOTORBIKE PARKING PROVISIONS</b> <i>To ensure that motorbikes are adequately provided for in parking considerations.</i>
A1	<i>One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</i> Complies. A motor bike parking spaces is not required as only two car parking spaces are required.
<b>E6.7</b>	<b>DEVELOPMENT STANDARDS</b>
<b>E6.7.1</b>	<b>CONSTRUCTION OF CAR PARKING SPACES AND ACCESS STRIPS</b> <i>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i>

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A1	<p><i>All car parking, access strips manoeuvring and circulation spaces must be:</i></p> <ul style="list-style-type: none"> <li><i>a) formed to an adequate level and drained; and</i></li> <li><i>b) except for a single dwelling, provided with and impervious all weather seal; and</i></li> <li><i>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i></li> </ul> <p>Complies.</p> <p>The car parking areas will be sealed, level and drained. A condition is recommended to be included on the permit to ensure the car parking spaces are delineated with line marks or other physical means.</p>
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E6.7.2	<p><b>DESIGN AND LAYOUT OF CAR PARKING</b></p> <p><i>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i></p>
A1.1	<p><i>Where providing for 4 or more spaces, parking areas must be located behind the building line; and</i></p>
A1.2	<p><i>Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i></p> <p>Complies.</p> <p>The car parking spaces are located behind the concrete batching plant facility.</p>
A2.1	<p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li><i>a) have a gradient of 10% or less; and</i></li> <li><i>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i></li> <li><i>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</i></li> <li><i>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</i> <ul style="list-style-type: none"> <li><i>i) there are three or more car parking spaces; and</i></li> <li><i>ii) where parking is more than 30m driving distance from the road; or</i></li> <li><i>iii) where the sole vehicle access is to a category I, II, III or IV road; and</i></li> </ul> </li> </ul>

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A2.2	<i>The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.</i>
	<p>Complies.</p> <p>The car parking areas will have a gradient of less than 10% and a driveway loop around the proposed facility will enable all vehicles to enter and exit the site in a forward direction. Vehicle access width is 7m which will provide for two way access entering and exiting the proposed facility. The manoeuvring space provided adjacent to the car parking spaces is approximately 8m which meets the provision of Table E3.6. A condition is recommended to be included on the permit to ensure all car parking spaces comply with the <i>Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.</i></p>
E6.7.3	<p><b>CAR PARKING ACCESS, SAFETY AND SECURITY</b>  <i>To ensure adequate access, safety and security for car parking and for deliveries.</i></p>
A1	<p><i>Car parking areas with greater than 20 parking spaces must be:</i></p> <ul style="list-style-type: none"> <li>a) <i>secured and lit unauthorized cannot enter or;</i></li> <li>b) <i>lit and visible from buildings on or adjacent to the site during the times when parking occurs.</i></li> </ul>
	N/A. Less than 20 parking spaces are proposed.
E6.7.4	<p><b>PARKING FOR PERSONS WITH A DISABILITY</b>  <i>To ensure adequate parking for persons with a disability.</i></p>
A1	<p><i>All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</i></p>
	N/A. There are no disabled parking spaces proposed.
A2	<p><i>One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009.</i></p>
	N/A. A disabled parking space is not required as less than 20 parking spaces are proposed.

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E6.7.6	<p><b>LOADING AND UNLOADING OF VEHICLES – DROP-OFF AND PICK UP</b>  <i>To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</i></p>
A1	<p><i>For retail, commercial, industrial, service industry or warehouse or storage uses:</i></p> <ul style="list-style-type: none"> <li>a) <i>least one loading bay at must be provided in accordance with Table E6.4; and</i></li> <li>b) <i>loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.</i></li> </ul> <p>Complies.                  An area consisting of 150m<sup>2</sup> has been proposed for loading and the minimum loading bay dimensions can be met within the set aside area.</p>
<b>E6.8</b>	<b>PROVISIONS FOR SUSTAINABLE TRANSPORT</b>
E6.8.1	<p><b>BICYCLE END OF TRIP FACILITIES</b>  <i>To ensure that cyclists are provided with adequate end of trip facilities.</i></p>
A1	<p><i>For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter.</i></p> <p>N/A. Only one bicycle space is required.</p>
E6.8.2	<p><b>BICYCLE PARKING ACCESS, SAFETY AND SECURITY</b>  <i>To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</i></p>
A1.1	<p><i>Bicycle parking spaces for customers and visitors must:</i></p> <ul style="list-style-type: none"> <li>a) <i>be accessible from a road, footpath or cycle track; and</i></li> <li>b) <i>include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and</i></li> <li>c) <i>be located within 50m of and visible or signposted from the entrance to the activity they serve; and be</i></li> <li>d) <i>available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and</i></li> </ul>
A1.2	<p><i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i></p> <p>Does not comply as the bicycle bay is not proposing a rail or hoop - Assessment against the Zone Intent, Objective of the Standard and Performance Criteria is required.</p>

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P1	<p><i>Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</i></p> <p>Complies. The proposed bicycle bay is located outside the lunch room which is accessible from the road and within the facility. As the site is relatively remote a dedicated rail or hoop is not considered necessary.</p>
A2	<p><i>Bicycle parking spaces must have:</i></p> <p>a) <i>minimum dimensions of:</i></p> <p style="padding-left: 20px;">i) <i>1.7m in length; and</i></p> <p style="padding-left: 20px;">ii) <i>1.2m in height; and</i></p> <p style="padding-left: 20px;">iii) <i>0.7m in width at the handlebars; and</i></p> <p>b) <i>unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</i></p> <p>Complies. The proposed bicycle bay meets the required minimum dimensions and has unobstructed access of at least 2m in width.</p>
E6.8.5	<p><b>PEDESTRIAN WALKWAYS</b> <i>To ensure pedestrian safety is considered in development</i></p>
A1	<p><i>Pedestrian access must be provided for in accordance with Table E6.5.</i></p> <p>Complies. As less than 10 spaces are provided a dedicated pedestrian access is not required.</p>
E6.6.1	<p><b>PRECINCT 1 – LAUNCESTON CBD PARKING EXEMPTION AREA</b></p>
E6.6.4	<p><b>LOCAL AREAS PROVISIONS</b> <i>To remove the need for new use or development to provide onsite car parking within the exemption area.</i></p> <p><i>To establish parking maximums within the exemption area</i></p>
A1	<p><i>No onsite parking provision.</i></p> <p>N/A. The site is not located within the Launceston CBD Parking Exemption Area.</p>



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### 3.4.4 Scenic Management Code

<b>E7.0 SCENIC MANAGEMENT CODE</b>	
<i>E7.1.1</i>	<i>The purpose of this provision is to:</i> a) <i>Ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and</i> b) <i>Ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.</i>
<b>E7.6 DEVELOPMENT STANDARDS</b>	
<i>E7.6.1</i>	<b>SCENIC MANAGEMENT – TOURIST ROAD CORRIDOR</b> a) <i>To enhance the visual amenity of the identified tourist road corridors through appropriate:</i> i) <i>setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and</i> ii) <i>location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and</i> iii) <i>design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and</i> iv) <i>retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and</i> v) <i>retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and</i> b) <i>To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).</i>
<i>A1</i>	<i>Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.</i> N/A. The site is not located within a tourist road corridor.
<i>A2</i>	<i>Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.</i> N/A. The site is not located within a tourist road corridor.

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E7.6.2	<p><b>LOCAL SCENIC MANAGEMENT AREAS</b></p> <p>a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and</p> <p>b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.</p>
A1	<p>Development (not including subdivision) must be in accordance with the scenic management criteria for a local scenic management area identified in Table 7.1 – local scenic management areas.</p> <p>N/A there are no scenic management criteria.</p>
P1	<p>Development (not including subdivision) must have regard to the:</p> <p>a) character statement and scenic management objectives of the particular area set out in Table 7.1 – local scenic management areas; and</p> <p>b) impact on skylines, ridgelines and prominent locations; and</p> <p>c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</p> <p>d) design or treatment of development including:</p> <p>i) the bulk and form of buildings including materials and finishes; and</p> <p>ii) earthworks for cut or fill; and</p> <p>iii) complementing the physical (built or natural) characteristics of the site or area.</p> <p>Complies.</p> <p>a) Please see E7.5.3 of this report (below) for assessment against the relevant local scenic management area.</p> <p>b) The proposed sign located at the front of the property has a maximum height of 2.4m. The sign will only be visible to passing traffic along Meander Valley Road and therefore will not impact on skylines, ridges and prominent location.</p> <p>c) Vegetation is not required for the erection of the advertising sign.</p> <p>d) The sign will be 2m in length and a maximum of 2.4m from natural ground level. The sign will consist of a steel frame with an aluminum painted sign which will feature the Hazell Bros logo in red and white. As the sign is relatively small in nature it is considered the sign will be unobtrusive and not impact on the scenic landscape.</p>

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A2	<p><i>Subdivision is in accordance with</i></p> <ul style="list-style-type: none"> <li>a) <i>a specific area plan; or</i></li> <li>b) <i>a subdivision plan or acceptable development criteria under Table 7.1, if any.</i></li> </ul>
A3	<p><i>No vegetation is proposed to be removed</i></p> <p>Complies. There is no vegetation removal proposed within the Scenic Management Area.</p>
	<p><b>WESTERN HILLS PRECINCT MANAGEMENT OBJECTIVES</b></p> <ul style="list-style-type: none"> <li>a) Maintain and improve vegetation, particularly trees within the skyline area of the precinct. Species selected must be consistent with the dominant character of the immediate setting. Where the area is located within or near a reserve, local native species should be used.</li> <li>b) Development within the precinct must minimize the hillside by its location, form, scale, exterior materials, colours and landscaping particularly when seen from major vantage points. Visually dominating or obtrusive development, skyline must not be approved.</li> <li>c) Subdivisions are to address bushfire safety and vegetation management requirements to achieve visually unobtrusive development with sufficient vegetation coverage to retain the precincts character.</li> <li>d) in the southern part of the precinct encourage only sympathetic development that will retain the rural character of the precinct.</li> </ul> <p>Complies.</p> <ul style="list-style-type: none"> <li>a) Vegetation removal is not required.</li> <li>b) A sign measuring 2m in length and a maximum of 2.4m from natural ground level is proposed for the development. The sign will consist of a steel frame with an aluminium painted sign which will feature the Hazell Bros logo in red and white. As the sign is relatively small and will only visible to vehicles travelling along Meander Valley Road, it is considered the sign will be unobtrusive and not impact on the scenic landscape.</li> <li>c) N/A. Subdivision is not proposed.</li> <li>d) The site is located within the southern section of the precinct. The proposed sign is only small in nature and its unlikely to impact on the rural character of the precinct.</li> </ul>

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### 3.4.5 Biodiversity Code

<b>E8.0 BIODIVERSITY CODE</b>	
<b>E8.6</b>	<b>DEVELOPMENT STANDARDS</b>
<i>E.8.6.1</i>	<i>Habitat and Vegetation Management</i> To ensure that: a) <i>vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</i> b) <i>the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</i>
<i>A1.1</i>	<i>Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;</i>
<i>A1.2</i>	<i>Use or development does not clear or disturb native vegetation within the areas of the site identified as priority habitat.</i>  Does not comply as vegetation removal is proposed within close proximity to a priority habitat area - Assessment against the Zone Intent, Objective of the Standard and Performance Criteria is required.
<i>P1</i>	<i>Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</i> a) <i>quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</i> b) <i>means of removal; and</i> c) <i>value of riparian vegetation in protecting habitat values; and</i> d) <i>impacts of siting of development(including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and</i> e) <i>need for and adequacy of proposed vegetation or habitat management; and</i> f) <i>conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.</i>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

	<p>Complies.</p> <p>Areas of priority habitat have been identified on the subject site. The proposed location of the concrete batching plant is not within the areas of priority habitat however it is within close proximity. A flora and fauna assessment prepared by Bushways Environmental Services has been submitted with the application which was prepared in 2008 for a different proposal. A letter from Bushways Environmental Services was provided with the assessment stating the assessment remains relevant regardless of the changes to the proposed development. The flora and fauna assessment has provided recommendations that ensure that the development does not impact on the represented species and vegetation communities. A condition is recommended to be included on the permit to ensure that the proposed development follows the recommendations of the flora and fauna assessment.</p>
A2	<p><i>Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.</i></p> <p>N/A. The site is within a priority habitat area.</p>

**3.4.6 Environmental Impacts and Attenuation Code**

<b>E11.0 ENVIRONMENTAL IMPACTS AND ATTENUATION CODE</b>	
E11.1.1	<p><i>The purpose if this provision is to:</i></p> <p>a) <i>ensure appropriate consideration of the potential for environmental harm or environmental nuisance in the location of new sensitive land uses; or</i></p> <p>b) <i>ensure the environmental impacts of new development are considered to eliminate, reduce or mitigate potential for environmental harm or environmental nuisance.</i></p>
<b>E11.6 USE STANDARDS</b>	
E18.5.1	<p><b>ATTENUATION DISTANCES</b></p> <p><i>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</i></p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A1	<i>No acceptable solution</i>
	Assessment against the Performance Criteria and the Intent of the Code Purpose is required.
P1	<p><i>Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:</i></p> <ul style="list-style-type: none"> <li><i>a) degree of encroachment; and</i> <ul style="list-style-type: none"> <li><i>i) nature of the emitting operation being protected by the attenuation area; and</i></li> <li><i>ii) degree of hazard or pollution that may emanate from the emitting operation; and</i></li> <li><i>iii) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</i></li> </ul> </li> </ul>
	N/A. The proposed use is not sensitive.
A2	<p><i>Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Major Tourism, Inner Residential, Environmental Living, Urban Mixed Use, Village, Local Business, General Business, Central Business, Commercial zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.</i></p>
	<p>Complies. A concrete batching plant requires an attenuation distance of 100m from existing sensitive uses. The closest dwelling to the proposed facility is situated on the subject site and will have a separation distance of approximately 750m.</p>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

**3.4.7 Signs Code**

<b>E18.0 SIGNS CODE</b>	
<b>SIGN TYPE</b>	<b>DETAILS OF PROPOSED SIGN</b>
Ground based sign	The proposed sign is 2m in length with a maximum height of 2.4m. The sign will be located at the entrance to the site fronting Meander Valley Road.
<i>E18.1.1</i>	<i>To provide opportunities for appropriate business advertising and information essential to support and encourage business activity;</i> <i>a) promote the use of well-designed signs that complement and enhance the streetscape and the City and do not contribute to visual clutter and detract from the visual amenity of the locality;</i> <i>b) ensure signs on places of cultural significance are responsive to the cultural heritage values and the significance of the building or place, both in terms of impact and by means of attachment, by protecting and enhancing those values; and</i> <i>c) ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.</i>
<b>E18.5 DEVELOPMENT STANDARDS</b>	
<i>E18.5.1</i>	<i>INAPPROPRIATE SIGNAGE</i> <i>To prevent inappropriate signage</i>
A1	<i>Must not be a:</i> <i>a) Third Party Sign</i> <i>b) Roof Sign</i> <i>c) Sky Sign</i> <i>d) Bunting (Flag and Decorative Elements)</i> <i>e) Flashing Lights</i>
	Complies. The sign does not consist of the any of the above.
<i>E18.5.2</i>	<i>DESIGN AND SITING OF SIGNAGE</i> <i>To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.</i>

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

A1	<p><i>A sign must:</i></p> <p>a) <i>meet the requirements for the relevant sign type set out in E.18.6; and</i></p> <p>b) <i>be located within the applicable zone set out in E18.6</i></p>
	<p>Complies. See assessment against the requirements for Ground Based sign located within the Rural Resource zone at E18.6 of this report.</p>
A2	<p><i>A sign must be a minimum distance of 2m from the boundary of any lot in the Residential Zone.</i></p>
	<p>Complies. The sign is not located within 2m of a Residential zone.</p>
A3	<p><i>A maximum of one of each sign type per building or tenancy unless otherwise stated in E18.6</i></p>
	<p>Complies. Only one sign is proposed.</p>
A4	<p><i>A sign must not be illuminated or contain; flashing lights, animation, moving parts and moving or changing messages or graphics.</i></p>
	<p>Complies. The sign is not illuminated or contain flashing lights, animation, moving parts or moving or changing messages or graphics.</p>

<b>E18.6 SIGNAGE DEVELOPMENT CLASSIFICATION</b>	
<b>SIGN TYPE</b>	<b>REQUIREMENTS</b>
Ground Base	<p>a) <i>limited to two (2) Ground Base Signs on each individual premise having frontage of 20m or less;</i></p> <p>b) <i>maximum length of 2m;</i></p> <p>c) <i>maximum height of 1.5m;</i></p> <p>d) <i>maximum height above natural ground level 2.4m;</i></p> <p>e) <i>must be located close to the ground and if possible in a landscaped setting; and</i></p> <p>f) <i>the supportive structure must not project above the sign face, unless it forms a feature or is incorporated in the sign design.</i></p> <p>Complies. Only one ground based sign is proposed. The length is 2m, maximum height of the sign is 1.5m and stands 2.4m above natural ground level. The sign will be located at the front entrance to the site which consists of natural vegetation. The supportive structure does not project above the sign face.</p>



- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

## 4. REFERRALS

<b>INTERNAL</b>	
Infrastructure Assets	Conditions recommended relating to car parking and manoeuvring areas only.
Environmental Health	Conditions have been recommended to be included in the planning permit.
Building Control	Building, plumbing and occupancy permits are required.
Parks and Recreation	No objection.
Heritage/Urban Design	N/A.
Strategic Planning	N/A.
<b>EXTERNAL</b>	
BLW	Ben Lomond Water has issued a Development Certificate of Consent BLW DA No. 13-094.
Heritage Tasmania	N/A.
EPA	N/A.
DIER	DIER have no objections to the proposal and have recommended conditions relating to the proposed access upgrade and the requirement for a DIER works permit.

## 5. REPRESENTATIONS

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 26 June 2013 to 9 July 2013. One representation was received.

The issues raised in the table below are a summary of the matters raised within the representation attached to this report.

**12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**

ISSUE	COMMENTS
Concerns were raised regarding noise nuisance which would be generated by the proposed facility.	An environmental noise assessment has been prepared by Vipac Engineers and Scientists Limited and submitted with the application. The environmental noise assessment report has made recommendations to ensure that the facility will not negatively impact on neighbouring residential properties. A condition is recommended to be included on the permit to ensure the development is operating in accordance with these recommendations.
The silos will be visible from their house site.	The adjoining house site is situated 1.5km downhill from the proposed development area. There is a 70m contour difference between these two locations. Dense eucalyptus forests separate the proposed development from the house site. The eucalyptus trees are approximately 20m in height and therefore, are higher than the proposed facility. It is unlikely that the proposed facility will be visible from the adjoining house site.
Concerns relating to fire protection if occurred on site.	The applicant has engaged AK Consultants a certified bushfire consultant to prepare a bushfire hazard management plan. AK Consultants have demonstrated that the proposed development meets the provisions for fuel management, water supply and access.
Hours of operation would cause noise issues to residential areas.	The subject site was selected due to the distance from residential properties and the existing vegetation that will screen the facility from view. The hours of operation proposed are 5am to 6pm 7 days a week. The environmental noise assessment report considers the proposed operating hours and makes recommendations to ensure that the proposed facility may operate within these hours without causing a nuisance to adjoining residential properties. A condition is recommended to be included on the permit to ensure the development is operating in accordance with these recommendations.

- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

## **6. CONCLUSION**

Subject to the recommended conditions it is considered that the proposal complies with the Launceston Interim Planning Scheme 2012 and is recommended for approval.

### **ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 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 2012 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 2012 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 2012

### **BUDGET & FINANCIAL ASPECTS:**

N/A.

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- 12.1 574 Meander Valley Road, Prospect - Construction of a manufacturing and processing facility (concrete batching plant) and associated buildings, water tanks, modifications to the access, internal access road, and advertising signage - ground based sign...(Cont'd)**
- 

**DISCLOSURE OF INTERESTS:**

The officer has no conflict of interest in this item.

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

  
**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

The following attachments are included:

1. Location Map
2. Plant Photographs
3. Representation

The following attachments have been distributed separately.

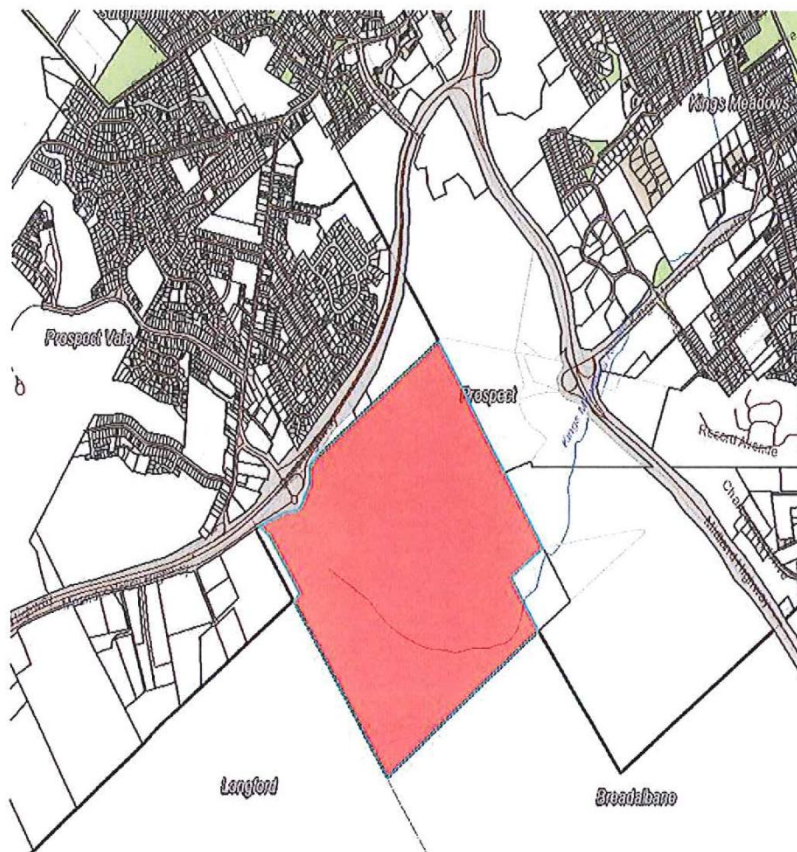
4. Planning Assessment Report
  5. Flora and Fauna Assessment
  6. Environmental Impact Assessment
  7. EPA Guidelines
  8. Visual Assessment
-



Launceston City Council  
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## LOCALITY MAP - DA0143/2013 574 HOBART ROAD, YOUNGTOWN



### Locality Map

Scale: This Map Is Not to Scale

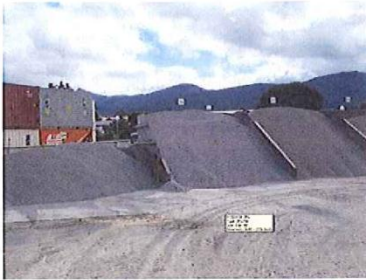
## Appendix B

### Concrete Batching Plant Strathroy Prospect

### Concrete Batching Plant Photographs

Date - 11<sup>th</sup> April, 2013  
Project - Concrete Batching Plant - Strathroy – Prospect  
Job No. - 12.015

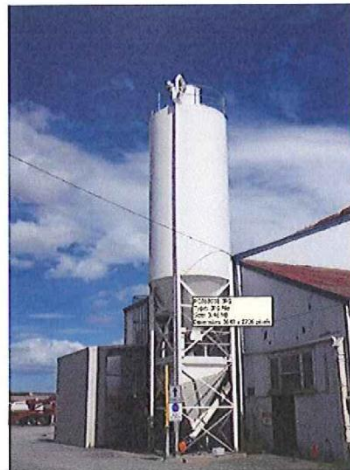
Bullock Consulting Pty Ltd



Concrete plant aggregate bins (Coarse aggregate)



Concrete plant recycled water solids held in suspension by continual agitation (electric motor and paddle)



Concrete plant 100 tonne auger fed cement silo and weigh hopper.  
Height 12 meters to comply with most Council Planning schemes



Concrete aggregate bins water spray system to reduce the effect of wind blown dust



Concrete aggregate bins water spray system to reduce the effect of wind blown dust



Bullock Consulting Pty Ltd

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Terrapin Buildings



Tim Shaw & Rebecca Brown

The General Manager  
Launceston City Council  
Via email: [council@launceston.tas.gov.au](mailto:council@launceston.tas.gov.au)

9 July 2013

Dear Sirs,

**RE: PLANNING APPLICATION DA0143/2013**

We wish to formally register our objection to the current development application at 574 meander Valley Road prospect DA 0143/2013. We own a residential property proposed development. Our property is situated on some 336 acres with our access off the Midlands Highway.

Grounds

1. Noise

The acoustic report attached points out that engine brakes and reverse beepers will exceed accepted levels. And all other machinery would need to be in very good working order to reach the projected acceptable levels.

Our residential property is situated south-east of the proposed site and is downwind of prevailing weather. Experience says that noise generated from the proposed site will cause quite loud nuisance noise in good weather conditions at any time of the day. This problem will be the same for many residents in and around prospect in relation to the engine breaks and reverse beepers.

A recent visit to a point adjacent to the site in prospect verified this as the reverse beepers from Donald's Avenue were clearly audible and quite loud.

Further proposed operations commencing at 5 AM seven days a week will further aggravate the nuisance noise.

Although the report shows tests with a receiver at our rural residential house site, to my knowledge there has never been a receiver at our house site nor a practical test performed.

2. Visual

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Although there is no data to substantiate our concerns, it is estimated that 17 m high silos will be visible from our house site, and would then represent the only man made structure that would be visible from our location.

### 3. Fire protection

The proposed new batching plant is in a fire prone area and although they have a fire plan in place to protect themselves, the new application does not have provision for an occasion if they start a fire, which with the prevailing weather would burn towards my property.

### 4. Hours of operation

The proposed concrete batching plant is proposing hours of operation seven days a week from 5 AM, with builders regularly requiring concrete at 6 AM particularly during the summer months. It would be fair to anticipate that this development would regularly use all the proposed operating hours and maybe more. With the associated noise issues this would not only breach planning regulations but be socially unacceptable in this residential area.

### 5. Options

There are other options available to the developers on the southern side of Launceston which would fit more closely to current zonings. There is currently over 8 ha of undeveloped industrial land at Tallentyre Industrial Estate, Connector Park, as well as industrial subdivision at the Launceston airport.

### Conclusion

I would be more than happy to sit down and discuss alternatives with the developers however I believe that at this point in time the development does not fit the zoning, and there are far better alternatives for development or future development of this land as well as my own land which adjoins this property.

I further apologise for the lateness of this application however, there was no formal notification to us care of our postal address as registered for mail with the council (as all correspondence from the council are sent to my home address) including the rates.

Sincerely

Tim Shaw and Rebecca Brown

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises****FILE NO:** DA0236/2013**AUTHOR:** Pip Glover (Town Planner) and Andrew Newton (Town Planner)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider a proposal for a change of use to food service - takeaway food premises at 226 Charles Street, Launceston.

**PLANNING APPLICATION INFORMATION:**

Applicant:	Fortune Investments (TAS) Pty Ltd
Property:	226 Charles Street, Launceston
Site area:	139 m <sup>2</sup>
Zone:	Local Business
Existing use:	Food Service - Cafe
Classification:	Food Service - takeaway
Date received:	25 June 2013
Further information request:	No
Deemed approval:	5 August 2013. An extension was granted to 12 August 2013
Representations:	One

**PREVIOUS COUNCIL CONSIDERATION:**

N/A.

**RECOMMENDATION:**

That the Council approves DA0236/2013 for a change of use to food service - takeaway food premises at 226 Charles Street, Launceston subject to the following conditions:

**1. ENDORSED PLANS**

The use and development must be carried out as shown on the endorsed plans to the satisfaction of the Planning Authority.

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**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

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**2. LEGAL TITLE**

All development and use associated with the proposal must be confined to the legal title of the subject land except for the construction of the approved accessways.

**3. BUSINESS HOURS**

The operation of the takeaway food premises must be confined to:

- 11:00am and 8:00pm Monday to Saturday
- 11:00am and 4:00pm Sunday
- Closed Public Holidays

**4. DELIVERY HOURS**

Deliveries to and from the site (including waste collection) must only occur between:

- 6:00 am and 10:00 pm Monday to Friday
- 7:00 am and 5:00 pm Saturday and Sunday

**5. AMENITY**

The development must not affect the amenity of the area as a result of any of the following:-

- a) Transport of materials, goods or commodities to or from the land;
- b) Appearance of any buildings, works or materials;
- c) Emission of noise, dust, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

**6. NO SIGN ILLUMINATION**

Signage must not be floodlit or illuminated.

**7. WASTE**

The developer is not to undertake any burning of waste materials on site. The developer is to remove all rubbish from the site for disposal at a licensed refuse disposal site.

**8. LAPSING OF PERMIT**

This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

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**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

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NotesOther Approvals

A. *This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:*

- (a) Building permit*
- (b) Plumbing permit*

Restrictive Covenants

B. *The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. 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.*

Nuisance

C. *In view of the location of the proposed food business and the proximity to residential premises, it is noted that on occasions the amenity of the area may be impacted on by nuisance odour(s) as a result of the use of the premises and which will be required to be addressed, so that environmental nuisance does not occur.*

Access for People with a Disability

D. *This permit does not ensure compliance with the Disability Discrimination Act, furthermore the developer may be liable to complaints under the said Act. The applicant is directed to Australian Standard 1428 Parts 1 - 4 for technical direction on how to cater for people with disabilities.*

Objections to Proposal

E. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

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**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

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Appeal Provisions

F. *Attention is directed to Sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:*

*A planning appeal may be instituted by lodging a notice of appeal with the Clerk 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.*

Permit Commencement.

G. *This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. 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.*

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**REPORT:****1. PROPOSAL**

The proposal seeks approval to operate a takeaway food premises at 226 Charles Street, Launceston. The property is currently used as a café. The proposal does not include any development to the exterior of the building. The only works proposed are interior changes, including the installation of wok burners and a grease trap which do not require planning assessment.

The takeaway premises is proposed to be operated by Fortune Wok, which currently operate an established restaurant in Newstead. Hours of operation are proposed to be between 11:00am - 8:00pm Monday to Saturday, and 11:00am - 4:00pm on Sundays, with no trading on public holidays.

**2. LOCATION AND NEIGHBOURHOOD CHARACTER**

The subject site is located at 226 Charles Street, Launceston, on the corner of Walbourne Street. The site is the northern-most property in a strip of Local Business zoned land. The neighbourhood is characterised by many heritage listed dwellings.

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**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

These dwellings are primarily conjoined on the western side of Charles Street, and the subject site forms the northern-most building of these conjoined dwellings. Dwellings are predominantly detached on the eastern side of Charles Street. The area is interspersed with a number of small cafes and food businesses. Properties and uses immediately adjacent to the site include a medical centre, residential properties, offices and a hall which is currently used as a church.

**3. PLANNING SCHEME REQUIREMENTS**

**3.1 Zone Purpose**

LOCAL BUSINESS ZONE

<b>ZONE PURPOSE</b>	
20.1.1	<p><i>To provide for business, professional and retail services which meet the convenience needs of a local area.</i></p> <p>N/A. The proposed use is does not include business, professional or retail services.</p>
20.1.2	<p><i>To limit use and development that would have the effect of elevating a centre to a higher level in the retail and business hierarchy. Limits are imposed on the sizes of premises to ensure that the established hierarchy is not distorted.</i></p> <p>Complies. The proposed takeaway shop is only a small operation and will not impact on the established hierarchy of this local business centre.</p>
20.1.3	<p><i>To maintain or improve the function, character, appearance and distinctive qualities of each of the identified local business centres and to ensure that the design of development is sympathetic to the setting and compatible with the character of each of the local business centres in terms of building scale, height and density.</i></p> <p>Complies. The proposed takeaway shop will utilise an existing building to provide a service to the local community which is considered to maintain the local business centre.</p>
20.1.4	<p><i>To minimise conflict between adjoining commercial and residential activities.</i></p> <p>The takeaway shop will operate from 11am to 8pm Monday to Saturday and 11am to 4pm on Sunday. The operating hours will be conditioned on the permit to ensure there is no conflict between the neighbouring residential properties.</p>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

20.1.5	<i>To ensure that vehicular access and parking is designed so that the environmental quality of the local area is protected and enhanced.</i>
	Complies. Two car parking spaces currently exist on site and no changes to the car park are proposed. Access to the car park is off Walbourne Street and therefore will not impact on the existing traffic movements along Charles Street.
20.1.6	<i>To provide for community interaction by encouraging developments such as cafes, restaurants, parks and community meeting places.</i>
	Complies. The proposed use is for food services (takeaway food premises), which is a permitted use in the zone.
20.1.7	<i>Local Area Objectives</i>
	There are no local area objectives
20.1.8	<i>Desired Future Character Statements</i>
	There are no desired future character statements

**3.2 Use Standards**

Food Services - takeaway food premises use is a permitted use within the zone.

<b>USE STANDARDS</b>	
20.3.1	<b>AMENITY</b> <i>To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.</i>
A1	<i>Commercial vehicles (except for visitor accommodation and recreation) must</i> <ul style="list-style-type: none"> <li>a) <i>only operate between 6.00am and 10.00pm Monday to Friday and 7.00am to 5pm Saturday and Sunday; and</i></li> <li>b) <i>operating hours for retail, business and entertainment uses must be between 6.00am to 10.00pm; and</i></li> <li>c) <i>signage is not illuminated or floodlit outside the hours of 6.00am to 10.00pm.</i></li> </ul> Complies by Condition. There are no loading zones within the vicinity of the site, nor outside any of the businesses in Charles Street between Canning and Balfour Streets. However, two car parks are located on the site, so the owner's vehicles will be able to park on site to conduct deliveries. Conditions are recommended to stipulate that deliveries must occur between the hours permitted in the AS. Additionally, a condition is recommended to ensure that any signage complies with the AS.



**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A2.1	Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and
A2.2	Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.  Complies by Condition. The proposed takeaway food premises proposes to utilise the existing kitchen exhaust extraction equipment, which was previously approved by Council in 2005. Given the extraction system has operated without complaint for some time, it is reasonable to consider the impact of the change of use will be acceptable. A condition has been recommended to control noise from the site.
20.3.2	<b>RETAIL IMPACT - FOR DISCRETIONARY GENERAL RETAIL AND HIRE USES</b> To ensure that the economic, social and environmental impact of significant new retail use and development is appropriate
A1	No acceptable solution N/A. The use is not general retail and hire.

**3.3 Development Standards**

<b>DEVELOPMENT STANDARDS</b>	
21.4.1	<b>SITING, DESIGN AND BUILT FORM</b> To ensure that development is visually compatible with surrounding area.
A1	The entrance of a building must: a) be clearly visible from the road or publically accessible areas on the site; and b) provide a safe access for pedestrians; and c) all buildings are to be orientated to face a road, mall, laneway or arcade, except where the development is not visible from these locations.  N/A. There is no development proposed. The building is existing, and the premises fronts onto Charles Street.
A2	Building height must not exceed: a) 7.0m; or b) 1m greater than the average of the building heights on immediately adjoining lots.  N/A. There is no development proposed.
A3	Buildings must be: built to the front, rear and side boundaries of the lot; or the same as or less than the setback of an immediately adjoining building.  N/A. There is no development proposed.

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A4	<p><i>Car parking must be located:</i></p> <ul style="list-style-type: none"> <li>a) <i>within the building structure or located behind the building line; and</i></li> <li>b) <i>ground level car parking must not be sited in a location visible to a road, laneway, mall or arcade.</i></li> </ul> <p>N/A. No changes to the existing parking areas.</p>
20.4.2	<p><b>ACTIVE GROUND FLOORS</b></p> <p><i>To ensure that building facades promote and maintain high levels of pedestrian interaction and amenity</i></p>
A1	<p><i>New buildings with non residential uses on ground floors must:</i></p> <ul style="list-style-type: none"> <li>a) <i>have clear glazing, display windows or glass doorways for a minimum of 80% of all ground floor facades to , malls, laneways or arcades; and</i></li> <li>b) <i>not have security grills or screens that obscure the ground floor facades to frontages, malls, laneways or arcades ; and</i></li> <li>c) <i>not have mechanical plant or equipment such as air conditioning units or heat pumps visible from ground level public viewpoints; and</i></li> <li>d) <i>not have blank walls, signage panels or blocked out windows on the ground floor facades to frontages, malls, laneways or arcades that are wider than 2.0m.</i></li> </ul> <p>N/A. The existing building has a glass shop front facing Charles Street. This is proposed to be maintained.</p>
A2	<p><i>Alterations to ground level facades of non residential buildings must not:</i></p> <ul style="list-style-type: none"> <li>a) <i>reduce the level of glazing on a facade to a frontage, mall, laneway or arcade that is present prior to alterations; and</i></li> <li>b) <i>have security grills or screens that obscure the ground floor facade; and</i></li> <li>c) <i>introduce new or additional mechanical plant or equipment such as air conditioning units or heat pumps visible from ground level public viewpoints; and</i></li> <li>d) <i>contain blank walls or signage that is wider than 2.0m on a facade to a frontage, mall, laneway or arcade.</i></li> </ul> <p>N/A. There are no alterations proposed to the facade.</p>
20.4.3	<p><i>Additional standards for Residential Development and Residential components of Mixed Use Development</i></p>
20.4.3.1	<p><b>DWELLING DIVERSITY</b></p> <p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i></p>
A1	<p><i>Developments of 10 or more dwellings must provide a minimum of 1 x 1 bedroom, 1 x 2 bedroom and 1 x 3 bedroom floor layouts.</i></p> <p>N/A. The use is not residential and there is no development proposed.</p>

12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)

20.4.3.1	<p><b>DAYLIGHT TO WINDOWS</b>  <i>To allow adequate daylight into existing and new habitable room windows.</i></p>
A1.1	<p>Where the distance between:</p> <ul style="list-style-type: none"> <li>a) a new window in a habitable room and an existing building; or</li> <li>b) a new building constructed opposite an existing habitable room window,</li> </ul> <p>is less than 3.0m, a light court with a minimum area of 3m<sup>2</sup> square metres and minimum dimension of 1m clear to the sky must be provided. The calculation of the area may include land on the abutting lot; and</p>
A1.2	<p>New walls within a 55 degree arc from the centre of an existing window should be set back at least 50% of the height of the new wall. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window as demonstrated in Figure 20.4.3.2; or</p> <div style="text-align: center;"> <p>The figure contains two diagrams illustrating wall setbacks. Both diagrams show an 'Existing' window on the left and a 'Proposed' wall on the right. In the left diagram, a dashed line indicates a 55-degree arc from the center of the existing window to the proposed wall. A vertical dimension line shows the wall height, and a horizontal dimension line shows the setback, which is labeled as 'Wall setback from the window half the height of the wall'. A note states: 'Setback applies to the wall within a 55° arc from the centre of the window'. In the right diagram, a dashed line indicates a 35-degree arc from the center of the existing window to the proposed wall. A vertical dimension line shows the wall height, and a horizontal dimension line shows the setback, which is labeled as 'Wall setback from the window half the height of the wall'. A note states: 'The arc may be swung to within 35° of the plane of the wall containing the window'.</p> </div> <p>Figure 20.4.3.2 - Daylight to existing windows</p>
A1.3	<p>The must be no changes proposed to the location of existing windows.</p>
	<p>N/A. The use is not residential and there is no development proposed.</p>
20.4.3.3	<p><b>PRIVATE OPEN SPACE</b>  <i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i></p>
A1	<p>Dwellings must have private open space comprising</p> <ul style="list-style-type: none"> <li>a) an area of 24m<sup>2</sup> with a minimum dimension of 3m with direct access from a habitable room other than a bedroom; or</li> <li>b) for dwellings wholly above ground floor a balcony of 8m<sup>2</sup> with a minimum width of 1.6m and direct access from a habitable room other than a bedroom; or</li> <li>c) a roof-top area of 10m<sup>2</sup> with a minimum width of 2m.</li> </ul> <p>N/A. The use is not residential and there is no development proposed.</p>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A2	<i>Private open space must receive a minimum of 4 hours of direct sunlight on 21 June to 50% of the designated private open space area</i>
	N/A. The use is not residential and there is no development proposed.
20.4.3.4	<b>OVERSHADOWING OF PRIVATE OPEN SPACE</b> <i>To ensure new buildings do not unreasonably overshadow existing private open space.</i>
A1.1	<i>Where new buildings reduce sunlight to the private open space of an existing dwelling, at least 75% or 18m<sup>2</sup> with minimum dimension of 3m, whichever is the lesser area, of the private open space should receive a minimum of 4 hours of sunlight on 21 June;</i>
A1.2	<i>If existing sunlight to the private open space of an existing dwelling is less than the requirements of this standard, new buildings must not further reduce the amount of sunlight.</i>
	N/A. The use is not residential and there is no development proposed.
20.4.3.5	<b>LOCATION OF CAR PARKING</b> <i>To avoid parking and traffic difficulties in the development and the neighbourhood; and</i> <i>To ensure that parking does not detract from the streetscape.</i>
A1	<i>Car parking for residential development must be located within the building structure or located behind the building line.</i>
	N/A. The use is not residential and there is no development proposed.
A2	<i>The layout of car parking for residential development must provide the ability for cars to enter and leave the site in a forward direction, except that a car may reverse onto a road if it has a dedicated direct access or driveway no greater than 10m from the parking space to the road.</i>
	N/A. The use is not residential and there is no development proposed.
A3	<i>The total width of the door or doors on a garage facing a frontage must be not more than 6m.</i>
	N/A. The use is not residential and there is no development proposed.
20.4.3.6	<b>STORAGE</b> <i>To provide adequate storage facilities for each dwelling.</i>
A1	<i>Each dwelling must have direct access to at least 6 cubic metres of secure storage space.</i>
	N/A. The use is not residential and there is no development proposed.
20.4.3.7	<b>COMMON PROPERTY</b> <i>To ensure that private open space, car parking, access areas and site facilities are practical and easily maintained.</i> <i>To avoid future management difficulties in areas of common ownership.</i>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A1	<i>Developments must clearly delineate public, communal and private areas.</i>
	N/A. The use is not residential and there is no development proposed..
20.5	<b>SUBDIVISION</b> <i>Subdivision must ensure:</i>
	<ul style="list-style-type: none"> <li>a) <i>maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and</i></li> <li>b) <i>that new lots have sufficient land area for the physical demands of allowable uses; and</i></li> <li>c) <i>the development of local business centres for retailing and other complementary commercial, entertainment, residential and community uses; and</i></li> <li>d) <i>each lot has appropriate frontage, access and services; and</i></li> <li>e) <i>appropriate transition to adjoining zones, especially residential areas.</i></li> </ul>
A1	<i>Each lot must:</i>
	<ul style="list-style-type: none"> <li>a) <i>have a minimum area of at least 200m<sup>2</sup>; and</i></li> <li>b) <i>be able to contain a 10.0m diameter circle with the centre of the circle not more than 5.0m from the frontage; or</i></li> <li>c) <i>required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or</i></li> <li>d) <i>for the consolidation of a lot with another lot with no additional titles created; or</i></li> <li>e) <i>to align existing titles with zone boundaries and no additional lots are created; or</i></li> <li>f) <i>be for the provision of public utilities.</i></li> </ul>
	N/A. Subdivision is not proposed.
A2	<i>Each lot must have a frontage of at least 5 metres.</i>
	N/A. Subdivision is not proposed.
A3	<i>Each lot must be connected to a:</i>
	<ul style="list-style-type: none"> <li>a) <i>reticulated water supply; and</i></li> <li>b) <i>reticulated sewer system; and</i></li> <li>c) <i>reticulated stormwater system.</i></li> </ul>
	N/A. Subdivision is not proposed.
A4	<i>Each lot must be connected to a reticulated stormwater system.</i>
	N/A. Subdivision is not proposed.
A5	<i>Subdivision must not be located on the boundary of the General Residential Zone, Inner Residential Zone or Urban Mixed Use Zone.</i>
	N/A. Subdivision is not proposed.

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

**3.4 Overlays and Codes**

**3.4.1 Car Parking and Sustainable Transport Code**

<b>E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE</b>	
<b>E6.2</b>	<b>APPLICATION OF CODE</b>
<i>E6.2.1</i>	<i>This code applies to all use or development of land.</i>
<b>E6.6</b>	<b>USE STANDARDS</b>
<i>E6.6.1</i>	<i>CAR PARKING NUMBERS</i> <i>To ensure that an appropriate level of car parking is provided to service use.</i>
<b>A1</b>	<p><i>The number of car parking spaces:</i></p> <ul style="list-style-type: none"> <li><i>a) will not be less than 90% of the requirements of Table E6.1; or</i></li> <li><i>b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater; or</i></li> <li><i>c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</i></li> </ul> <p>Does not comply - Assessment against the Zone Intent, Objective of the Standard and Performance Criteria is required.</p>
<b>P1</b>	<p><i>The number of car parking spaces provided must have regard to:</i></p> <ul style="list-style-type: none"> <li><i>a) the provisions of any relevant location specific car parking plan; and</i></li> <li><i>b) the availability of public car parking spaces within reasonable walking distance; and</i></li> <li><i>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</i></li> <li><i>d) the availability and frequency of public transport within reasonable walking distance of the site; and</i></li> <li><i>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</i></li> <li><i>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</i></li> <li><i>g) an empirical assessment of the car parking demand; and</i></li> <li><i>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</i></li> <li><i>i) the recommendations of a traffic impact assessment prepared for the proposal; and</i></li> <li><i>j) any heritage values of the site; and</i></li> <li><i>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</i> <ul style="list-style-type: none"> <li><i>i) the size of the dwelling and the number of bedrooms; and</i></li> <li><i>ii) the pattern of parking in the locality; and</i></li> <li><i>iii) any existing structure on the land; and</i></li> </ul> </li> <li><i>l) the performance criteria contained within a relevant parking precinct plan</i></li> </ul>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

	<p>Food service requires 1 space per 15m<sup>2</sup> net floor area. The net floor area for the proposed takeaway food premises is 45m<sup>2</sup> which requires three car parking spaces. Only two car parking spaces are provided on site. Due to the size of the site, location of existing development and heritage considerations, it is not possible to provide additional parking on the site.</p> <p>Public parking spaces are available within walking distance of the site, including on street parking on Charles and Canning Streets. Metro bus stops are within 170 metres of the site, and Charles Street also forms part of Launceston's bicycle lane network.</p> <p>Given the size of the takeaway food operation, the availability of existing parking and public transport, and existing development in the area, it is considered that the proposal complies with the purpose of the Car Parking and Sustainable Transport Code and the Performance Criteria.</p>
E6.6.2	<p><b>BICYCLE PARKING NUMBERS</b> To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.</p>
A1.1	<p><i>Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</i></p>
A1.2	<p><i>The number of spaces must be in accordance with a parking precinct plan that has been incorporated into the planning scheme for a particular area.</i> Complies. One bicycle bay is required and one bay has been provided on the site.</p>
E6.6.3	<p><b>TAXI DROP-OFF AND PICK UP</b> To ensure that taxis can adequately access developments.</p>
A1	<p><i>One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof.</i> N/A. Taxi parking is not required.</p>
E6.6.4	<p><b>MOTORBIKE PARKING PROVISIONS</b> To ensure that motorbikes are adequately provided for in parking considerations.</p>
A1	<p><i>One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</i> N/A. Motorbike parking is not required.</p>
E6.7	<p><b>DEVELOPMENT STANDARDS</b></p>
E6.7.1	<p><b>CONSTRUCTION OF CAR PARKING SPACES AND ACCESS STRIPS</b> <i>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i></p>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A1	<p><i>All car parking, access strips manoeuvring and circulation spaces must be:</i></p> <ul style="list-style-type: none"> <li><i>a) formed to an adequate level and drained; and</i></li> <li><i>b) except for a single dwelling, provided with and impervious all weather seal; and</i></li> <li><i>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</i></li> </ul> <p>N/A. The car parking is existing and no changes are proposed to the layout.</p>
E6.7.2	<p><b>DESIGN AND LAYOUT OF CAR PARKING</b>  <i>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i></p>
A1.1	<p><i>Where providing for 4 or more spaces, parking areas must be located behind the building line; and</i></p>
A1.2	<p><i>Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</i></p> <p>N/A. Less than four spaces are provided.</p>
A2.1	<p><i>Car parking and manoeuvring space must:</i></p> <ul style="list-style-type: none"> <li><i>a) have a gradient of 10% or less; and</i></li> <li><i>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</i></li> <li><i>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</i></li> <li><i>d) have a combined width of access and maneuvering space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</i> <ul style="list-style-type: none"> <li><i>i) there are three or more car parking spaces; and</i></li> <li><i>ii) where parking is more than 30m driving distance from the road; or</i></li> <li><i>iii) where the sole vehicle access is to a category I, II, III or IV road; and</i></li> </ul> </li> </ul>
A2.2	<p><i>The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.</i></p> <p>N/A. No changes are proposed to the existing car parking areas.</p>
E6.7.3	<p><b>CAR PARKING ACCESS, SAFETY AND SECURITY</b>  <i>To ensure adequate access, safety and security for car parking and for deliveries.</i></p>
A1	<p><i>Car parking areas with greater than 20 parking spaces must be:</i></p> <ul style="list-style-type: none"> <li><i>a) secured and lit unauthorized cannot enter or;</i></li> <li><i>b) lit and visible from buildings on or adjacent to the site during the times when parking occurs.</i></li> </ul> <p>N/A. Less than 20 parking spaces provided.</p>



**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

<i>E6.7.4</i>	<i>PARKING FOR PERSONS WITH A DISABILITY To ensure adequate parking for persons with a disability.</i>
<i>A1</i>	<i>All spaces designated for use by persons with a disability must be located closest to the main entry point to the building. N/A. There are no disabled parking bays proposed on the site.</i>
<i>A2</i>	<i>One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with Australian Standards AS/NZ 2890.6 2009. N/A. Disabled parking is not required as there are less than 20 parking spaces.</i>
<i>E6.7.6</i>	<i>LOADING AND UNLOADING OF VEHICLES – DROP-OFF AND PICK UP To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</i>
<i>A1</i>	<i>For retail, commercial, industrial, service industry or warehouse or storage uses: a) least one loading bay at must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site. N/A. A dedicated loading bay is not required for a food service use.</i>
<i>E6.8</i>	<i>PROVISIONS FOR SUSTAINABLE TRANSPORT</i>
<i>E6.8.1</i>	<i>BICYCLE END OF TRIP FACILITIES To ensure that cyclists are provided with adequate end of trip facilities.</i>
<i>A1</i>	<i>For all development where (in accordance with Table E6.1) over 5 bicycle spaces are required, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycles spaces thereafter. N/A. Only one bicycle bay is required.</i>
<i>E6.8.2</i>	<i>BICYCLE PARKING ACCESS, SAFETY AND SECURITY To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</i>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

A1.1	<p><i>Bicycle parking spaces for customers and visitors must:</i></p> <ul style="list-style-type: none"> <li>a) <i>be accessible from a road, footpath or cycle track; and</i></li> <li>b) <i>include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; and</i></li> <li>c) <i>be located within 50m of and visible or signposted from the entrance to the activity they serve; and be</i></li> <li>d) <i>available and adequately lit in accordance with Australian Standard AS/NZS 1158 2005 Lighting Category C2 during the times they will be used; and</i></li> </ul>
A1.2	<p><i>Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</i></p> <p>Does not comply - Assessment against the Zone Intent, Objective of the Standard and Performance Criteria is required.</p>
P1	<p><i>Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</i></p> <p>Complies by condition.</p> <p>The bicycle bay is located at the rear entrance to the property. Details of the security of the bicycle parking has not been indicated on the site plan. A condition is recommended to be included on the permit to ensure that the provisions are made available to secure a bicycle within the bicycle bay.</p>
A2	<p><i>Bicycle parking spaces must have:</i></p> <ul style="list-style-type: none"> <li>a) <i>minimum dimensions of:</i> <ul style="list-style-type: none"> <li>i) <i>1.7m in length; and</i></li> <li>ii) <i>1.2m in height; and</i></li> <li>iii) <i>0.7m in width at the handlebars; and</i></li> </ul> </li> <li>b) <i>unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.</i></li> </ul> <p>Complies. The proposed bicycle bay meets the required dimensions</p>
E6.8.5	<p><b>PEDESTRIAN WALKWAYS</b>  <i>To ensure pedestrian safety is considered in development</i></p>
A1	<p><i>Pedestrian access must be provided for in accordance with Table E6.5.</i></p> <p>N/A. A separate pedestrian access is not required.</p>
E6.6.1	<p><b>PRECINCT 1 – LAUNCESTON CBD PARKING EXEMPTION AREA</b></p>
E6.6.4	<p><b>LOCAL AREAS PROVISIONS</b>  <i>To remove the need for new use or development to provide onsite car parking within the exemption area.</i></p> <p><i>To establish parking maximums within the exemption area</i></p>
A1	<p><i>No onsite parking provision.</i></p> <p>N/A. The site is not located within the Launceston CBD Parking Exemption Area.</p>

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

**3.4.2 Local Historic Heritage Code**

The site is subject to the Local Historic Heritage Code, however as there is no development work proposed, there are no applicable standards within the code for assessment.

**4. REFERRALS**

<b>INTERNAL</b>	
Infrastructure Assets	Standard conditions recommended relating to damage to council infrastructure and works within/occupation of the road reserve.
Environmental Health	Conditions recommended relating to amenity and waste removal and a note to be included regarding nuisance.
Building Control	Building and plumbing permits required.
Parks and Recreation	N/A.
Heritage/Urban Design	N/A.
Strategic Planning	N/A.
<b>EXTERNAL</b>	
BLW	N/A.
Heritage Tasmania	N/A.
EPA	N/A.
DIER	N/A.

**5. REPRESENTATIONS**

Pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, the application was advertised for a 14 day period from 26 June 2013 to 9 July 2013. One representation was received.

The issues raised in the table below are a summary of the matters raised within the representation attached to this report.

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

ISSUE	COMMENTS
A takeaway food shop is out of character with the current ambience of the area.	226 Charles Street is surrounded by a variety of uses including residential, commercial and food services. The proposed takeaway shop is only a small operation and will not impact on the established hierarchy of this local business centre. It is noted that another restaurant offering takeaway burgers is located approximately 80 metres south of the site.
The proposed business will increase vandalism.	The business is proposed to operate up to 8.00pm Monday to Saturday. An increase of activity and users in the area will promote increased surveillance, thus decreasing the likelihood of vandalism occurring.
Car parking congestion will increase with the proposed takeaway.	Although the number of people visiting the site is expected to increase, the time spent at the site and the amount of parking time utilised will be small considering the size of the operation and the quick turn-over of customers taking away food as opposed to dining in.
Noise and pedestrian traffic will impact on residents.	The takeaway shop is proposed to trade up to 8.00pm Monday-Saturday and 4.00pm on Sundays. It is noted that other uses nearby, such as the Jimmy's supermarket complex and Sporties hotel operate to later hours. Conditions have been recommended to control noise generated from the use.

**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 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 2012 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.

**12.2 226 Charles Street, Launceston - Change of use to food service - takeaway food premises...(Cont'd)**

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**SOCIAL IMPACT:**

The Launceston Interim Planning Scheme 2012 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 2012

**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.

  
**Michael Stretton: Director Development Services**

**ATTACHMENTS:**

The following attachments are included:

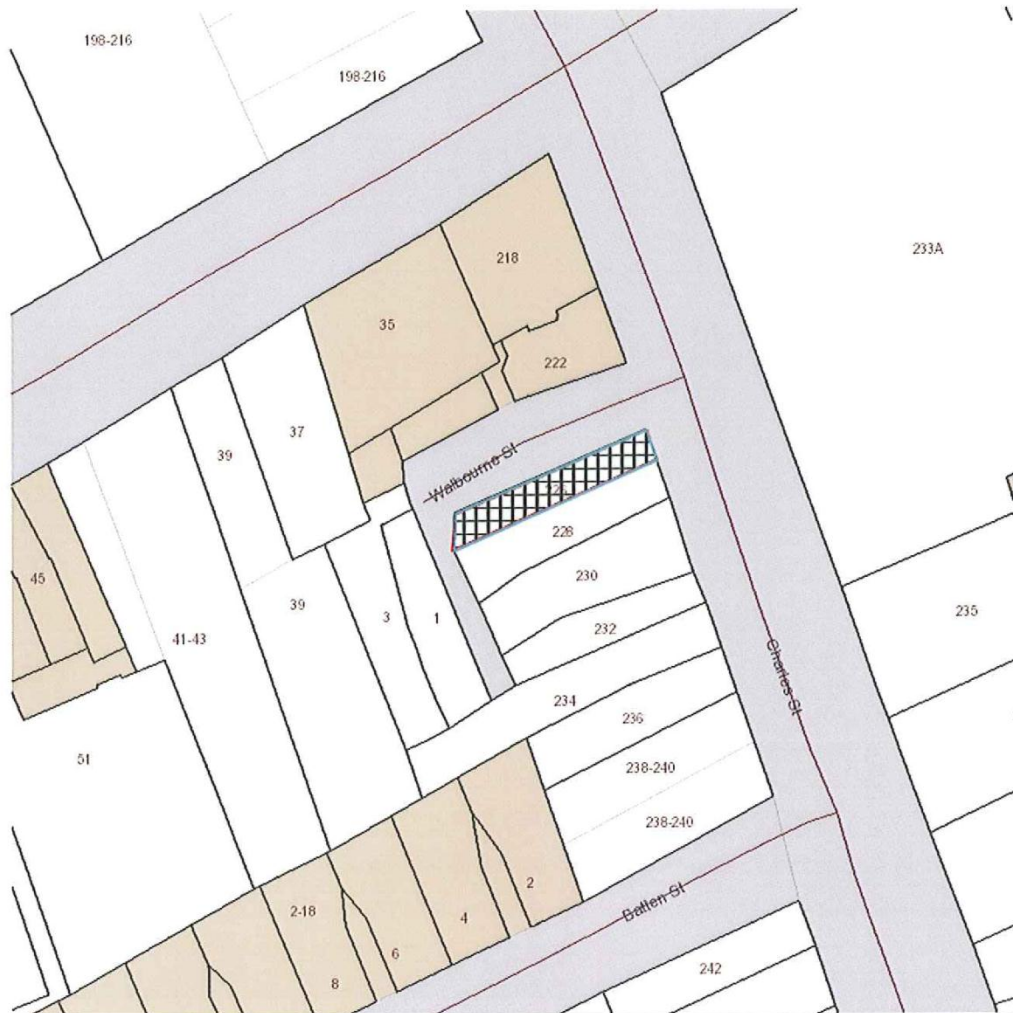
- Location Map
  - Representation
-



Launceston City Council  
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## LOCALITY MAP - DA0236/2013 226 CHARLES STREET, LAUNCESTON



### Locality Map

Scale: This Map Is Not to Scale

Ms Pip Glover,  
Planning Officer,  
Launceston City Council,  
LAUNCESTON, 7250

15<sup>th</sup> July, 2013

FILE No.	DA0236/2013		
EO	OD	<input checked="" type="checkbox"/>	Box <input checked="" type="checkbox"/>
RCVD 15 JUL 2013 · LCC			
Doc No.			
Action Officer	Noted	Replied	
C. WILKINSON			

Dear Ms Glover,

EGPJ - P GLOVER

Re: Application DA0236/2013, Fortune Wok Investments (TAS) Pty Ltd  
226 Charles Street, LAUNCESTON

I wish to submit my objection to the proposed change of food services application re the above business.

My reasons are as follows:

- This area of Charles Street has been promoted as the Paris end of town, therefore, a takeaway style business impacts on the general current ambience of the area – one which encourages patrons to not only enjoy the coffee and light food available in the area but also reflect on the pleasant streetscape.
- As there is already an increasing problem with vandalism in the area as well as broken glassware and litter I feel this style of business will only increase this problem.
- Another area of concern is parking. This is at times a very congested street and the tenants of my properties have had increasing problems with illicit parkers – one has even been approached to assist with parking for this particular business. If

226 Charles Street already is unable to accommodate patrons parking then how will a takeaway establishment manage?

- One would assume the business will operate out of hours, therefore, noise levels and pedestrian traffic will increase in the area making it potentially unpleasant for the residents of the street after hours. As the council has been actively encouraging people to relocate to the city area it should consider the social needs of those already residing in the vicinity as do the current businesses in the immediate area.

Yours sincerely,



Mary E. Stary



**13 NOTICES OF MOTION - FOR CONSIDERATION****13.1 Alderman Sands - Notice of Motion - State of the Tamar River****FILE NO:** SF5547, SF0696**AUTHOR:** Alderman Sands**GENERAL MANAGER:** Robert Dobrzynski (General Manager)

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**DECISION STATEMENT:**

To consider a Notice of Motion regarding funding for a tertiary level treatment plant at Ti Tree Bend.

**PREVIOUS COUNCIL CONSIDERATION:**

N/A

**RECOMMENDATION:**

N/A

**NOTICE OF MOTION:**

That Launceston City Council correspond with Tas Water, David O'Byrne Minister for Infrastructure and Geoff Lyons Federal Labor Member for Bass, seeking a priority meeting to discuss urgent funding through the National Building Fund to finance a tertiary level treatment plant at Ti Tree Bend.

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**REPORT:**

Alderman Sands will speak to the Notice of Motion.

**Background as provided by Alderman Sands**

The need for a massive rethink on the river is apparent to all, and first and foremost is a direct response by Launceston City Council to drive the issue. It is inexcusable that we have allowed the state of the river to become so degraded, that it is nothing more than an open sewer right in the heart of the city of Launceston.

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**13.1 Alderman Sands - Notice of Motion - State of the Tamar River...(Cont'd)**

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Successive Councils over decades have failed to recognise the need to improve sewerage treatment facilities that would enable water discharge quality to be of a standard that would meet stringent guidelines imposed by state authorities.

This facility will come to a substantial cost to the community, but the cost is something we must be conscious of, recognise and push with all our collective will to see the construction through to fruition.

In the year 2013 to have water quality of such a low standard, polluted with human waste and other pollutants is intolerable, inexcusable and an embarrassment to all who live in this city. We have an obligation to our ratepayers, our visitors and people from neighbouring cities and towns who visit Launceston, in the course of business or pleasure.

This waterway could be such an asset to the city but we have failed to recognise this benefit. There is a belief that since the management of sewerage has shifted to the water authorities, our obligation is now absolved. Unfortunately, we have always had a moral obligation to the community we have been tardy and failed to respond to an obvious need to upgrade technology to 21<sup>st</sup> Century standards. That said, we can correct those faults from the past and ensure that this major problem is remedied once and for all.

These infrastructure models do not come at bargain basement prices, they will be multiple millions, but we must look beyond the dollars that will be pushed in our faces and be resolute and strong to ensure that this vital piece of built infrastructure is actually built.

We must also audit the discharge points into the river, prosecute blatant offenders and remove those illegal discharge points thereby eliminating ongoing pollution in the river. Improve collection capacity of debris, increase capacity of holding facilities, and embrace new technologies in the treatment of sewerage. We have been doing the same old thing for decades, we need to understand and recognise that in the world today, modern treatment plants can be built and are being built and we must recognise and acknowledge that communities are entitled to have a clean river, free of human waste.

At the moment it is a third world river environment. Persons risk major infection if one was to fall into the yacht basin, there have been instances where young rowers have contracted serious infections from the standard of the water after inadvertently falling into the river from rowing shells.

To not embrace change and actually endorse this proposal is adopting a defeatist attitude, we can do this, we must do this as I said before we owe this much to our city and to all who live here, to have a waterway that is something to be proud of, not ashamed of.

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**13.1 Alderman Sands - Notice of Motion - State of the Tamar River...(Cont'd)**

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***Officer Comments - Robert Dobrzynski (General Manager)***

The Council has been liaising with both NRM North and TasWater (formerly Ben Lomond Water) for a period of time regarding measures required to improve the quality of water and river environment in the Tamar and North Esk Rivers.

In particular, the practice whereby diluted raw sewerage passes into the Tamar River following storm events generating significant volumes of stormwater is extremely concerning. Aldermen would be aware that the combined system which caters for stormwater and sewerage in the older areas of Launceston can suffer capacity overload during storm events resulting in the system flushing into the river. This is the situation that most reasonably minded people would find abhorrent and more akin to the circumstances of a poor third world country rather than a first world nation such as Australia. It is hard to image that such a significant community health and environmental issue would be tolerated if it occurred in a major regional centre of over 100,000 people on the mainland of Australia.

A major strategic priority for Launceston City Council is to develop pedestrian and lifestyle linkages which capitalise on the City's river front environment. The Seaport area is a magnificent example of the lifestyle, amenity and tourism benefits achieved from capitalising on river frontage, with subsequent significant generation of economic activity through restaurant and accommodation spend. The Council's initiative to develop North Bank, juxtaposed to the Seaport area and the proposed Silos hotel development will create a magnificent precinct as a community hub and tourist mecca. The only negative factor that may compromise achieving this vision is the poor quality of water in the Tamar River and the continuing discharge of sewerage into the river environment.

The Council has made overtures to the Prime Minister, through the Mayor's recent meeting and to the Leader of the Opposition, seeking support to address the current unacceptable circumstances.

Resolving this issue in conjunction with TasWater, NRM North, the State Government and Federal Government should be at the highest order of priority for Launceston City Council.

**STRATEGIC DOCUMENT REFERENCE:**

N/A

**BUDGET & FINANCIAL ASPECTS:**N/A

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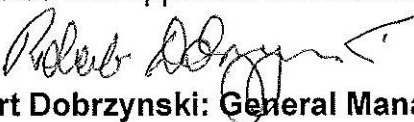
13.1 Alderman Sands - Notice of Motion - State of the Tamar River...(Cont'd)

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**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.

  
**Robert Dobrzynski: General Manager**

**ATTACHMENTS:**

1. Notice of Motion - Alderman Sands
-

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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FILE NO: SF5547 : SF0696  
TS  
DATE: 29 July 2013

TO: Robert Dobrzynski                      General Manager  
Cc     Martin Reynolds                      Corporate Secretary  
       Committee Clerks

FROM: Ted Sands                              Alderman

**SUBJECT: Notice of Motion - State of the Tamar River**

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In accordance with Clause 16 (5) of the Local Government Regulations 2005 (Meeting Procedures) please accept this Notice of Motion for placement on the agenda of the Meeting of Council to be held on 12 August 2013.

#### Motion

That Launceston City Council correspond with Tas Water, David O'Byrne Minister for Infrastructure and Geoff Lyons Federal Labor Member for Bass, seeking a priority meeting to discuss urgent funding through the National Building Fund to finance a tertiary level treatment plant at Ti Tree Bend.

#### Background

The need for a massive rethink on the river is apparent to all, and first and foremost is a direct response by Launceston City Council to drive the issue. It is inexcusable that we have allowed the state of the river to become so degraded, that it is nothing more than an open sewer right in the heart of the city of Launceston.

Successive Councils over decades have failed to recognise the need to improve sewerage treatment facilities that would enable water discharge quality to be of a standard that would meet stringent guidelines imposed by state authorities.

This facility will come to a substantial cost to the community, but the cost is something we must be conscious of, recognise and push with all our collective will to see the construction through to fruition.

In the year 2013 to have water quality of such a low standard, polluted with human waste and other pollutants is intolerable, inexcusable and an embarrassment to all who live in this city. We have an obligation to our ratepayers, our visitors and people from neighbouring cities and towns who visit Launceston, in the course of business or pleasure.

This waterway could be such an asset to the city but we have failed to recognise this benefit. There is a belief that since the management of sewerage

## LAUNCESTON CITY COUNCIL

### MEMORANDUM

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has shifted to the water authorities, our obligation is now absolved. Unfortunately, we have always had a moral obligation to the community we have been tardy and failed to respond to an obvious need to upgrade technology to 21<sup>st</sup> Century standards. That said, we can correct those faults from the past and ensure that this major problem is remedied once and for all.

These infrastructure models do not come at bargain basement prices, they will be multiple millions, but we must look beyond the dollars that will be pushed in our faces and be resolute and strong to ensure that this vital piece of built infrastructure is actually built.

We must also audit the discharge points into the river, prosecute blatant offenders and remove those illegal discharge points thereby eliminating ongoing pollution in the river. Improve collection capacity of debris, increase capacity of holding facilities, and embrace new technologies in the treatment of sewerage. We have been doing the same old thing for decades, we need to understand and recognise that in the world today, modern treatment plants can be built and are being built and we must recognise and acknowledge that communities are entitled to have a clean river, free of human waste.

At the moment it is a third world river environment. Persons risk major infection if one was to fall into the yacht basin, there have been instances where young rowers have contracted serious infections from the standard of the water after inadvertently falling into the river from rowing shells.

To not embrace change and actually endorse this proposal is a adopting a defeatist attitude, we can do this, we must do this as I said before we owe this much to our city and to all who live here, to have a waterway that is something to be proud of, not ashamed of.

#### Attachments

Nil



**Alderman Ted Sands**

**DIRECTORATE AGENDA ITEMS****14 DEVELOPMENT SERVICES****14.1 General retail or hire (Local shop) in the General Residential Zone****FILE NO:** SF3854**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To consider whether to amend the Launceston Interim Planning Scheme 2012 to allow General retail and hire uses, such as craft shops, in the General Residential Zone.

**PREVIOUS COUNCIL CONSIDERATION:**

In respect to the application for a dispensation from the Launceston Interim Planning Scheme 2013 for 15 Abbott Street, East Launceston, the Council, at its meeting held on Monday 8 July 2013, resolved to undertake the following:

1. advise the Tasmanian Planning Commission that it does not support the application for dispensation from a local provision of the Launceston Interim Planning Scheme under Section 30P of the Land Use Planning and Approvals Act 1993 to:
  - a. Set aside the provisions of the General Residential zone contained in the Interim Planning Scheme 2012 as they relate to 15 Abbott Street, East Launceston (title D41683); and
  - b. Apply the provisions of the Local Business zone contained in the Interim Planning Scheme 2012 as they relate to 15 Abbott Street, East Launceston (title D41683); because the proposal does not accord with the Launceston Retail Strategy and would unnecessarily detract from an established residential area; and
2. Seek legal advice on the range of General retail and hire uses that are allowable within the General Residential Zone under the local shop qualification and prepare a subsequent report to the Council on the benefits and/or need to amend the Launceston Interim Planning Scheme 2012 to allow 'craft shops' to be discretionary in the General Residential Zone.

**RECOMMENDATION:**

Further to legal advice presented to the Council, that the Council determine not to initiate any amendment of the Launceston Interim Planning Scheme 2012 to allow General retail and hire uses, such as craft shops, in the General Residential Zone because it would be contrary to the purpose of the General Residential zone and the objectives of the Launceston Interim Planning Scheme 2012

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## 14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)

### REPORT:

Following the Council meeting on Monday 8 July 2013, legal advice was sought from Mr Shaun McElwaine SC on the range of General retail and hire uses that are allowable within the General Residential Zone under the local shop qualification.

Table 10.2 of the Launceston Interim Planning Scheme 2012 (the Interim Scheme) provides that the use class General retail and hire is discretionary in the General Residential Zone with the qualification '*if for a local shop*'. Otherwise the use class is prohibited.

### 10.2 Use Table

No Permit Required	
Use Class	Qualification
Residential	If a single dwelling
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Educational and occasional care	
Food services	If a cafe or takeaway food premises
General retail and hire	If for a local shop
Community meeting & entertainment	If not a cinema or function centre
Residential	If not a single dwelling
Visitor accommodation	
Utilities	If not for minor utilities
Prohibited	
All other uses	



**14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)**

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The use class general retail and hire is defined as:

*'Use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shopfront drycleaner, supermarket and video shop.'*

The Interim Scheme defines a local shop as:

*'...the use of land for the sale of grocery or convenience items where the gross floor area does not exceed 200m<sup>2</sup>.'*

The definition engages three elements, two of which are necessary in order for a use to be categorised as a local shop. The first two elements are concerned with the character of the use. That is to say a substantial use of the land must be for the conduct of the sale of grocery or convenience items. The third element, which applies to each of the first two, is that the gross floor area must not exceed 200m<sup>2</sup>.

The Interim Scheme does not define the terms grocery or convenience items. Unless there is a contrary intention which one may discern from the text, context or purpose of the interim scheme provisions, these words have their ordinary and natural (dictionary) definition.

The *Australian Pocket Oxford Dictionary, 4<sup>th</sup> Ed*, contains the following relevant definitions: *'Grocer's trade or shop, goods especially food, sold by a grocer: grocer: dealer in food and household provisions'*.

An expanded definition of grocer is contained in the WordBook Online Dictionary: *'one who buys and sells in gross, dealer in quantity, a merchant selling individual items of food: a retail merchant who sells food stuffs and some household supplies'*.

It is Mr McElwaine's opinion that the concept of a grocery item limits the definition to a use which is substantively concerned with the retailing of food stuffs together with incidental household supplies.

Mr McElwaine then deals with the phrase 'convenience items' in the context of the local shop definition by stating:

'The Australian Pocket Oxford Dictionary does not have a contextual definition. The WordBook Online Dictionary describes a convenience store as: a store selling a limited variety of food and pharmaceutical items, open hours for the convenience of customers. As might be expected Wikipedia has something to say on the topic. It says that:

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**14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)**

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*'A convenience store, corner store or corner shop is a small store that stocks a range of everyday items such as groceries, toiletries, alcoholic and soft drinks, tobacco products and newspapers. They differ from general stores and village shops in that they are not in a rural location and are used as a convenient supplement to larger stores.'*

The use class local shop in the Interim Scheme does not refer to the character of the store as a convenience store. Its focus, rather, is upon the items offered for sale. With that distinction in mind it is clear that the sale of convenience items is properly characterised by such things as toiletries, soft drinks, tobacco products and newspapers. They are items that one would purchase, locally, without undertaking a trip to a larger store which has a much more extensive range of products.

Mr McElwaine concludes that: *"Whilst the concept of a local shop should be given a broad and purposeful interpretation, I do not consider that a shop which exclusively sells craft items is properly classified as a local shop within this definition. I do not say that a local shop cannot sell craft items, but in my opinion the sale of such items must be incidental to the more substantial sale of grocery or convenience items. In other words craft items may be sold under the incidental authorisation of a local shop. But they must not be the primary substantial or predominant component of the shop."*

I now turn to the second element of the Council motion which requires discussion on the benefits and/or need to amend the Launceston Interim Planning Scheme 2012 to allow 'craft shops' to be discretionary in the General Residential Zone.

The purpose of the General Residential Zone is as follows:

- 10.1.1 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.
  - 10.1.2 To provide for compatible non-residential uses that primarily serve the Local community.
  - 10.1.3 Non-residential uses are not to be at a level that distorts the primacy of Residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.
  - 10.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.
  - 10.1.5 To ensure that multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road or neighbourhood.
-

**14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)**

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10.1.6 To encourage multiple dwellings in the vicinity (within 400m) of district and Local business/activity centres and to discourage multiple dwellings at sites which are remote (further than 1km) from business/activity centres, or located within areas of recognised character, cul-de-sacs or affected by natural hazards.

The zone currently accommodates limited commercial uses such as a cafe or takeaway food premises, visitor accommodation and of course, a local shop. These uses are in accordance with Objective 10.1.2 in that they are non-residential uses that primarily service the local community. However, by their very nature craft shops service a wider community as they are fewer in number, sell a specialised product offering and draw customers from the region and beyond. Therefore, it is considered that a craft shop does not meet the purpose for the General Residential Zone and that it would be inappropriate to amend the Interim Scheme to allow such General retail and hire uses to establish in the General Residential Zone.

It follows therefore that a craft shop is a retail use which should be located in accordance with the Launceston Retail Strategy and the Interim Scheme.

The Launceston Retail Strategy details the preferred areas within the city to meet the retail and service needs of residents of the city and greater northern area. The Strategy establishes a hierarchy of retail centres, the main centre being the Central Business area.

The Strategy stipulates that "**future retail premises should be restricted to the established centres**". Such centres are generally zoned General Business or Central Business. Additionally, there are various spot Local Business zoned areas throughout the municipal area which are reflective of historic uses of land, when corner stores and neighbourhood service stations were more viable business concerns. These localised zones do not constitute established centres and therefore, efforts to include additional retail uses in these areas should be resisted.

Further, the Interim Scheme's Objective 3.3.2, which is aimed at maintaining Launceston as the business and commercial heart of the region provides that:

*"The regional activity centre network hierarchy as it relates to Launceston City is as follows:*

- *the Principal Activity Centre of the Launceston City central business district;*
  - *the Major Activity Centres of Kings Meadows and Mowbray;*
  - *the Suburban Activity Centre of Launceston (Kmart) Plaza;*
  - *the Neighbourhood Centres of Newstead, Ravenswood, Newnham, Trevallyn, St Leonards and Youngtown;*
  - *Bulky Goods precincts; and*
-

**14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)**

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- *Specialist Centres (such as Launceston General Hospital precinct and similar health facilities, and Tertiary Education and Research precincts such as UTAS, etc.)*

*The new planning scheme will seek to ensure that each level of the hierarchy operates to provide the appropriate mix of retail and service provision to its catchment area and to support the region of Northern Tasmania. Council considers it socially and economically essential that the Launceston CBD continues in its role as the key regional centre and at the primacy of the Northern Tasmania regional hierarchy.*

*Location of new retail development outside of the hierarchy will lead to loss of viability, lower rents, loss of investment and poor outcomes for both the Launceston community and the wider region".*

It is considered that altering the Interim Scheme to allow General retail and hire uses, such as craft shops, in the General Residential Zone would be contrary to this objective.

The Interim Scheme includes a suite of zones to facilitate the orderly development of the Launceston Municipal Area. The overall purpose of the General residential Zone is to provide for residential use or development, whilst allowing for limited retail offerings to service local communities. It is considered appropriate to limit retail uses within the General Residential zone as the impacts of allowing such uses (ie. traffic, noise) would be incompatible with residential uses. Should higher order General retail and hire uses be allowed to establish in the General Residential zone it would present the potential for distorting the primacy of the residential use within residential areas which would be contrary to the purpose of the zone. General retail and hire uses such as craft shops are already well catered for in zones such as: Urban Mixed Use, Village, Local Business, General Business and Central Business. Accordingly, it is considered that the Interim Scheme already provides ample opportunities for General retail and hire uses to establish in Launceston.

In conclusion it has been demonstrated that a local shop, as defined in the Interim Scheme, does not include a craft shop. Further, it has been demonstrated that it would be contrary to the purpose of the General Residential zone to allow General retail and hire uses to establish within the zone, other than to service local communities. Craft shops serve the wider community and therefore, they cannot be considered for the General Residential zone. Accordingly, it is concluded that there is insufficient benefit and/or need to amend the Interim Scheme to allow General retail and hire uses in the General Residential zone.

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**14.1 General retail or hire (Local shop) in the General Residential Zone...(Cont'd)**

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**ECONOMIC IMPACT:**

The Launceston Interim Planning Scheme 2012 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 2012 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 2012 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 2012

**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.

  
**Michael Stretton: Director Development Services**

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**14.2 Launceston Strategic Tourism Plan****FILE NO:** SF4930, SF4931**AUTHOR:** Eamonn Seddon (Tourism Manager)**DIRECTOR:** Michael Stretton (Director Development Services)

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**DECISION STATEMENT:**

To adopt the Launceston Strategic Tourism Plan along with the updated implementation plan

**PREVIOUS COUNCIL CONSIDERATION:**

At its meeting held 30 January 2012 Council received the draft Strategic Tourism Plan prepared by the Stafford Group and endorsed the document to be made available for public consultation.

**RECOMMENDATION:**

That the Council adopt:

1. the Draft Launceston Strategic Tourism Plan dated February 2012 (Doc ID number 2973556) which includes the following strategies:
    1. Development of a Council Tourism Advisory Forum;
    2. Feasibility studies for product development;
    3. Development of a primary tourism precinct;
    4. Development of a secondary tourism precinct;
    5. Development of an Art trail linking QVMAG to Albert Hall via Cameron Street;
    6. Development of Heritage trails;
    7. A Community tourism awareness program;
    8. A Brand development program including profiling of brand Launceston with industry product;
    9. Development of a Launceston smart phone application;
    10. Further development of Walking trails of greater Launceston; and
  2. the Tourism Strategy Implementation Plan dated July 2013 (Doc ID number 2973565).
-

## 14.2 Launceston Strategic Tourism Plan...(Cont'd)

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### REPORT:

#### **The Project in 2012**

The Stafford Group was commissioned by Launceston City Council, with support from Tourism Tasmania, to develop a Strategic Tourism Plan for Launceston for the next 10 years. Whilst the focus is primarily on the Launceston Local Government Area specifically, the Strategy also recognises the importance of tourism product within the surrounding Northern Tasmania Region which is often viewed as part of the broader Launceston experience.

Key investment and development opportunities recommended in the Strategy include those relating to:

- Access and Transport
- Attractions
- Accommodation
- Governance Structures
- Marketing Opportunities

Within these themes a list of ten priority project areas has been identified, totalling an estimated \$1.235 million to implement.

Key project areas identified in the strategy are:

1. Development of a Council Tourism Advisory Forum;
2. Feasibility studies for product development;
3. Development of a primary tourism precinct;
4. Development of a secondary tourism precinct;
5. Development of an Art trail linking QVMAG to Albert Hall via Cameron Street;
6. Development of Heritage trails;
7. A Community tourism awareness program;
8. A Brand development program including profiling of brand Launceston with industry product;
9. Development of a Launceston smart phone application;
10. Further development of Walking trails of greater Launceston.

#### **Benefits**

Tourism represents one of the three key economic sectors for Launceston, contributing over \$300million per annum to the city's gross revenue and generating over 2,000 jobs for the region. Tourism within Launceston (including the Tamar Valley and North) has been relatively stable, receiving an average of just over 500,000 visitors per annum.

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## **14.2 Launceston Strategic Tourism Plan...(Cont'd)**

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Projected visitation to the Launceston region, based on historic trend data to the region and using a conservative low growth scenario, indicates an estimated 649,000 visitors are expected to the region by 2020. The opportunity exists to exceed these visitor forecasts if a number of the recommendations suggested in the Stafford report are implemented. Indicative costs suggested by the Stafford group amount to \$1.3 million. These are spread over a number of projects and each project would be fully costed and considered during the annual budget process.

### **Timeline for Delivery of Project**

The Launceston Strategic Tourism Plan is a ten year plan. Projects identified for the 2012/13 financial year included:

- Development of a Launceston smartphone application;
- Commencement of a pilot project for an augmented reality and light experience focussing on Launceston's heritage buildings; and
- Relocation of the Visitor Information Centre.

The draft Tourism Strategy was delivered to council in March 2012 and since this time the implementation has been slowed by changes in key personnel in the Community, Tourism and Events Department together with a pressing need to focus on major projects such as the relocation of the Visitor Information Centre and the implementation of the Service Level Agreement with the Regional Tourism Organisation. As a consequence Section 12 of the strategy - 'Implementation Plan - Key result area' is now out of date in regard to timing as well as a number of projects described having already started or been completed through Council's budget process or by external agencies.

In addition, it has been identified that a number of elements were not included within the draft strategy but are important elements in both implementation and evaluation.

Forty five separate projects were initially listed. With some projects having now been completed, it is believed, as part of the review, that a process of prioritisation for the remaining identified projects should take place.

The Stafford Group in its paper 'The new world of Tourism' prepared for Sustainable Economic Growth for Regional Australia identifies a process of project assessment that leads to a ranking that determines which projects are prioritised.

Thirty seven projects have been ranked, with the first ten top projects now being actively pursued by officers. Suggested timeline are subject to annual budget considerations.

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**14.2 Launceston Strategic Tourism Plan...(Cont'd)**

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The updated implementation plan 'Prioritised Implementation Timeline' (attached) replaces the implementation plan (Section 12) within the original strategy document.

**ECONOMIC IMPACT:**

Tourism represents one of the three key economic sectors for Launceston, contributing over \$300 million per annum to the city's gross revenue as well as generating over 2000 jobs for the region.

**ENVIRONMENTAL IMPACT:**

Some of the projects described would have little or no environmental impact, whilst others (i.e. extension of Board Walk to Cataract George) could have significant impact. These potential impacts would be addressed during the feasibility/consultation stages.

**SOCIAL IMPACT:**

Consideration given in the report.

**STRATEGIC DOCUMENT REFERENCE:**

Strategic Plan 2008-2014 - Priority Area 3: Social and Economic Environment

**BUDGET & FINANCIAL ASPECTS:**

\$200,000 has been allocated annually in the Strategic Financial Plan for the next five years for implementation of the Plan, however, strategies and tasks will be subject to the annual budget process.

The budget consideration of this item has been approved by the Director Corporate Services.

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## 14.2 Launceston Strategic Tourism Plan...(Cont'd)

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### DISCLOSURE OF INTERESTS:

The officer has no conflict of interest in this item.

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

  
Michael Stretton: Director Development Services

### ATTACHMENTS:

The following attachments were circulated separately.

1. Launceston Strategic Tourism Plan
  2. Launceston Strategic Tourism Plan Prioritised Implementation Timeline July 2013
-

**15 FACILITY MANAGEMENT AND GOVERNANCE SERVICES****15.1 Livestock Market Operations****FILE NO:** SF0403**AUTHOR:** Matthew Skirving (Manager Architectural Services)**DIRECTOR:** Rod Sweetnam (Director Facility Management & Governance Services)

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**DECISION STATEMENT:**

That Council consider the future subsidised operation of the Killafaddy Livestock Market. Resolution 3 requires an Absolute Majority of Council.

**PREVIOUS COUNCIL CONSIDERATION:**SPPC Monday 17<sup>th</sup> June 2013.

6.1 Livestock Market Operations (Closed Workshop Presentation)

**RECOMMENDATION:**

1. That in recognition of the following factors:

- Changes in livestock market conditions, sales methods, including Over the Hook and direct agency on-farm sales methods.
- The resulting significant reduction in stock throughput at Killafaddy Livestock market over recent years.
- The relevance of Council's ongoing subsidised operation of a livestock market facility.
- The increasing net operating deficit at the facility in excess of \$124,000 for the 2012/13 financial year, and a cumulative total in excess of \$436,000 over the past seven years.
- The anticipated significant ongoing capital investment required to maintain the facility to contemporary standards.

The Council determine that it:

- a) Advise its intention to cease Council operation of the Killafaddy Livestock Markets following the final stock sale held in December 2013.
  - b) Adopt the communications and consultation strategy outlined in this report, to inform the current users of the facility as to the alternate options available for livestock sale, and to seek written submissions regarding Council's intended cessation of operations over a four week period.
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## 15.1 Livestock Market Operations...(Cont'd)

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- c) That Council offer the existing land and improvements associated with the current operations for sale (as a going concern, or otherwise) via a public Expression of Interest process.
2. At the conclusion of the consultation and Expression of Interest processes, a subsequent report be provided to Council summarising the written submissions received, and options for sale of the facility and associated assets.
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### **Executive Summary - Livestock Market Review by Makris Skringar & Associates.**

During 2012 Council engaged Makris Skringar & Associates to conduct a review of the operation of Council's Killafaddy Livestock markets. The review sought to establish:

- What role the saleyards play in the context of the Tasmanian agricultural industry.
- What trends are apparent in relation to the usage of the saleyards and the potential implications of the trends into the future.
- The key drivers for utilisation of the saleyard, and other options open to producers for sale of livestock.
- The profile of the typical users of the Killafaddy saleyard.
- Peripheral benefits for the Launceston community from the operation of saleyards.
- What options may exist to ameliorate any shortfalls in current operating deficits at the facility.

The completed review document is provided as Attachment 1 to this report. Included below is a summary of pertinent points extracted from the Makris Skringar & Associates report:

#### *Page 3*

- *The saleyard is currently the only public, independent saleyard operating in Tasmania*
- *The performance of Killafaddy is a reflection of market dynamics and conditions not ineffective asset management nor redundancy*

#### *Page 4*

- *The scale and compactness of stock trading in Tasmania differentiate it from the mainland and have contributed to a unique set of market dynamics and conditions*
  - *The best trading year of recent times for Killafaddy (FY08) was the worst year of the drought. These findings demonstrate that Killafaddy Saleyard's performance is directly linked to stock scarcity fuelled by seasonal fluctuations experienced directly by farmers.*
-

**15.1 Livestock Market Operations...(Cont'd)**

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- *Confirming the above, of all sale methods, sale by auction for both beef and sheep peaked in FY08 accounting for 48 percent of beef stock sales in Tasmania and 49 percent of sheep stock sales.*
- *In FY11 Over the Hook (OTH) sales were far and away the most used sales method accounting for 46 percent of beef sales.*

*Page 5*

- *Sheep sales in FY09 at auction accounted for 23 percent offset by OTH sales at 33 percent and paddock sales at 26 percent.*
- *According to some interviewees incentives to attain reasonable returns has resulted in holding back stock from auction and 'drip feeding' where volumes of stock are presented for sale on one occasion followed by fewer stock sold on the following occasion - thereby achieving higher sale prices for the latter.*
- *The main impacts on auctioneering are clearly OTH sales (linked to supermarkets), willingness of agents (and farmers) to procure stock for sale and the effects of seasonal fluctuations.*

*Page 6*

- *Of nine saleyards in Tasmania, seven are owned and operated by one of two corporate agents; one is operated by the other corporate agent and is uniquely used (i.e. for store cattle sales); the remaining saleyard is operated independently by LCC - used by the latter agent due to reportedly cost-prohibitive fees charged at the other saleyards.*
- *The proliferation of single-owner operated saleyards serves to dissipate whatever volume exists precluding Killafaddy gaining traction to amass volume - noting, of course, this is dependent on agents' and farmers' willingness to procure stock for sale.*
- *Furthermore, it is publicly recognised that rationalisation of saleyards will not occur until Killafaddy closes - to do otherwise would mean Killafaddy saleyards may potentially increase throughput and sales and, in the process, appear viable.*

*Page 7*

- *What sets Killafaddy apart however, is that it is the only independent saleyard in the entire state of Tasmania - farmers in other mainland states have recourse to use multiple independent saleyards operated by different Councils. In addition, the concentration of saleyard ownership is unmatched on the mainland.*
  - *The closure of Killafaddy saleyard cannot be viewed solely in a local context as it may well have state-wide implications especially in regards to the breadth of potential losses accrued by smaller farms. This extends beyond loss of income and jobs to their potential to yield premium, value-adding, small herd stock which may ultimately contribute to Tasmania's competitive position as a premium producer.*
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### 15.1 Livestock Market Operations...(Cont'd)

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- *Although backed up by hard industry data, this review was largely qualitative in nature with little representation from farmers and particularly smaller farmers. Thus the gravity of impact remains an unknown as does a quantified insight into Killafaddy Saleyard users.*

#### *Page 15*

- *Graph 6 shows the auction sales method is by far the most used to sell sheep in Australia used by 62 percent of farmers in FY2010/11. However this is not the case in Tasmania (shown in Graph 7) where annual variation in methods is rampant.*

#### *Page 18*

- *A few interviewees, referring to trends on the mainland away from OTH selling some four or five years ago (verified in statistics analysed previously in this section of the report) maintained a move away from OTH selling was inevitable in the near future in Tasmania. The main reason for the shift on the mainland was the realisation by sellers that they were not getting attaining the best price due to penalties applied after the price per kilo was agreed.*

#### *Page 19*

- *The three main drivers said to affect auctions are supermarkets' buying activity (via OTH sales), the willingness of agents to procure stock for sale through at auction and seasonal fluctuations/impacts.*
- *Discounting the drought, there is evidence of seasonality in use of the saleyards. For example, they are used in winter when there is a spike in the market - at that time there is a lack of quality stock so better prices are achieved going through Killafaddy saleyards (noting it has a hard floor).*

#### *Page 20*

- *The perception that the closure of Blue Ribbon Meats adjacent to Killafaddy saleyards was the main contributor to the saleyard's later diminished performance is inaccurate. It has more to do with increased use of OTH sales methods and chasing the best price than proximity of saleyards to abattoirs and such things as transport costs (which are minimal).*

#### *Page 21*

- *Based on the foregoing analysis and discussions, it would appear Killafaddy Saleyard's income is linked to seasonal fluctuations which impact farming outcomes. Whilst these fluctuations are largely unpredictable, based on the evidence to hand, and all things being equal, the income of the saleyards may well increase as buildup stocks are depleted and/or profit margins are eroded.*
-

**15.1 Livestock Market Operations...(Cont'd)**

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*This is outside of the potential to improve Killafaddy's performance by re-positioning the saleyard as a quality auction facility.*

*Page 22*

- *Killafaddy Saleyards is seen to play a unique and pivotal role in the Tasmanian livestock industry by a number of interviewees.*
- *The saleyard does not have a traditional direct competitor - unlike the situation on the mainland where Council owned saleyards operate in reasonably close proximity to one another. In Tasmania, saleyard competition comes from privately owned facilities acquired or developed after Killafaddy Saleyards was established.*
- *Last financial year in Tasmania, as cited in the previous section, 43 percent of beef cattle were sold directly to processors; 43 percent through paddocks; and 19 percent via saleyard auctions. Of sheep sales, 64 percent were sold directly to processors; 15 percent through paddocks; and 10 percent via saleyard auctions.*

*Page 29*

- *It is publicly acknowledged that Roberts would not be going ahead with saleyard rationalisation plans and centralisation to Powranna (and Quoiba) until Killafaddy is closed.*

*Pages 31 to 34 - Competitive considerations*

In this section the author has highlighted issues of competitiveness within the Tasmania livestock market industry and raised critical points throughout.

*Page 46*

- *Both major agents maintained throughput levels have dropped significantly at Killafaddy Saleyard - one quoted figures to illustrate - where Killafaddy used to turn over 1,000 to 2,000 cattle it now turns over 150; where the saleyards would turn over 6,000 to 7,000 sheep they now do more like 1,000.*

**REPORT:****Recent Financial Performance**

Table 1 below plots the financial performance of the Stockyards Business Unit across the past 10 years. This table is based on year-end financial data provided by the Corporate Services Directorate for the period 2002-2012.

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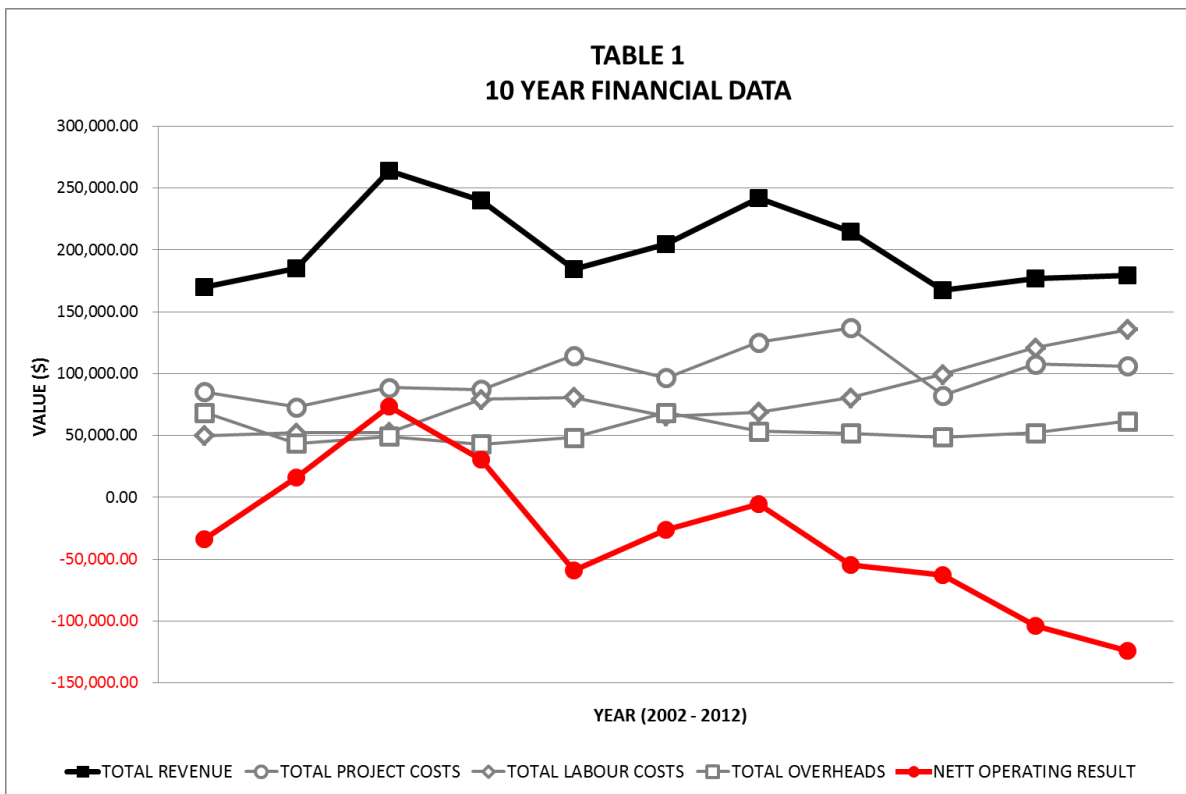
## 15.1 Livestock Market Operations...(Cont'd)

The table plots the primary cost areas associated with the operations, being:

- Total Labour costs.
- Total Project (Capital) expenditure.
- Total Overheads (Utilities, Insurance and Depreciation, Organisation cost recovery).

The highlighted data plots:

- Total revenue per annum.
- Nett result for the financial year (including capital expenditure).



Analysis of the data identifies a number of trends in relation to the overall financial performance of the Business Unit (evident in the table above):

- Annual revenue is variable, and linked to seasonal market conditions such as climate, terms of trade and total stock levels and productivity within the State.



## 15.1 Livestock Market Operations...(Cont'd)

- Capital costs have consistently increased overtime, indicating the ongoing investment required to manage an ageing facility and also the need to keep pace with changing legislative requirements (as discussed in this report).
- Total Labour costs have significantly accelerated over the past 5 years, linked to Council's Enterprise Bargaining Agreement and additional WH&S requirements.
- An unfavourable divergence of Total Revenue v's Nett Result over the past 5 years, primarily driven by the increasing labour and capital costs noted above.

Council revenue derived from the operations on site primarily consists of fees associated with stock throughput (per head), along with Agents fees and some other miscellaneous revenue from leases and the truck wash facility. To this end, there is little scope for augmenting the existing fee model without Council becoming more active in the sector - such as acting as the primary Stock Agency conducting a sale, to enable the direct benefit of higher agency commission structures as opposed to simply be a facility provider.

While the Launceston City Council does have an historic involvement with the operation of the Saleyards (and indeed the former processing facility), active participation in the broader market is considered to be outside the contemporary operation of the Local Government sector.

Table 2 below summarises the fee increase required to return the Business Unit to a neutral annual operating position (ie. full cost recovery):

**Table 2: Required Fee Increase - Cost Recovery**

Item	5 Year Avg.	Last F/Y
Revenue from Stock Sales	\$173,141	\$165,556
Operating Deficit	- \$70,267	- \$124,098
Required Break-even Fee Increase	40.58%	74.96%

The table summarises both the average deficit across the last 5 years, as well as the most recent full year result, and identifies the relative fee increase required to attain full cost recovery from the operation of the facility (including average capital expenditure).

It is unlikely that such significant fee increases would be accepted by the market, and is not considered to be a viable option moving forward.

## 15.1 Livestock Market Operations...(Cont'd)

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### **Future Operation**

Council Officers have considered a range of future operating models for the Business Unit, including:

1. Re-structuring the fee model to wholly recover operating expenses.
2. Expanding Council's current market involvement to include Stock Agency services, as a means of increasing revenue associated with this facility.
3. Lease of the facility to a single or multiple Agents.
4. Cessation of Council's operation of the facility, and possible sale of the business/associated land.

Based on the past financial performance of the Business Unit and the discussion contained in this report, it is recommended that scenario 4 be pursued.

### **Asset Disposal**

The requirements for the disposal of land under Section 177 of the *Local Government Act 1993* are set out below:

#### **177. Sale and disposal of land**

1. A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.
2. Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under [section 4 of the Land Valuers Act 2001](#).
3. A council may sell –
  - a. any land by auction or tender; or
  - b. any specific land by any other method it approves.
4. A council may exchange land for other land –
  - a. if the valuations of each land are comparable in value; or
  - b. in any other case, as it considers appropriate.
5. A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.
6. A decision by a council under this section must be made by absolute majority.

It is recommended that an Expression of Interest process (EOI) be conducted via a suitable third-party commercial real estate agency to identify the most favourable option for the disposal of this asset by Council.

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### 15.1 Livestock Market Operations...(Cont'd)

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#### User Group Consultation

In conjunction with the EOI process a Communication & Consultation process will be implemented inviting written submissions from existing user groups, representative industry bodies, and the local Community seeking their feedback on the proposed change of operation, and identification of any impacts that may arise from Council's cessation of its involvement with this facility. The period for receiving submission to this process will be four weeks.

The Tasmanian Farmers & Graziers Association has offered to assist Council in the implementation of the Communication & Consultation strategy to ensure that any negative impacts arising from a change in operations (and identified from the public submissions received) are minimised, and that all Primary Producers are fully aware of the alternate options available to them for livestock sale moving forward.

The text below is an extract of the key actions and timings identified in the Communications Plan:

Council's consideration of the closure of the Killafaddy Livestock Markets (Possible cessation of Council's operation of the facility, and possible sale of the business/associated land)

**ACTION #1:** *Media Officer to prepare a Media Release outlining the reasoning why the Killafaddy Livestock Markets will no longer be run by the Council as well as including relevant information and timing of the subsequent actions from this communications plan.*

**TIMING:** *Same day following the Council decision*

**ACTION #2:** *Provide written correspondence to the Tasmanian Farmers & Graziers Association (and other primary production peak bodies associated with the operations the facility) of the Council decision, and the proposed process to be implemented.*

**ACTION #2:** *With the assistance of the TFGA, develop a comprehensive information resource (to be made available publically) identifying all alternate livestock sales options available to primary producers.*

**ACTION #3:** *Inform associated lessees of the proposed course of action - Canteen operator and adjacent rural land lessee.*

**ACTION #4:** *Direct contact with all Livestock Agents informing them that the Killafaddy Livestock Market and associated land will be offered for sale via an Expression of Interest process.*

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**15.1 Livestock Market Operations...(Cont'd)**

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***ACTION #5:*** Erect information signage at Killafaddy detailing proposed process to be undertaken by Council, and the existing options available for the sale of livestock.

***TIMING:*** As soon as practicable following Council decision.

At the conclusion of both the public consultation and Expression of Interest process, a subsequent report will be provide to Council to consider the submissions received, and to determine the options for asset disposal.

**ECONOMIC IMPACT:**

Consideration contained within the Report.

**ENVIRONMENTAL IMPACT:**

N/A

**SOCIAL IMPACT:**

N/A

**STRATEGIC DOCUMENT REFERENCE:**

Priority Area 5: Governance Services.

Goal 5.1 Engaging our community and delivering responsible management.

Strategy 5.1.4 Ensure the City in managed in a financially sustainable manner.

**BUDGET & FINANCIAL ASPECTS:**

Consideration contained within the Report.

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## 15.1 Livestock Market Operations...(Cont'd)

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### 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.

  
**Rod Sweetnam: Director Facility Management & Governance Services**

### ATTACHMENTS:

1. *Makris Skringar & Associates* report into the livestock market operations. - (distributed separately).
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**19 GENERAL MANAGER**

Nil

**20 URGENT BUSINESS**

That Council pursuant to Clause 8(6) of the Local Government (Meeting Procedures) Regulations 2005,

Nil

**21 WORKSHOP REPORT(S)**

Nil

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**22 INFORMATION / MATTERS REQUIRING FURTHER ACTION****22.1 Information / matters requiring further action****FILE NO:** SF3168**AUTHOR:** Leisa Hilkmann (Committee Clerk / Administration Officer)

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This report outlines requests for information by Aldermen when a report or agenda item will be put before Council or a memorandum circulated to Aldermen.

It will be updated each Agenda, with items removed when a report has been given.

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**ATTACHMENTS:**

1. Information / matters requiring further action - 12 August 2013
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MATTERS ARISING FROM COUNCIL - REQUIRING FURTHER ACTION - AT 12 August 2013

Meeting Date, Item # & File No.	Outstanding Items & Action Requested	Officer Responsible & Officer Comment	Due Date
13 March 2012 Council 14.1 SF0841	<p><b>Duck Reach Redevelopment</b></p> <p><u>Resolution at Council Meeting 13/03/2012: additional point 4</u></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Consider the report outlining recent investigation into a redevelopment of the Duck Reach site.</li> <li>2. Endorse the investigation of third-party investment opportunities for the redevelopment of the Duck Reach Site.</li> <li>3. On finalisation of the business case analysis outlined in the report, and identification of potential third party development opportunities, Council review the redevelopment options for the Duck Reach site based on a future report.</li> <li>4. Agree that further investigation by Council is predicated upon Hydro Tasmania formally committing to a minimum base flow of 2.5 cumecs which is the current voluntary release by Hydro Tasmania.</li> </ol>	<p>Rod Sweetnam</p> <p>Correspondence has been received from Hydro Tasmania indicating their agreement to enter into a MoU with Council. The MoU is being drafted in consultation with Hydro.</p> <p>The MoU will be presented to Council for consideration.</p> <p>Finalisation of the MOU will allow the business case analysis to proceed.</p> <p>The draft MoU has been sent to Hydro Tasmania for review and comment prior to report to Council.</p> <p>Awaiting formal response to the draft MoU as presented. This includes a binding agreement on water supply.</p> <p>A response has been received from Hydro Tasmania with changes to the document that was presented by Council. Council Officers are reviewing the proposed changes to the draft MoU made by Hydro Tasmania. Further information will be provided to Aldermen, when the review has been completed.</p> <p>Report to be presented to SPPC in August 2013.</p>	<p>Nov 2012</p> <p>Dec 2012</p> <p>July 2013</p> <p>August 2013</p>



**23    ADVICE OF FUTURE NOTICES OF MOTION**

**Nil**

**24    REPORTS BY THE MAYOR**

**Nil**

**25    REPORTS BY THE GENERAL MANAGER**

**Nil**

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## 26 CLOSED COUNCIL ITEM(S)

### RECOMMENDATION:

That pursuant to the provisions of Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2005, Council move into Closed Session to discuss those items nominated as Closed Session items, for the following reasons:

#### 26.1 Livestock Market Operations

15(2)(a) as it concerns personnel matters.

15(2)(b) as it concerns industrial matters relating to a person/company.

15(2)(d) as it concerns the security of property of Council.

15(2)(e) as it concerns proposals for Council to acquire land or an interest in land, or for the disposal of land.

#### 26.2 Key to the City

15(2)(j) as it concerns the personal affairs of a person/company

#### 26.3 Leave of Absence Application - Alderman

15(2)(i) as it concerns, application by an elected member for leave of absence.

#### 26.4 Leave of Absence Application - Alderman

15(2)(i) as it concerns, application by an elected member for leave of absence.

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27 MEETING CLOSURE

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